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INSIGHTS

Moral Responsibility in Economic Downturns: A Call for Collective Action in Developing Nations

Towards Gender-Responsive Interventions in Climate Change-Induced High-Tide Flooding in Coastal Regions of Kerala

SPECIAL ARTICLES

Libertarian, Utilitarian, Subaltern Ethics? Visualising Social Equity in India's Rural Education System

Rooted Resilience: Urban Forestry's Role in Building Climate Strong Cities

Child Labour: Status and Policy in India

POLICY PERSPECTIVES

India's G20 Presidency: Reflections and Learning

Empowering and Encumbering :Impact of Wildlife Protection Act on Denotified Tribes

Uniting Queer Hearts Under the Law: Envisioning a Future of Inclusivity with the Amended Special Marriage Act for Same-Sex Couples in India

YOUNG VOICES

Empowering Justice: Charting the Course for AI in Indian Undertrial Management

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BOOK REVIEW

Digital Sociology by Deborah Lupton

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Simi Mehta

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Impact and Policy Research Review (IPRR) (e-ISSN: 2583-3464) is a biannual research journal managed and published by IMPRI Impact and Policy Research Institute, New Delhi. IPRR hosts written contributions on topics having concrete implications for progressive development, covering a well-grounded policy analysis, that is interdisciplinary or focused on particular disciplines, for example, Economics, Politics, Governance, Geography, Sociology, Gender and Ethnic Discrimination, Development Studies, Environmental Degradation, Anthropology, and International Relations, with an expectation that all work is accessible to readers across the social sciences.

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EDITORS' NOTE

Impact and Policy Research Review (IPRR)

IPRR Volume 3 Issue 1 (January - June 2024)

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Right from its inception in 2022, the IMPACT AND POLICY RESEARCH REVIEW (IPRR) has aimed to promote scientific research to broaden the understanding of the processes of development. As always, our aim is to provide a platform for insightful discourse, fostering a deeper understanding of the complex issues that shape our world.

In the **INSIGHTS** section, we start with an article by Md. Lawha Mahfuz, who delves into the ethical dimensions of economic downturns in developing nations, advocating for a collective approach to moral responsibility. Manjula Bharathy's piece follows, highlighting the urgent need for gender-responsive interventions in addressing climate change-induced high-tide flooding in Kerala's coastal regions.

Our **SPECIAL ARTICLE** section features thought-provoking contributions on diverse topics. Divyanshi Sharda offers a nuanced exploration of social equity in India's rural education system through the lenses of libertarian, utilitarian, and subaltern ethics. Akmal Ali's article underscores the significance of urban forestry in fortifying climate resilience in cities, while Vaishali Singh examines the persistent issue of child labour in India, scrutinizing current policies and their efficacy.

The **POLICY PERSPECTIVES** section presents a reflective analysis of India's G20 Presidency by Shashank Shah and Swapnil Morande, highlighting key learnings and implications. Ranjan Chatterjee and Saumya Seal investigate the dual impact of the Wildlife Protection Act on denotified tribes, weighing its empowering and encumbering effects. Disha envisions a future of inclusivity for same-sex couples in India, advocating for the amended Special Marriage Act in their thought-provoking piece.

In **YOUNG VOICES**, Kinshuk Kandpal charts a path for integrating AI into the management of undertrial prisoners in India, emphasizing the potential for empowering justice. Monisha Dey revisits the Mahad Satyagraha, exploring its enduring relevance and the ongoing struggle for water justice and caste equality.

Lastly, our **BOOK REVIEW** by Shreya Biswas provides an insightful critique of "Digital Sociology," offering readers a comprehensive overview of this emerging field.

We hope this issue inspires robust discussion and thoughtful reflection. We extend our heartfelt gratitude to all contributors for their dedication and scholarly rigor. As we continue to navigate the challenges and opportunities of our times, we remain committed to fostering informed dialogue and contributing to the advancement of knowledge.

We thank the Journal Advisory Board and Editorial Review Committee for their enthusiastic support of the journal. We congratulate the authors for their insightful and well-researched articles. We would like to express our sincere appreciation to the reviewers, and editorial team for their dedicated efforts in bringing this issue to fruition. The IPRR Journal is committed to maintaining the highest standards of academic and policy-related discourse, and we are proud of the quality of work featured in this edition.

With Gratitude,
Editors,
Impact and Policy Research Review (IPRR)

CONTENTS

Impact and Policy Research Review (IPRR)

IPRR Volume 3 Issue 1 (January - June 2024)

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INSIGHTS

Moral Responsibility in Economic Downturns: A Call for Collective Action in Developing Nations 1-7
Md. Lawha Mahfuz

Towards Gender-Responsive Interventions in Climate Change-Induced High-Tide Flooding in Coastal Regions of Kerala 8-14
Manjula Bharathy

SPECIAL ARTICLE

Libertarian, Utilitarian, Subaltern Ethics? Visualising Social Equity in India's Rural Education System 15-28
Divyanshi Sharda

Rooted Resilience: Urban Forestry's Role in Building Climate Strong Cities 29-40
Akmal Ali

Child Labour: Status and Policy in India 41-54
Vaishali Singh

POLICY PERSPECTIVES

India's G20 Presidency: Reflections and Learning 55-61
Shashank Shah, Swapnil Morande

Empowering and Encumbering: Impact of Wildlife Protection Act on Denotified Tribes 62-68
Ranjan Chatterjee, Saumya Seal

Uniting Queer Hearts Under the Law: Envisioning a Future of Inclusivity with the Amended Special Marriage Act for Same-Sex Couples in India 69-82
Disha

YOUNG VOICES

Empowering Justice: Charting the Course for AI in Indian Undertrial Management 83-87
Kinshuk Kandpal

Water Justice and Caste Exclusion: Understanding Mahad Satyagraha and its Contemporary Implications 88-91
Monisha Dey

BOOK REVIEW

Digital Sociology

Shreya Biswas

92-94

Moral Responsibility in Economic Downturns: A Call for Collective Action in Developing Nations

Md. Lawha Mahfuz ¹

Abstract

This paper builds upon Peter Singer's ethical framework asserting that individuals bear a moral duty to aid those in need. It argues that giving to charity is obligatory, particularly in times of economic downturn affecting developing nations. Focusing on the current economic challenges faced by many developing countries, including declining remittances, foreign exchange shortages, energy market imbalances, and inflation, the study contends that collective action is essential to navigate these crises. It advocates for a shift in individual priorities towards essential needs over luxury expenditures and emphasizes the importance of resource conservation and waste reduction. Additionally, it underscores the significance of supporting local economies by patronizing domestic products and services to alleviate hardship among vulnerable populations. Ultimately, the paper explores the necessity of shared responsibility to ensure the long-term sustainability of developing nations.

Keywords: Morality, Sustainability, Responsibility, Economy, Developing nations

1. Introduction

In the midst of economic downturns, developing countries encounter complex issues that necessitate prompt moral reflection and coordinated efforts. There have been numerous economic downturns throughout history, each with its own special set of complications and effects. Take the example of Bangladesh, a nation with a growing economy, which is currently in a precarious situation. Reduced remittances, depleting foreign exchange reserves, energy market imbalances, and rising domestic inflation all indicate a threat to the country's economic stability (Amit & Kafy, 2024). The ethical principles put forth by ethicist Peter Singer, which state that everyone has a basic duty to help those in need, particularly in times of crisis, take centre stage in this situation (Singer, 1972).

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The ethical debate centered on this study is whether or not individuals in the larger community have a moral obligation to address an economic crisis. This study investigates the notion that charitable giving is both a kind deed and a moral obligation, especially in light of a nation's economic turmoil. This paper takes inspiration from Singer's ethical framework. This study aims to clarify the moral implications of both individual and collective actions during economic hardship by analyzing the intricate relationships among morality, sustainability, and responsibility. It's often labeled that economics examines self-interested behavior (Girardi et al., 2021), or egoism in philosophy, the conflict will be assessed in the context of moral responsibility. In order to create the conditions for long-term economic sustainability, communities, institutions, and governments must work together. This emphasizes the necessity of collective responsibility.

This investigation is a call to action, asking people to acknowledge their moral responsibilities and cooperate to create a more sustainable future for developing countries. It is not just an academic endeavor. This research argues for a paradigm shift in individual and societal values through ethical introspection and group endeavor, fostering a sense of moral duty that transcends economic challenges and opens the door to a more resilient and compassionate society.

2. Challenges of the Developing Countries

The World Economic Forum's Global Risks Report 2024 reveals that an economic downturn is considered the number one risk over the next two years by a significant number of regions (This Is What Different Parts of the World Consider to Be the Greatest Risks Right Now, 2024). There is an anticipation that the world economy will expand by 2.7% in 2024 and 1.7% in 2023. The Forecasts for 2023 have been revised down for 95% of advanced economies and roughly 70% of emerging market and developing nations, indicating that a widespread steep decline in growth is anticipated (World Bank Group, 2023a). Also, growth prospects have gotten worse for a lot of poor nations due to tighter credit requirements and growing external finance costs (Post-pandemic World Economy Still Feeling COVID-19's Sting, 2023).

If I dive into the specific challenges faced by developing countries, these will be poverty, inequality, economic destabilization, climate and environmental degradation, and a lack of financial technology. These challenges coexist within the developing world. It's projected that approximately 700 million people still live on less than US\$1.90 per day, and 1.3 billion people are multidimensionally poor.

The middle-income countries account for a large part of this trend (Development Challenges and Solutions, n.d.). The COVID-19 pandemic increased global income inequality, undoing two decades of progress in lowering inequality and disproportionately affecting vulnerable groups and developing economies (World Bank Group, 2023b). It is important to note that developing economies confront a myriad of economic challenges, including ongoing COVID-19 outbreaks, heightened inflation, soaring debt levels, and escalating income inequality.

Moreover, countries are gulping with pressing environmental crises, which pose significant concerns for fostering stable economies. The developing economies face a number of important challenges in their efforts to move quickly to a low-carbon economic growth path, such as a lack of finance, a technology and skills gap, and uncertainty over a future global carbon market (Barbier, 2010).

So, the point is to understand how these problems are interrelated, with solving one potentially having an impact on others. For instance, concerns about inequality and environmental sustainability must be included in initiatives to combat poverty. Likewise, strategies to mitigate the consequences of climate change need to take poverty and inequality into consideration. This demonstrates how comprehensive and well-coordinated methods are essential for effectively tackling these challenging issues.

3. Ethical Obligations in the Face of Global Suffering

During the 1971 liberation war between East Pakistan (now Bangladesh) and West Pakistan, nearly 10 million refugees sought shelter in West Bengal and other northern states of India (Dasgupta, 2016). Based on this refugee crisis Peter Singer developed his argument for effective altruism. The paper explores Singer's thesis from the lens of developing countries, where extreme poverty, famine, and inadequate healthcare are harsh realities. This discussion challenges the ethical obligations of the privileged and the societal structures perpetuating inequality, compelling us to transform moral discourse into meaningful action.

If we examine the strong case made by Peter Singer in "Famine, Affluence, and Morality," we are forced to consider a difficult moral conundrum that calls into question the fundamental principles of our way of life. Here comes two types of actions and these are obligatory and supererogatory. Obligatory actions are those that one is morally required to do, while supererogatory actions go above and beyond what is morally required.

Singer's argument's drastic consequences call into question our traditional ideas of obligation and charity. It raises ethical concerns about the decisions we make on a daily basis and forces us to reassess our priorities, particularly with regard to materialistic goals.

First, we should take action if we can stop something unpleasant from happening without sacrificing anything equally important.

Secondly, extreme poverty is unacceptable.

Thirdly, we are able to avert certain forms of extreme poverty without compromising anything of equivalent moral importance. In conclusion, we ought to try to stop extreme poverty (Singer, 2011).

Suffering and death due to poverty is a grave moral issue, as many people lack basic necessities such as food, shelter, and medical care. This severe deprivation can be mitigated by redirecting funds from non-essential purchases to charitable donations. If we reevaluate, many of the purchases we make are not

essential in the grand scheme of things, and foregoing them would not result in significant personal loss. Consequently, if we can prevent significant harm without incurring substantial personal loss, we are morally obligated to do so. This leads to the conclusion that we should donate to charities instead of spending on non-essential items.

Peter Singer's argument on effective altruism presents a compelling ethical framework that challenges our traditional views on charity and moral obligation. By examining this argument in the context of developing countries facing extreme poverty, we are forced to confront the ethical implications of our choices and the societal structures that perpetuate inequality. This exploration calls for a transformation of moral discourse into meaningful action, emphasizing the need for individuals and societies to reassess their priorities and take concrete steps to alleviate suffering.

4. Effective Altruism and Responsibility to Developing Nations

A philosophy and social movement known as "effective altruism" looks at the best ways to help others by using logic and facts. It entails not only doing good but also doing the best one can given the means at hand. The idea urges people to act in a way that will have the biggest positive impact while taking into account all causes and options (MacAskill, 2015).

According to Singer's ethical paradigm, there is a big obligation to help underdeveloped countries. These nations frequently deal with serious issues like hunger, poverty, poor healthcare, and a lack of access to education. Richer countries' individuals and organizations can successfully contribute to the Sustainable Development Goals (SDGs) set forth by the United Nations by using the principles of effective altruism. By 2030, these objectives seek to eradicate poverty, safeguard the environment, and guarantee prosperity for all (Transforming Our World: The 2030 Agenda for Sustainable Development | Department of Economic and Social Affairs, n.d.). It will take a team effort and a substantial commitment of resources to the most underserved communities to achieve the SDGs. According to Singer's reasoning, people who live in wealthy nations ought to make it a priority to fund philanthropic contributions and expenditures that directly advance these objectives. Redirecting money from non-essential luxury purchases, for instance, to institutions that offer developing countries access to clean water, healthcare, and education will significantly raise living standards and advance the SDGs (Singer, 2015).

The moral ramifications of Singer's claim are significant. It pushes people to reconsider their priorities and acknowledges their capacity to have a big influence. In practical terms, this means endorsing organizations and programs that have demonstrated their efficacy. GiveWell and The Life You Can Save are two organizations that offer suggestions for high-impact charities that support the SDGs and adhere to the principles of effective altruism (Our Top Charities, n.d.).

5. Promoting Sustainable Practices: An Analysis

For developing countries, encouraging sustainable habits through waste reduction, resource conservation, and local economic development can be quite advantageous. By implementing these strategies, communities become more resilient and better able to weather environmental shocks and economic downturns. If we preserve natural resources to the long-term viability of national and international economies. We can lessen the impact of climate change, lessen the burden on natural ecosystems, and guarantee that future generations will have access to the resources they require by practising resource conservation. By adopting renewable energy sources and making more effective use of existing resources, this technique can lessen reliance on finite resources and cut greenhouse gas emissions (Yearley, 2013).

Also, Businesses and governments can save money by putting waste reduction ideas into practice. Recycling initiatives can lower the risks to the environment and public health that come with disposing of waste (Gharfalkar et al., 2015). They can also produce income and jobs. Providing support from the local economy increases community resilience. Spending money locally tends to keep it in the community, creating a multiplier effect that encourages other business ventures. This can be especially helpful in underserved and rural areas, where small companies frequently constitute the foundation of the local economy (Shuman & Buffett, 2012).

The Sustainable Development Goals (SDGs) and the long-term development of developing countries depend on the establishment of a more stable and sustainable economic environment, which can be achieved by incorporating certain sustainable practices.

6. Collective Action and Shared Responsibility

The long-term viability and resilience of emerging countries depend on collective action. The complexity and scope of the problems these nations face such as economic instability, poverty, and climate change often surpass the potential of individual initiatives. To solve such big issues calls for concerted efforts by a variety of stakeholders, including governments, international organizations, businesses, and civil society, who are collaborating to achieve shared objectives. In order to make a larger impact, the collective action principle makes sure that resources are combined, knowledge is exchanged, and activities are coordinated accordingly (Ostrom, 2010). The notion of shared responsibility highlights the necessity of sustainable development on a global scale. We can see that modern economies are interdependent, so decisions made in one country can have a big impact on other countries. For example, pollution and environmental deterioration can have far-reaching effects and are not limited by national lines. Thus, in addition to managing global externalities that disproportionately harm developing nations, collective effort is required to solve local challenges (Sachs, 2015).

It is commonly known that group efforts can significantly increase sustainability and resilience. The global reaction to the COVID-19 pandemic, for instance, demonstrated how concerted efforts can result in notable improvements in public health and economic recovery. Numerous international agreements, including the Paris Climate Agreement, show how cooperative nations can establish and meet challenging goals for cutting greenhouse gas emissions (UNFCCC, 2015). By promoting inclusive growth and development, collective action can improve resilience in poor countries. A framework for cooperation that addresses many aspects of development, from health and education to economic growth and environmental sustainability, is provided by multilateral programs like the Sustainable Development Goals (SDGs).

So, sustaining the long-term sustainability and resilience of developing countries requires not only shared responsibility but also joint action. Through collaborative efforts, knowledge sharing, sacrificing insignificant interests, and a shared vision, stakeholders may tackle complicated issues more successfully than they could if they worked in isolation. The accomplishments of group efforts in the fields of development, health, and climate change highlight the value of cooperation in obtaining resilient and sustainable results.

7. Conclusion

Developing countries have complicated issues during economic downturns that need for a multimodal, ethically motivated response. In order to solve global suffering and economic instability, it is morally necessary for individuals and communities to act together. To this end, I have drawn upon Peter Singer's ethical theory. According to the ethical argument discussed here, giving to charity is not only a kind deed but also a moral obligation, especially during difficult circumstances. Singer advocates for an impactful and strategic approach to charity, pushing wealthy individuals and nations to prioritize making substantial donations to reduce poverty and promote sustainable development. This can be termed as the act of effective altruism. If we want to build resilience and long-term stability in developing nations, we must support sustainable practices including resource conservation, waste reduction, and local economic assistance. These methods improve community well-being and economic stability in addition to lessening environmental deterioration. The accomplishment of these projects depends on shared accountability and coordinated action between corporations, governments, international organizations, and civil society.

Undoubtedly, there is a need for a paradigm shift or recurrence in societal values, where we can understand the importance of moral introspection and group endeavor to create a more equitable and compassionate world. As for now, this is the world in which we inhabit, we have a core responsibility as human beings to work towards the SDGs. This paper urges people to put aside their self-interest and make a significant contribution to the global effort to create resilient and sustainable communities in poor countries. It also calls for a renewed commitment to ethical responsibility.

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Towards Gender-Responsive Interventions in Climate Change-Induced High-Tide Flooding in Coastal Regions of Kerala

Manjula Bharathy¹

Abstract

Climate change policy and interventions are deeply gendered, reflecting hegemonic masculinity and often overlooking the nuanced, gender-specific impacts and knowledge systems. This paper critiques the current technocratic approach to climate change, emphasizing its roots in neocolonialism and its exacerbation of gender inequalities, particularly affecting women in the Global South. Highlighting the need for gender-sensitive methodologies, the paper discusses a gender-responsive field intervention in Central Kerala's coastal panchayats, addressing high-tide flooding through community mapping, video production, and theatre. These participatory methods empower local women, leveraging their situated knowledge to create counter-narratives and data sets that challenge dominant, top-down climate policies. The project underscores the importance of integrating gender perspectives in climate action, advocating for a transformative, inclusive approach that redefines climate discourse and practice.

Keywords: Climate Change; Gender; Women; Kerala; Equality

1. Introduction

The present policy discourses and operational interventions on climate change, mitigation, and adaptation are heavily gendered. Today, the environmental crisis is being treated merely as a technically manageable, measurable, and controllable problem that requires scientific, diplomatic, and military interventions; entirely consistent with hegemonic masculinity. The alarmist climate security discourse was embedded in a broader project of masculine-coded scientific rationalization of climate change-related threats driven by a network of largely male, white scientists (MacGregor, 2010). This masculinized image of global scientific control was

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challenged by the gendered epistemology of 'women's day-to-day work and knowledge' (Leach, 2007).

Climate change is a political problem, rooted in exploitative models of neocolonialism, power asymmetries, and global hierarchies, which exacerbate existing gender inequities owing to existing gender norms, social structures, gendered division of roles, and unequal power relations among different genders. Climate change, as a "threat multiplier," escalates social, political, and economic tensions, leading to multiple forms of gender-based violence that are informed by normative, structural, capacity, and decision-making barriers. The impacts of climate change are inequitable and gendered, with women in the Global South, especially those who are poor and disadvantaged due to different intersectional vulnerabilities, bearing a disproportionate burden of the climate crisis. This is rooted in their colonial histories, which established their rule on extractive relations and capitalism, and introduced laws that impacted women, especially those from marginalised communities like indigenous women, further widening gender relations. The approaches to tackling climate change have largely been top-down, one-size-fits-all, overlooking the differential realities, contexts, and vulnerabilities that demand approaches, that are differentiated, embodied, bottom-up, and grounded.

Today, when the neo-liberal governance and governmentality de-politicize the public sphere, and de-sensitize the popular imagination, both gender and climate change - two of the most important, and relevant thematic verticals- are embedded with inequities, inequalities, disparities, discriminations, - historically, spatially, socially, temporally, need a re-imagination of the social structures with gender equity; need co-learning and co-producing an epistemology and body of knowledge with gender justice; and to co-own the shared responsibility for climate change with a gender lens that could turn climate change discourses into gender-sensitive epistemologies, policies, practices and actionable interventions. Despite growing recognition of the differential vulnerabilities as well as the unique experiences and skills women and men bring to development and environmental sustainability efforts, women still have less economic, political, and legal clout and are hence less able to cope with— and are more exposed to—the adverse effects of the changing climate (UNDP, 2021). Hence, it is important and most needed in the gender-climate interventions to reimagine the philosophical, ideological, and epistemological moorings and to revisit the existing gender-blind practices in the climate change interventions.

This article informed through the lens of critical praxis, facilitates the reclaiming of the pedagogical practices to reframe the methodologies, redefine the very concept of data, and reimagine the body of knowledge around climate change. By recognizing gender as a key variable of power inequality, it is critical to unravel the transformative findings presented in the Intergovernmental Panel on Climate Change (IPCC) Report VI, which challenged the epistemological hegemony of natural science in climate change. The report's focus is on social vulnerability, which

highlights the need to understand the nuanced ways in which gender and climate change intersect and influence governance, policies, and practices.

2. Why is Gender Important in Climate Change Interventions?

It is widely acknowledged that the negative effects of climate change are likely to hit the poorest the most. 60% of the world's poorest and most vulnerable one billion people are women and girls (UNFPA, 2021). Vulnerability depends in large part on access to resources and assets (physical, financial, human, social, and natural). Assets and vulnerability are inversely related. The following reasons make women more vulnerable to climate change adaptation and mitigation interventions:

- Women have lesser access to resources, including land, credit, education, technology, etc;
- Men and women have differential levels of access to resources;
- Men and women have differential preferences and consumption patterns of resources;
- Men and women have different decisions on the allocation of resources;
- Gender inequality intersects with climate risks and vulnerabilities
- Gender-blind laws and regulations;
- Gender gap in the availability and accessibility of information (Access to climate information shapes climate change perceptions and responses.)

3. Gender Responsive Field-based Intervention to Climate- change Induced High Tide Flooding in Coastal Panchayats of Central Kerala

Gender-responsive intervention was made to address the climate- change induced high- tide flooding in Central Kerala through a field action project on three coastal panchayats of Ernakulam—Ezhikkara, Puthenvellikara, and Kumbalingi— under the guidance of scientists from Tata Institute of Social Sciences, Mumbai, M.S Swaminathan Foundation, and Equinoct, and with the support and involvement of Kudumbashree networks and LSGIs.

There was a time when tidal flooding recurred once a year in coastal panchayats of Ernakulam district, Kerala. But today, the area is facing a water-logging problem throughout the year. Life in these spaces is in the grip of climate change and collateral damage. Nearly twenty thousand houses, spread across 23 villages, are facing this problem. Many houses have collapsed, and many people have abandoned their houses. Livelihood options are becoming extinct. Wetlands are landfillled and converted for other uses. Water gets more and more polluted. Added to that is the issue of drainage water. Water-borne diseases are increasing. More and more people leave the island.

It is in this context that the project aimed to coordinate rights-based information campaigns through a gender-sensitive approach to climate change decision-making and implementation of activities, challenging market-based

solutions and mobilizing women as leaders to create counter maps. Using the framework of the IPCC VI report on social vulnerability, the project engaged with the situated knowledge of the people and their day-to-day lives. This helped to unravel their embedded hegemonic social consciousness, which most often positions them as passive, defenceless victims of climate change.

A participatory project was designed to empower local people to initiate, control, and take corrective action. A series of workshops and training sessions were designed as a semi-structured process of learning from, with, and by the people about their life conditions. The participatory nature of these trainings and workshops enabled and capacitated the local community to monitor, map, model, estimate, and rank their vulnerabilities and climate change issues, equipping them to plan for tidal flooding. Through these trainings and workshops, the value of popular collective knowledge and wisdom is recognized, and the production of knowledge by people is legitimised. The Rights-based information campaign of this Project enabled the following:

- Made the community members informed citizens of the climate change-induced high tide issues;
- Made the community members producers of the participatory community-owned data sets, rather than passive recipients of the top-down technocentric data analytics;
- Made the community members a part of the collective critical consciousness by being a member of the Coastal Community Resilience Network;
- The binding, bonding, and bridging capital coming from the solidarity economy bettered the adaptation and mitigation interventions of the community members;
- Made them less vulnerable and initiated a counter-hegemonic consciousness of micro-data analytics, where the lives of the community members, their experiences, and their situated knowledge become the data set to analyse the climate change discourses that challenge the hegemony of natural science in environmental discourses.

Thus, this project, at a micro-level, attempted to explore the politics of counter-consciousness and its exercises at various local levels to pool in the micro-politics of resilience and resistances as gender counter maps, challenging the gender-blind climate policies and interventions.

4. Gender Counter Maps in this Project through Rights-Based Campaigns

Three Ways of Gender Counter Maps were prepared in the field using the Kudumbashree Network through Rights-Based Campaigns to address the climate change-aggravated high-tide flooding in Coastal Kerala. Manjula Bharathy, Professor at the School of Habitat Studies, TISS, Mumbai, conceived and implemented these three counter maps - Community Mapping, Community Video, and Community

Theatre—with her expert team comprising technical professionals with vast experience in such interventions. They trained and helped in developing the needed technical skills and capacities for the selected community members.

5. Community Mapping of the Tidal Affected Areas

Community Mapping of the High Tide-affected areas was done by selected women from the Kudumbashree network, who were given a three-month-long training, both online and offline modes, under the guidance of Manjula Bharathy and Antony Kunnath to function as community researchers.

The participatory countermaps used five PR methods:

- participatory resource mapping of the high-tide affected areas;
- historical time analysis of the climate change issues, using oral narratives and historical temporal analysis;
- time-use gender ratios to understand the time-use poverty among women during climate disasters, using time-use calendars;
- cob-web analysis to understand the perception of the local community about service delivery, effectiveness, and efficiency of local institutions, both formal and informal; problem tree analysis to explore and record the problems and causes of the problems and manifested issues at the local level, as perceived by the local community.

This gender counter-mapping was initiated at the neighborhood level, where they, along with NHG members of the Kudumbashree, mapped the affected wards of the selected panchayats. The data was collated at the ward level and consolidated at the panchayat level. This gender counter map initiated the subversive politics of upturning the normative expert-driven, techno-centric data set and substituted it with communitarian and participative data gathering, which is inclusive.

This community mapping provided gender-sensitive counter data sets at the local community level through:

- counter-historical data sets;
- counter resource data sets;
- counter spatial data sets; and
- counter temporal data sets.

6. Community Video

Community video training tried to change the overt and covert landscapes of visuals and their production by producing counter visuals and subaltern knowledge using the women's network of Kudumbashree. Six- months' training to make short videos with mobile cameras was given to the women collectives of Kudumbashree, through both

offline and online modes, under the guidance of Bindu Sajan, G. Sajan, Abhijit Narayan, and Sunil Prabahkar.

Community Video was envisaged with the following objectives:

- Equipping women, the most vulnerable and directly affected persons of the high-tide floods, to make small videos of their areas, reflecting their day-to-day lives, with the aim of generating data that would tell volumes about their lives and livelihood options that have been seriously affected by high-tide flooding;
- Small videos coming out from their lived experiences will be the new set of data at the micro level for planning the adaptation and mitigation interventions of climate change disasters;
- To make the public sphere more engaging with these development issues arising from climate change, especially when the mainstream media have turned a blind eye towards these location-specific developmental issues;
- To make the discourses on climate change gender-responsive and gender-sensitive To develop climate-change grass root level women leaders, who are informed and technically sound, at the neighborhood and panchayat level; and
- To subvert the hegemony of visual politics and the epistemology of the mainstream and popular visual narratives

The training helped the community members to make more than 30 short, 2- 3 minute, videos that narrate high tide issues of their neighboring houses.

6.1 Community Theatre: Chevittorma (here say)

Community theatre tried to collect the memory landscapes of the residents of these affected areas and attempted to make them navigate through their hegemonic social consciousness, using theatre as the medium of SpectActor, to produce a counter-hegemonic consciousness challenging the normativity of the hegemonic, patriarchal knowledge related to climate change. Primarily, the community theatre initiative tried to collect the memory landscapes of local residents of tidal flood-affected areas through continuous engagements with them.

These interactions helped to explore the historical, cultural, and social landscapes of the region and the multiple life-worlds of its inhabitants. Unfolding the situated knowledge of the people and their day-to-day lives helped them to unravel their embedded hegemonic social consciousness that, most often, positions them as the passive, defenceless victims of climate change.

The Community Theatre started out with multiple visits by the director, Dr. Sreejith Ramanan, and the team to those panchayats in Ernakulam district that face the threat of tidal flooding. The team began the preliminary research for the community theatre with limited information about tidal flooding. While the

organisers were expecting the usual method of a street play, the director was determined to find a form of theatrical representation capable of effectively bringing the issue in front of a larger public. The team consisting of a dramaturg and a video artist—Vipin and Akarsh Karunakaran, respectively—stayed in the area for almost a week and furnished comprehensive data regarding the people's lives, including local history, myths, songs, rituals, lifestyles, environmental issues, articles, and images. Two-week offline trainings were given to the selected local people from these three panchayats to make the script and to equip them to be the actors of the community theatre. This recasting and reinventing of the community theatre, along with the local consciousness, helped in evolving a theatre language and form that would directly engage with the local community about their living issues and vulnerabilities; making them claim their voice and agency.

7. Solidarity Economy from the Micro-Politics of Alliances

The interventions to address climate issues with a critical gender lens would be diversified and extended to other micro spaces in Kerala and India. Similar micro-interventions within the framework of the SDGs have been initiated in three panchayats of Raigad District, Maharashtra. A network, WICAN—Women In Climate Action Network - was initiated to focus on bottom-up transformation in marginal environments that challenges top-down valuations and framings of marginal environments. This implies that adaptation and mitigation choices for climate change interventions need to draw on multiple perspectives, alliances, and place-based knowledge to address power and gender imbalances and create transformative change. This shift enabled history to be re-read through the lenses of the gender subaltern, but affirmatively not the gender from the victim position, but from a subject-and-citizen position that speaks of active agency with dignity. We do see the light of hope—parallelly. We do see the emergence of counter-hegemonic currents and movements at meso, micro and nano sites and spaces, which have the potential to converge and to become strong sites of resistance to the mighty powers through solidarity and politics of collectivization and politicization. Right now they are not the sites of spectacle- but only embody and exist as sites of micro resistances which surface through their everyday struggles, which we can call the grass root active spaces- spaces that breathe the politics of hope- for a transformative gender politics, for a transformative climate politics and a transformative epistemic politics towards a counter-hegemony through a war of position and war of movement...

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Special Article

Libertarian, Utilitarian, Subaltern Ethics? Visualising Social Equity in India's Rural Education System

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Abstract

The world of ethics has often debated the relevance of schools of moral thought, such as utilitarianism and the libertarian doctrine, to the ideals of sustainable, inclusive development that countries across the globe aspire to reach. Utilitarianism, a philosophy which endorses actions providing maximum happiness as morally correct is ideologically unique from libertarianism, which prioritises individualist freedom and a free-market economy. Both views can be connected, although in varying degrees, to the axiom that equitable provision of education contributes to the overall economic development of the country. This concept is primarily concerned with state policies on improving the access and quality of education, such that all social groups, especially the marginalized communities, can avail the basic amenities of formal schooling and, subsequently, add value to their lives through the same. This essay will explore the two ethical philosophies of libertarianism and utilitarianism, and analyze the nature in which they engage to materialize social equity in the realm of school-level education in India's underserved rural regions. Furthermore, this essay will establish how utilitarian principles reflect a clearer template of equitable community development through education whilst engaging with some noteworthy shortcomings of the utilitarian worldview. Finally, it will recommend adoption of indigenous and subaltern ethical frameworks by the Indian educational system to ensure an all-encompassing materialization of social equity.

Keywords: Education, social equity, rural, India, ethics, subaltern, utilitarian, libertarian

1. The Libertarian Outlook on Educational Provision

The libertarian tradition bases itself on the purported idea of absolute autonomy and liberty of the individual, spanning across the social, economic and political dimensions. This concept of “unfettered” individual rights stipulates complete exemption from government policies and laws that seek to regulate human

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behavior and economic decisions, while relegating the role of the state solely to that of crime prevention, especially for the protection of private property (Sandel, 2011). Libertarianism extols individual agency in determining access to and provision of basic amenity systems such as infrastructure, housing, healthcare, and education. The Indian schools of libertarian thought endorse the commodified production of rural education as an excludable private good rather than a public one, wherein the system not only ensures the parents, educators and students a proper choice in determining what form of schooling, pedagogy, educational facilities and learning outcomes are favorable for them but also diminishes state intervention in educational provision through the removal of regulatory "barriers" on private institutions in order to enable the latter to thrive and expand (Ashar et al., 2021). Focusing on low-fee rural private schools, the libertarian view on education states that private schooling is of a higher quality apart from the fact that it encourages an entrepreneurial spirit in Indian citizens keen on embarking upon a career in the social sector (Mathur and Narang, 2022).

However, an important point this view seems to ignore is that even the low-fee private schools in rural India cater to the rural middle-class demographic and not those below the poverty line, let alone the children from ultra-poor households (Vasavi, 2019). With 72.9% of Indian students studying in public schools (ASER, 2022), there is an over-representation of marginalized students in such institutions and the inverse in private schools (Mehendale and Mukhopadhyay, 2021). If one were to strategize policy according to the libertarian doctrine, how such an overwhelmingly large cohort of socioeconomically disadvantaged students can be incorporated into private schools in greater numbers, which are significantly more expensive, is an issue to which this doctrine seems hesitant in providing a solution. One can try arriving at an answer by analyzing this issue through the lens of deontological and consequentialist libertarianism.

Determining the morality of an action based on whether it aligns with a certain principle, such as absolute individual freedom, without considering the impacts or consequences of that action, is the essence of deontological libertarianism (Bradford, 2008). The promotion of private schooling sans governmental regulation satisfies the principle of personal choice and liberty, as individuals now have the right to start their own schools and choose from a variegated set of pedagogies and curricula. If we were to place this in the context of India's rural educational setup, we would have to look at the prevalence of resource ownership quite critically. Rural India is marked by higher levels of poverty, lower incomes and lesser livelihood opportunities (Sahasranaman and Kumar, 2022), hence the possibility of individuals, facing financial insecurity, choosing to invest money into starting their own schools is much lower. This is evident from the fact that agriculture is the major employer of the rural workforce, followed by predominantly wage labor in construction, manufacturing and micro and small enterprises (Rathore, 2024). Therefore, in principle, socioeconomic vulnerabilities discourage individuals from partaking in the production of education as a private good, which represents the supply-side predicament prevalent in ensuring individual, privatized ownership of educational institutions, as proposed by deontological libertarianism.

Theoretically, such a philosophy would act as an obstacle to achieving social equity in the rural education system, as only the economically privileged- middle or upper-class and upper-caste - individuals would be able to establish educational institutions; thus effectuating an unequal distribution of livelihood opportunities. Individuals from poor, marginalized communities are more empathetic and generous to fellow poverty-stricken people, thus donating more to social welfare and poverty alleviation initiatives. (Piff et al., 2010). If an argument is made by libertarians of partial state intervention through financial support to relatively poor private school owners, in India in the form of government grants or tax credits in the United States (McCluskey, 2020), this proposition in itself would stand as a violation of the libertarian first-principles of absolute private ownership of resources (Hornberger, 2020). Hence, there is simply no ethical provision under the libertarian philosophy that caters to the crucial objective of socially equitable distribution of resource ownership, such as educational institutions.

With such ownership of educational provision being concentrated in the hands of those with some generational wealth, hailing from privileged communities, there is a reduced possibility of an inclusive learning environment, and poor communities' accessibility to such educational opportunities, along with an increased institutionalization of practices, norms reproduced by an elitist moral ideology. Libertarianism essentially endorses a self-sustaining hegemonic system, where elite, privileged individuals set up exclusivist rules, ideologies, and customs that coalesce to form an institution; and this institution further indoctrinates more individuals into becoming subscribers of such exclusivist intellectual traditions.

On the other end of this spectrum lies consequentialist libertarianism, which adjudges individual liberty and a capitalist economy as morally good since it is believed to effectuate socio-economic prosperity and political freedom (Wolff, 2006). Consequentialist libertarian thought, partially divergent from other consequentialist philosophies such as utilitarianism, bases itself on two fundamentals. The first is based on the consequentialist crux, that certain policies, actions and decisions are morally good because they yield substantial benefits, and maximize the well-being or happiness of the people as part of their consequences or impact (Sinnott-Armstrong, 2003).

The second fundamental builds on the first and focuses on an expected consequentialist view which prioritizes individual liberty and the free market as morally good policy endeavours since the consequences of such policies, according to philosophical proponents, yield the aforementioned benefits and maximize happiness and well-being. Hence, consequentialist libertarianism attempts to calculate or estimate the utilities of a decision prior to its implementation and subsequent consequences, while assigning a mandate to a particular principle- like individual liberty- which must be adhered to or satisfied by the outcomes of that decision; akin to how rule utilitarianism stipulates rules to be adhered to since they are perceived to maximize utility or pleasure (Brink, 2022).

Under the ambit of consequentialist libertarianism, privatized educational provision is again encouraged because the philosophy claims that such an education is of a better quality and that it provides the freedom of choice to the students and their guardians (Mathur and Narang, 2022). However, this freedom is

selective and disproportionate. When school education is privatized, all its components are priced. Parents now have to pay the school tuition fees, compiled with additional fees for infrastructural maintenance of the school, admission and co-curricular charges. This stands starkly in contrast to public schools, wherein not only is the tuition and infrastructure fee waived, but also essential school supplies such as textbooks, uniforms, and writing materials are free of cost (Mehendale et al., 2015). This is the case for Indian public schools till grade eight, after which parents or guardians need to incur costs on school supplies and tuition- although quite minimal since secondary education is largely subsidized. Despite this, even in rural public schools, we observe students from marginalized communities dropping out significantly after completing middle school, mostly due to poverty, as they now start seeking livelihood options to support their households financially (Walia, 2021). A bigger brunt is borne by the girls, who not only drop out to earn but also to partake in domestic chores.

Evidence clearly shows that the consequences of privatizing educational opportunities, to any degree, always harm the poorest, structurally disenfranchised students the most. With almost half of India's rural marginalized castes and tribes, Dalits and Adivasis, living in poverty (Shroff, 2022), and a significant proportion of other poor households who rely on public education for a dignified life, such mass privatization would simply not allow socioeconomically disadvantaged children from accessing basic school education in the first place, let alone cause them to drop-out after they enrol. A consequentialist libertarian policy would be self-defeating, since the utility provided by education would not be experienced by more than half of India's current school-going child population, therefore coming nowhere close to the purported objective of utility maximization. As put forth earlier, such a system offers an illusion of choice; as a significant proportion of India's poor rural families do not have the power to choose the private school in the first place. Complementing the earlier supply-side predicament in educational provision, curbing people's access to education represents the socially inequitable demand-side patterns that emerge when libertarian views of educational provision are materialized.

Furthermore, the idea of private schools providing quality education can only be true to some extent for the high-fee-paying subcategories within this cohort. Most of the other low-fee-paying, small-scale rural private schools often do not even meet the basic infrastructural criteria, as complying with such regulatory norms is often costly (Central Square Foundation, 2020), and schools are often penalized if they do not adhere to the same (Mathur and Narang, 2022). Apart from this, such schools often do not employ teachers who have an appropriate professional degree in education or those who have cleared a basic teacher eligibility test- as a measure of cost-cutting- simply because they are not obligated to under the law (Ashar et al., 2021). This substantiates that government regulation of private institutions still ensures some level of accountability, as its absence would allow the expansion of poor-quality private centres of education by an order of magnitude, with consistently worsening infrastructural and pedagogical quality.

Therefore, the libertarian logic of deregulating private schools to ensure socioeconomic prosperity and development holds no water since the less such private institutes are publicly held accountable, the less they tend to spend on basic education necessities.

2. How Does Utilitarianism Approach the Education System?

The utilitarian philosophy determines the moral goodness of an action if its consequences maximize happiness or the well-being of as many people as possible (Boston et al., 2010), essentially entailing a cost-benefit analysis of a policy to understand the extent to which it can provide satisfaction to the citizens, and whether its utility-ensuring provisions significantly outweigh the inconvenience or disruption experienced by the citizens through that policy. Utilitarian ideas have often been viewed as reinforcement to policies on educational provision, especially by their foremost proponent, Jeremy Bentham, to endorse basic education for child labourers residing in industrial England's poor houses (Komatsu, 2003). Since then, several scholars, administrators and public sector actors have attempted to restructure educational provision in their respective countries through utilitarian principles.

This has been the case for the system of higher education in the United States, often touted as a chain of institutions that cater to societal interests and impart relevant knowledge for resolving pressing socioeconomic issues (Ebersole, 1979). This implies an apparent adherence to the moral objective of ensuring overall societal well-being or collective happiness of the people. Through the perspectives of act and rule utilitarianism, one can uncover what kind of configuration the rural Indian education system would have, particularly when it comes to ensuring social equity in its mechanisms.

Act utilitarianism as a concept speaks about a more direct application of the utilitarian crux of happiness maximization, where an act is deemed morally good if its consequences have produced a realization of collective welfare by the people, that ultimately stands out as a better option compared to its alternatives, or one that is at least as favorable (Brink, 2022). Therefore, in the context of rural Indian educational provision, utilitarianism does not explicitly articulate a template that configures the nature of education as either a public or a private good, to the extent that libertarianism does.

Specifically focusing on this aspect, we would find that, ideally, utilitarianism may be more inclined towards a public provision of education in rural India, considering that this structure would enable all demographics, especially the poor, to access and partake in educational activities; hence, adheres to the idea of happiness maximization to a far greater extent. In fact, we see such utilitarian underpinnings of public education prevalent even in countries such as Soviet Russia, where large-scale state-led educational provision was ensured for the purpose of intellectually strengthening the poorest citizens, such that the country's aims of rapid industrialization are accelerated (Yarkova, 2016).

Even though this public system should be prioritized, as a largely privatized provision is detrimental to the rural masses as explained previously, the question of this public system actually maximizing the well-being and utility of its students, in a truly holistic sense, seems questionable. Despite India's rural public education system being recognized for its last-mile delivery of essential social development, it is, has been, and continues to be, widely critiqued for its poor standard of pedagogy, facilities, and administration, resulting in abysmal learning outcomes for the children. This is why rural households, even those that are marginally non-poor, prefer to send their children to nearby private schools, due to relatively better teaching and infrastructure, as well as their provision of English as the primary medium of instruction; as this equips the students with verbal skills which lower-middle class rural citizens rightfully consider a necessity for obtaining social and occupational mobility in the present economy (Faust and Nagar, 2001; cited in Vasavi, 2019). My interviews with the residents of local villages in India's northern state of Haryana confirmed this fact.

In fact, children in India's rural public schools face extreme difficulty in understanding concepts of grades much lower than those they currently study (ASER, 2023). This seems to contradict the earlier discussion wherein several low-cost private schools were also operating in a substandard fashion. However, despite their limited quality, such low-cost private schools, generally, still tend to offer a better standard than their public counterparts (Tooley and Dixon, 2006; cited in Mathur and Narang, 2022). Hence, even though social equity may be somewhat instituted by public schools through universal access to education in India's villages, quantified by enrollment, this principle is not materialized with respect to ensuring that school-going children receive an education which they and their parents derive enough utility out of.

Under this ideological subset of utilitarianism, one can then argue, that encouraging school-level educational privatization, for those sections who can afford it, could be a morally correct policy decision, with the diminishing socialist welfare state now being strictly limited to catering to the most marginalized sections of the society; as this measure may maximize utility for all socioeconomic groups, by allowing as many of them an opportunity to obtain an improved, private education. However, this trend will eventually lead to a highly commercialized (Vasavi, 2019), socially-unconscious and elitist design of education being imparted (Stumm and Plomin, 2021), potentially resulting in students aspiring to become financially lucrative job-seeking youth, instead of passionate, socially-driven changemakers willing to create sustainable local development systems. In fact, the more students migrate to private schools, the less the government is keen on continuing adequate spending on public education, due to the now-increased per-pupil expenditure (Kingdon, 2020).

It must be noted, however, that under act utilitarianism, a single or a set of low-cost, good-quality private educational initiatives, such as the kind undertaken by renowned Indian non-profits like Pratham Education Foundation, can be encouraged and supported, on a case-by-case basis, till the state builds enough capacity to provide a high-quality public education system.

This temporary measure can be analyzed as a relatively better option that maximizes benefits for all stakeholders as it retains the low-cost accessibility of schools while infusing it with a high-quality pedagogy. This is because act utilitarianism looks at the consequences of an individual act, and checks whether it yields the highest net benefits compared to available alternatives at that point in time. Hence, even though this form of private provision is not beneficial as a rule of thumb, to be replicated throughout as an institutional model backed by policy, in certain exceptional, isolated instances, it may act as a worthy decision for a limited time period.

Basing itself on the framework of act utilitarian thought, rule utilitarianism is concerned with defining the morality of an act or a set of actions based on whether its consequences satisfy a general norm or rule (Dragas, 2018). The rule is decided upon by observing the consequences of a particular act being repeated multiple times, over a large timespan, wherein such consequences have had in most cases, if not all, a large net benefit for as many people in society as possible (Brink, 2022). With regards to educational provision, rule utilitarian thought would endorse a system wherein its access and quality would be shaped by the norm which the stakeholders consider to be worthwhile, based on past experiences.

For instance, the increasing trend of school privatization in India and budget cuts by the government on education are symptomatic of the government adhering to a rule that considers the supply of education as a private good to be a higher utility-providing option. However, the larger sections of society- the poor communities, as well as several other stakeholders such as civil society members and academicians, are bound to find this warped conceptualization of rule utilitarianism extremely flawed (Kumari, 2015). The opponents could argue that since this event of privatization, repeated over a long span of time and in multiple areas, produces similar effects of dispossession, therefore disutility in the form of social inequity, for demographically large low-income communities, it cannot be considered as a rule which policies must adhere to for the purpose of providing “the greatest good of the greatest number.”

Hence, at a comparative level, utilitarian ideas can be understood as those being more resonant with the objective of an equitable education system than the philosophy of libertarianism. This can be posited since utilitarianism can be interpreted as an ethical framework aimed at maximizing utility, or welfare, for as many individuals as possible. Although there lies a possibility of well-being being construed in a strictly profit-centric or financial sense (Ortega Landa, 2004), the existence of the aforementioned counterargument opens up a substantial space for justifying social equity through the lens of utilitarian thought; unlike libertarianism which is strictly encircled around the principle of private resource ownership.

However, despite utilitarianism being a more empathetic ideology to social equity in the educational system, there are some serious limitations to this philosophy that have been largely unmet with any form of philosophical redressal. It was evident in the discussion on rule utilitarianism that a general rule is solidified when its application on many events over a span of time yields large net benefits.

However, this moral epistemology, specifically in the context of education, does not provide a solution to the issue of dominant social groups monopolizing the power to not only decide which rule is to be chosen but also the ethical underpinnings forming that rule. For example, in the context of the American racial segregation laws in the school system, the dominant White population, using their social capital and political muscle, created a seemingly ethical concept of "separate but equal," based on which the utilitarian rule of racially segregating public spaces between the White and African American populations was instituted (Hanson, 2011). The White majority here argued that this policy did not cause pain or suffering to either racial group, as it did not directly stop African Americans from accessing schools but only legally mandated them to seek separate institutions for fulfilling their educational aspirations. Therefore, such a rule, according to the dominant social group in this context, seemed to maximize utility for all stakeholders, as it allowed, or rather coerced, people to "protect their culture and racial purity," as well as access basic socioeconomic amenities.

Similarly, this question can be asked in the context of rural India: which social group would decide what kind of rule would benefit as many people as possible? The educational curriculum and the social atmosphere in India's public schools largely do not reflect a positive attitude towards India's marginalized castes and tribes; which contributes to atrociously high school drop-out rates for these social groups, especially at the secondary stages (MoE, 2023; Video Volunteers, 2016). Although Mill's utilitarianism does speak about the harm principle to discourage or legally prevent actions that may cause harm to another individual (Mill, 1859), the continued attendance of some Dalit and Adivasi students in schools despite such multidimensional ostracization, often results in the upper-caste and dominant caste majority taking nil responsibility for perpetrating such treatment and not acknowledging it as a cause of educational inequity, as these groups now pinpoint other structural issues such as poverty as the primary reason for drop-outs.

This reveals the innate weaknesses prevalent in the harm principle, because Mill himself defines harm as a violation of an individual's rights, by another, which results in a serious "setback" to that individual (Mill, 1861), and is thus starkly different from what he terms to be a "mere offence." Therefore, any form of psycho-social indignity caused to marginalized students, if it does not violate any of their constitutional rights, would not even count as them being "harm;" especially when such acts of indignity are difficult to prove as those which are done with malintent. Hence, in such a situation, trying to regulate or institutionally prevent individual actions, which perpetrate indignity but no harm-according to definition- could be considered as a violation of individual liberty by the socially dominant groups (Sandel, 2011). Similarly, trying to institute a more socially and culturally equitable curriculum and learning environment could also be considered as act that yields disutility to the dominant groups, because it seeks to redistribute social capital which was earlier concentrated in the hands of the rural elite; thus, taking away their monopoly, which does not sit well with hegemons.

The poor standard of education in India's public schools, coupled with the regimented division of subjects, solely for catering to a collapsing job market is also reflective of a narrow strand of utilitarian thought (Yarkova, 2016). Although there is some discussion on creating a holistic, multidisciplinary learning approach in the New Education Policy, 2020, as an attempt to incorporate "large-scale utilitarian" instruments and foster social innovation, the leeway given to privatization through the same policy raises serious concerns as to whether such large-scale utilitarian education can even be availed by the masses (Vaishali and Thakur, 2024). The resolution of such existential challenges in incorporating a holistic vision of utilitarianism would still not provide adequate redressal to the aforementioned loopholes within the utilitarian thought; thereby exacerbating social inequity in the system of educational provision.

3. Social Equity in Education: Identifying a Moral Framework

Even as a relatively more inclusive philosophy, utilitarian ideals are marked by arbitrary definitions and a serious incognizance of power dynamics in social superstructures. This could be traced to the fact that its modern founder-proponent, Jeremy Bentham, often employed this philosophy as a moral basis for providing rudimentary education to child labourers in England's Industry Houses (Komatsu, 2003). However, it is to be noted that such education was not viewed as a human right belonging to the children, out of ethical goodwill, but rather as remuneration to them for their arduous labour services and for making them more obedient workers; essentially operationalizing utilitarianism to justify and institutionalize hazardous child labour for spurring England's industrial growth.

Not only were the foundations of utilitarian thought based on structuring moral validation for exploiting the most vulnerable working-class populations, but this philosophy was also fundamental in facilitating the British colonization of India through the establishment of colonial educational institutions. The prioritization of English education and the impartment of "European sciences" (Hilliker, 1975), in order to "civilize" a class of native gentry that would assist British executives in creating essential industrial infrastructure for the extraction and transportation of resources from India's hinterlands, the periphery, to Britain's processing units, the core, was based on the seemingly ethical framework of racial-cultural supremacy; to be reproduced by the general rule of hegemonic colonial subjugation. The realization of this rule was effectuated through the establishment of elitist, exclusivist colonial schools- designed to strictly cater to upper-caste Hindus and Muslims; thereby emboldening caste oppression and widening social inequity between marginalized and privileged castes (Rao, 2019a). This is because the invigoration of the utilitarian framework took place largely to transform Britain into a global hegemon, as in this way the British Empire and its citizens could maximize their utility through the appropriated wealth, which explains the ethical validation this framework extended to industrial child labour exploitation and colonial oppression. These structural problems within utilitarianism preclude it from being completely in tandem with the objective of social equity in the starkly caste-entrenched rural regions of the postcolonial Indian nation.

Could there be a characteristically different moral worldview that works to build socially just institutions? Social equity is, in actuality, a moral priority that was historically conceptualized in a truly holistic, systemic and all-encompassing framework not by elite philosophers belonging to dominant social groups, but rather by the structurally oppressed and disenfranchised social groups in different parts of the world. As it is evident in the aforementioned discussion, the elite view of morality and social welfare- whether Eurocentric or upper-caste-centric- has always imagined these ideas in a reductionist, incomplete and selective sense; since in both these worldviews, the collective good exists only for the individuals belonging to their respective identities and communities. Eurocentric philosophers deemed the colonial enslavement of Indigenous people and Global South countries a necessary instrument for ensuring the socioeconomic prosperity and welfare of European countries, evident from the ideas that John Stuart Mill postulated in his works (Hilliker, 1975). Similarly, in the privileged Indian upper-caste view, the institution of caste in conjunction with the capitalist economic system, is morally essential for the concentration of power, masked as intra-community welfare, to perpetually rest in the hands of the upper-castes; as the subjugation of Dalits and Adivasis ensures, to the elites, a steady supply of resources, social capital, assets, and political hegemony.

Therefore, there is a critical need for actualizing the moral epistemologies that have been practiced by oppressed communities across the world for millennia. Freedom from oppressive structures is ensured when ethical frameworks informing the resistance to those oppressive structures are acknowledged, preserved, and endorsed. Naturally, adopting an ethical framework devised by the elites to solve the problems of disempowerment they instituted will lead to no tangible positive impact. The knowledge traditions of the poor and the oppressed need to be institutionally recognized, as this would ensure the overarching intellectual sovereignty of the oppressed communities from elitist moral structures. Since ethics form the moral basis for all social, economic and political decisions, autonomous ethical epistemologies of the oppressed would configure significantly more socially equitable, economically just, and environmentally sustainable policy decisions, including but evidently not limited to the context of the education system; since those impacted by oppression know the most potent ways to dismantle it.

To foreground this proposition, one can take a critical sociological look at Indian history itself. Prior to the British colonization of India, there were several knowledge-producing educational institutions established by multiple rural communities, including caste-oppressed ones, not only to increase subject expertise across disciplines but also to democratize Indigenous ethics of social cohesion, equity and inclusivity; with Dalit and Adivasi presence being recorded in these institutions not only as knowledge seekers but also knowledge producers (Rao, 2019b). However, with the fortifying symbiotic monopoly of the upper-caste landlords and the British officials they reported to, a series of disempowerment policies were imposed, targeted towards the Dalits in particular, to ensure that their socioeconomic assets, such as land and natural resources were appropriated by the upper-caste landlords, which pushed them into abject poverty

(Gunasekaran, 2021). With the loss of basic capital, a significant proportion of Dalits now faced a dual predicament: lacking assets to access local institutions such as indigenous schools and being systematically excluded from most colonial, missionary schools till the first half of the 19th century (Rao, 2019a).

However, in the case of the Bengal Presidency, the large-scale establishment of schools for Dalits occurred primarily after the reinvigoration of the Dalit-led anti-caste movement of Matua Dharma, which operationalized subaltern Hindu Vaishnava principles as the ethical framework for assertively negotiating with the British colonial government to acquire educational opportunities and dignified livelihoods for their community since the decade of 1880 (Mukherjee, 2018; Pal, 2018). These moral structures were epistemologically autonomous, as they were formed by, of and for Dalits, and laid the foundations of the Bengali Dalit resistance to both Brahminical systems as well as British colonial exploitation of the poverty-stricken working class (Mandal, 2022). Even in the Madras Presidency, the agency of the Dalits prior to colonial industrialization, with respect to land ownership, financially stable self-employed leather-making businesses of the Arunthathiyan community, tangible participation in local government institutions as administrative officials and thus as agents of transdisciplinary knowledge-production in domains such as infrastructure, enterprise and sustainable consumption practices (Gunasekaran, 2021), was not an incidental development; but an astounding accomplishment that was attained through centuries of resistance to and making attempts for dismantling caste-perpetuating superstructures through the moral sanction of subaltern ethics, which Dalits independently conceptualized.

Such indigenous ethical frameworks do not just prioritize principles of social equity and economic justice by vying for an equitable distribution of resources and power, as evident in the aforementioned examples, but are also concerned with environmental sustainability; since marginalized communities of India, through conceptions such as Dalit Ecologies, have traditionally viewed the environment not as a commodity which would maximize utility if commercialized, but as a self-evolving system which must be preserved and with which communities should contently co-exist (Sharma, 2017). Hence, the institutional incorporation of these subaltern philosophical frameworks in the sphere of rural India's school system, by its concerned stakeholders, while adequately acknowledging marginalized groups' intellectual sovereignty over these knowledge traditions, could potentially overhaul learning outcomes, reconfigure moral priorities of the policymakers towards more socially inclusive objectives, and inculcate a holistic education that equips students with the values to create compassionate yet efficient local public systems in the present neoliberal world (Zivkovic, 2022). The very foundations of universal education provision in India were laid down by proponents of subaltern ethics, as evidenced by the establishment of equitable modern schools by Savitribai and Mahatma Jyotirao Phule in Maharashtra and by Shanti Devi, Sri Guruchand and Sri Harichand Thakur in undivided Bengal.

The basic principles of subaltern ethics can thus be understood as a non-negotiable prioritization of the rights and interests of most disenfranchised communities while formulating policies on educational access and quality, by

incorporating their grievances and feedback into the decision-making process and reinstating their role as important stakeholders. Secondly, ensuring mirror representation: through special attention given to the appointment of Dalit and Adivasi school teachers thereby reinvigorating the moral priority of marginalized communities as knowledge producers and not just knowledge seekers. Thirdly, a pronounced importance of welfare spending on education to not be looked at as a simple expenditure but as an investment in human capital, and therefore a robust presence of the state in educational provision, particularly in ensuring universal access, is not an optional preference, but a matter of mandate; since the socialist welfare state acts as a powerful expression of the poor communities' political aspirations and as their safety net. Fourthly, the invigoration of a learning environment and curriculum that focuses on a socio-ecologically conscious education, since oppressed communities are most affected by both social and environmental adversities.

Subaltern ethics therefore does not limit itself to the provision of abstract moral ideals as normative injunctions but also provides actionable policy instruments to materialize the same. Unlike utilitarianism, which mostly speaks about the concept of increasing utility attainment but does not explicitly demarcate what policy decision would classify as a valid realization of utilitarian principles. Moreover, subaltern ethics does largely provide for a more socialist, welfare-oriented provision of education, but it does not discount the involvement of non-state actors and even a few private entities that have and continue to contribute towards improving educational provision; considering it was largely the civil society movement which yielded the Right to Education Act, 2009 (ADB, 2023). Since the principle of social equity is the most fundamental moral priority for subaltern ethics, it encourages policy measures that would maximize socially equitable outcomes at each level and aspect of educational provision; even if some form of occasional private engagement takes place that effectuates largely beneficial outcomes for the marginalized school students.

The fundamental moral importance attached to social equity as a guiding principle resonates with a deontological approach to ethics, whereas a promotion of the public sector by a systematic evaluation of its preceding outcomes is a relatively consequentialist view, and subaltern ethics manages to balance both with the right posture. Occasional support to private intervention, only where feasible, but retaining a largely socialist characterization of school management and ownership is what distinguishes a subaltern ethical framework from the libertarian ideology, as the latter has straight-jacketed mandates of educational provision strictly being privately controlled; demonstrating a greater prescriptive flexibility according to the context.

4. Conclusion

Libertarian ideas, with the first principles of individual liberty and private resource ownership, do not offer a robust philosophical architecture to effectuate socially equitable outcomes in rural India's educational provision system. Somewhat divergently, utilitarianism does come close to this objective of an equitable

education system but harbours certain foundational shortcomings with respect to its proto-capitalist underpinnings of the idea of utility maximization, as well as socially incognizant definitions of rules and the harm principle.

Nevertheless, despite its severe drawbacks, utilitarianism still stands closer to the objective of socially equitable education, due to the philosophical leeway it offers through its first principles of collective welfare. However, the marginally higher net benefit derived from -utilitarian thought must not preclude the stakeholders, especially the policymakers, from making a choice that stands out as the most impactful one, which is best reflected in the holistic ethical frameworks of subaltern and indigenous Indian thought.

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Special Article

Rooted Resilience: Urban Forestry's Role in Building Climate-Strong Cities

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Abstract

This research paper explores the complex relationship between climate change and urban forestry. The paper is divided into four parts, each focusing on different aspects of this relationship. The first part offers an overview of the current state of climate change, discussing its causes, impacts, and projected effects for the 21st century. It emphasizes the growing role of urban areas as significant contributors to climate change. The second part delves into the interaction between cities and climate change, highlighting the unique challenges and opportunities presented by urban environments. It examines how urbanization affects climate change, including successful climate change programs. The third part concentrates on the role of urban forestry in addressing climate change challenges. It explores the various benefits provided by urban forests in the urban ecosystem. The fourth part investigates the specific impacts of climate change on urban forestry. It analyses how changing temperature and precipitation patterns affect the types of trees, their growth, and overall health. It also discusses potential strategies and practices to help urban forests adapt and become more resilient in the face of climate change. By reviewing existing literature, this research paper enhances our understanding of the relationship between climate change and urban forestry. It highlights the importance of incorporating urban forestry practices into climate change mitigation and adaptation strategies, ultimately promoting sustainable and resilient urban environments.

Keywords: resilient, temperature, mitigation, precipitation, urban ecosystem

ABBREVIATIONS

IPCC - Intergovernmental Panel on Climate Change

UNFCCC - United Nations Framework Convention on Climate Change

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CO₂ - Carbon dioxide

GHG - Greenhouse Gas

HFC - Hydrofluorocarbons

NOAA - National Oceanic and Atmospheric Administration

GW - Gigawatts

NYC - New York City

DEP - Department of Environmental Protection

LiDAR - Light, Detection and Ranging

GDP - Gross Domestic Product

OECD- Organization for Economic Co-operation and Development

1. Climate Change in the 21st Century

Climate change has emerged as one of the most pressing challenges of the 21st century. Over the past few decades, the Earth's climate system has experienced significant disruptions due to human-induced factors. The Intergovernmental Panel on Climate Change (IPCC) defines climate change as a change in the state of the climate that can be identified (e.g.: statistical tests) by changes in the mean and/or the variability of its properties and that persists for an extended period, typically decades or longer. It refers to any change in climate over time, whether due to natural variability or as a result of human activity. [IPCC, 2012] The United Nations Framework Convention on Climate Change (UNFCCC) defines climate change as a change in climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and is in addition to natural climate variability observed over comparable periods. [UNFCCC, 2012] In simple words, we can define climate change as a long-term shift in temperatures and weather patterns.

The major cause of climate in the 21st century is the increase in greenhouse gas (GHG) emissions. The main greenhouse gases whose concentrations are rising in the lower atmosphere are carbon dioxide, methane, nitrous oxide, hydrochlorofluorocarbons (HCFCs), and hydrofluorocarbons (HFCs). The GHG emission is mainly due to human activities such as the burning of fossil fuels for energy generation, transportation, industrial processes, etc. GHG emissions to the atmosphere lead to trap heat and this results in an increase in temperature. This phenomenon is known as global warming or the greenhouse effect. This long-term heating of the Earth's surface has been observed since the pre-industrial period (between 1850 and 1900).

Climate change in the 21st century is also driven by natural processes including internal variability and external forcings. The internal variability comprises cyclical ocean patterns like El Niño, La Niña, and the Pacific Decadal Oscillation. The external forcings include volcanic activity, changes in the Sun's energy output, and variations in the Earth's orbit. The global temperature is rising as we can witness the melting of ice sheets in the world. The average global temperature has increased by a little more than 1 degree Celsius since 1880. 2022 was the sixth-warmest year

on record based on the National Oceanic and Atmospheric Administration's (NOAA) temperature data. Global temperature is projected to warm by about 1.5 degrees Celsius by 2050 and 2-4 degrees Celsius by 2100. Due to the rise of global temperature, the increase in sea level rise can be witnessed. When ocean water gets warmer, it causes the volume of the water to increase. This phenomenon is known as thermal expansion. Half of the measured global sea level rise on Earth is from warming waters and thermal expansion. [NOAA, 2022]

One-third of the solar energy is reflected into space and the balance of energy is absorbed by both the land and ocean. This warms them and they can radiate this warmth as long-wave infrared or 'heat' radiation. GHGs can absorb this long-wave radiation which causes to warming of the atmosphere. We can't completely avoid these greenhouse gases because without them the Earth would be at least 35 degrees Celsius colder, which makes the average temperature of the tropics -10 degrees Celsius. Research shows global atmospheric concentrations of CO₂, CH₄, and N₂O have increased markedly as a result of human activities since 1750, thus the Earth's climate must change somehow to restore the balance between incoming and outgoing radiation. Under the effect of global warming, the sea level will rise, which will cause potential impacts on human life.

The study suggests that people must find new styles to develop the economy by using clean energy, making new emission standards, increasing producer responsibility for pollution, etc. Natural events and human activities are believed to be contributing to an increase in average global temperatures. [Wenxin Shi et al., 2010] The total amount of energy utilized by humanity in a year is equivalent to the energy that enters the sunlit side of the Earth in a single hour. Sun power totals about 100 million gigawatts (1GW equals 1 billion watts), equivalent to the energy output of 100 million large electricity-generating plants. Our planet's average temperature is calculated by a balance between the energy coming from the Sun and the energy radiated back to space from the Earth's surface. The energy coming from the Sun is in the form of visible light, meanwhile, the infrared radiation remitted from Earth's surface is not visible but can certainly feel. These radiations are blocked by greenhouse gases and trapped inside the atmosphere, which led to rise in temperature. [Richter, 2010]

According to the research, factors that can shape climate includes solar output, the earth's orbital variations, volcanism, magnetic field strength, ocean variability, and human influences. The study points out that the sun's output has not increased since 1978, so the warming during the past 30 years cannot be attributed to an increase in solar energy reaching the earth and the orbital variations have a large impact on climate and are notable for their correlation to glacial and interglacial periods. Volcanic eruptions release gases and particulates into the atmosphere. Global climate is also correlated with the strength of the earth's magnetic field and ocean variability. [Zhong, 2016]

Back in the nineteenth century, climate modelling was pretty hard because computers did not exist, and all the calculations had to be done by hand. Also, there

was not enough technological equipment to understand the scientific side of climate change. In the 1950s, Roger Revelle the Director of the Scripps Institute of Oceanography in San Diego, California proved that ocean water only absorbs one-tenth of carbon dioxide in the atmosphere. Supporting Roger's analysis Charles David Keeling proved that carbon dioxide is increasing and staying in the atmosphere for a long time. In 1896, the Swedish chemist Svante Arrhenius made a serious attempt to understand climate by analyzing the interaction of the Earth's energy budget with the contents of the atmosphere. Svante's model states that the temperature increases because CO₂ goes up, and then the amount of water vapour in the atmosphere increases too. As the water vapour is a greenhouse gas the temperature will increase more. Some scientists criticize his model because he did not include the effects of clouds.

If water vapour increases in the atmosphere, then clouds will be formed. The white clouds can reflect more solar radiation way before the darker ground itself, and it would decrease the temperature in the atmosphere. Another scientist Arvid Hoghom was interested to find where carbon came from and where it went. He estimated that human activity, mainly the use of fossil fuels was making an increase to CO₂ in the atmosphere. He stated that CO₂ concentration is increasing by a small amount per year. It would take a thousand years to double the level. Unfortunately, the amount of CO₂ in the atmosphere has increased rapidly since the Industrial Revolution till now and it's continuing. [Elliot et al., 1979]

The unequal distribution and wealth among countries lead to uneven CO₂ emissions globally. North America, Europe, and Asia emit over 90 per cent of the global CO₂ emission. Developed countries have emitted more than less developed countries. Deforestation is one of the reasons for the increase in CO₂ emissions. When large area of rainforests are cut down less productive land exists which reduce the capacity of land to stock CO₂. Land use changes can have a negative impact on the stated situation. Thus, we can understand how urban forestry is relevant to this century.

Climate change is a threat to the present and future generations. Climate change is one of the defining challenges of the 21st century, along with poverty alleviation, environmental degradation, and Global Security. The problem is that climate change is no longer just a scientific concern, but encompasses economics, sociology, geopolitics, national and local politics, law, and health. [Maslin, 2004] Now we have advanced science and technology which could analyze the risks of climate. We can tackle the risks of climate change with appropriate adaptation and mitigation strategies. One of the strategies includes urban forestry which can make positive changes in the urban ecosystem and will be discussed in the coming part.

2. Cities and Climate Change

Cities have a crucial role to play in tackling the global challenge of climate change. With more than half of the world's population residing in urban areas, and a

projected increase to over 70% in the future, cities have become centres of population and industry. However, rapid urbanization also has significant implications for the environment, affecting climate change, air and water quality, land usage, and waste management. Cities are particularly vulnerable to the impacts of climate change. Extreme weather events can disrupt the intricate systems within urban areas, and a large portion of the global urban population resides in low-lying coastal regions. Coastal cities experiencing rapid growth are especially at risk due to rising sea levels and the potential for storm surges caused by climate change. Cities such as Guangzhou, Miami, New York, New Orleans, Mumbai, Nagoya, Tampa-St. Petersburg, Boston, Shenzhen, Osaka-Kobe, and Vancouver are considered highly vulnerable, as they face significant annual losses due to flood-related events. [OECD, 2014]

As cities continue to grow and carbon emissions from urban areas increase, new challenges arise for city governance. It is crucial to implement robust political and financial policies that minimize the risks posed by climate change. Effective planning and management in cities are best achieved when local governments are acknowledged as legitimate partners within the governance structure of a country. This recognition should be accompanied by adequate financial powers to generate revenue and responsibilities to deliver essential services, keeping pace with urban growth and expansion. When cities are empowered and recognized as significant players in national and global contexts, they gain the authority to enact legislation concerning greenhouse gas emissions. They can also promote citizen participation, engage with governmental agencies and local businesses, and collaborate on initiatives for climate change mitigation and adaptation. By empowering cities in this way, they become important centres of governance, capable of influencing policies and driving meaningful action in the face of climate change. [McCarney et.al, 2011]

Cities are emerging as crucial and effective locations for implementing climate change mitigation projects. Many cities are taking proactive steps to develop sustainable policies aimed at reducing the risks associated with climate change in urban areas. For instance, Paris has launched an initiative to plant climate change-resilient trees, with a target of 170,000 new trees by 2026. This effort is part of the city's broader plan to enhance its resilience to global warming, considering the record-breaking heatwaves experienced in recent years, particularly the hottest July on record. The strategic planting of trees in cities is essential as they can significantly lower local temperatures by up to 12 degrees Celsius, providing relief during heatwaves. Additionally, trees contribute to improved air quality by absorbing pollutants. Recognizing the changing climatic conditions, Paris is carefully selecting tree species that are resilient to heat and drought. This includes the Montpellier maple, Turkish hazel, and Holm oak. Currently, approximately 26% of Paris is covered by trees and green spaces, in contrast to 51% in Berlin and 77% in Oslo. Paris has made substantial progress in its tree-planting efforts and is on track to achieve one-third of its target of 170,000 trees by the end of this year. The city is also dedicated

to expanding green spaces by adding 300 hectares of new green space. Other cities, such as Seoul, Singapore, London, and Curitiba in Brazil, are also actively working on urban green initiatives to combat and mitigate the effects of climate change. Overall, cities are recognizing the importance of implementing nature-based solutions, such as urban forestry and increasing green spaces, as effective strategies to address climate change and build more sustainable urban environments.

Innovative strategic plans are required to increase climate change resilience in cities. In 2007, the Mayor's Office of New York City introduced an exceptional strategic plan called PlaNYC, aiming to create a greener, more extensive, and resilient urban environment. This comprehensive plan focused on nine key areas, including housing, open spaces, brownfields, water quality, and climate change. To shape the plan, New York City engaged stakeholders from diverse sectors, including the public and private sectors, think tanks, and academia.

This collaborative effort fostered cooperation between the Mayor's Office, prestigious universities, NASA, and the insurance industry. Under the PlaNYC initiative, remarkable achievements were made, such as the planting of over 380,000 trees through the MillionTreesNYC program. The city also established more than 280 'Greenstreets,' which are garden areas situated in median strips and traffic triangles. Furthermore, the NYC Green Infrastructure Plan was released, and the city obtained high-resolution LiDAR elevation data to support their efforts. To combat the heat island effect, one million square feet of rooftops were coated white through the NYC Cool Roofs program.

The city also created three Solar Empowerment Zones, encouraging the development of solar power systems. Additionally, the NYC Department of Environmental Protection (DEP) implemented the Climate Assessment and Adaptation Plan to address climate-related challenges. To bolster resilience against sea level rise, New York developed a comprehensive Waterfront Plan, which included specific strategies. The city also launched a public awareness campaign on Emergency Management, enhancing New York's emergency response and preparedness programs. Additionally, New York City actively advocated for national and international action on climate change while emphasizing the importance of engaging cities in these efforts. Overall, the implementation of PlaNYC exemplifies New York City's commitment to building climate resilience through various initiatives and collaborations, demonstrating the significance of strategic planning in addressing climate change challenges in urban areas.

Effective leadership, efficient financing, inclusive citizen participation, and judicial coordination are the four essential elements for taking climate action in cities. Leadership plays a crucial role in overcoming fragmentation between departments and investment sectors, fostering consensus on the climate change agenda in urban areas. Without strong leadership, progress in addressing climate challenges within cities can be hindered. Efficient financing is a fundamental requirement for empowered governance in cities.

Insufficient financial tools at the local government level have often posed obstacles to effectively addressing climate change issues. Therefore, establishing effective financing mechanisms is crucial for the successful implementation of climate action projects in cities. Inclusive citizen participation is another key ingredient for effective climate action. Engaging citizens in decision-making processes empowers communities and ensures that the concerns and perspectives of all stakeholders are taken into account. By involving citizens, cities can generate greater support, awareness, and commitment to climate initiatives. Lastly, judicial coordination plays a significant role in implementing climate actions and projects in cities. Coordinating legal frameworks and regulations at various levels of government helps streamline efforts and ensures consistency in climate policies. By aligning legal structures, cities can overcome legal barriers and create an enabling environment for effective climate action. By incorporating these four ingredients, cities can establish and implement highly effective climate actions and projects, driving meaningful change and building resilience against climate change impacts. [McCarney et.al, 2011]

3. Climate Change and Urban Forestry

Urban forestry refers to the practice of managing and cultivating trees, green spaces, and natural vegetation within urban areas. Urban forestry plays a vital role in mitigating the impacts of climate change and promoting sustainable urban development. Urban forestry is also defined as an integrated, city-wide approach to planting, care, and management of trees in the city to secure multiple environmental and social benefits for urban dwellers. [Miller et.al, 2015] It is the management of trees for their contribution to the physiological, sociological, and economic well-being of urban society. Urban forestry deals with woodlands, groups of trees, and individual trees, where people live - it is multifaceted, for urban areas include a great variety of habitats (streets, parks, derelict corners, etc.) where trees bestow a great variety of benefits and problems. [Carter, 1993]

One of the main causes of climate change is air pollution. In 2022, India had the highest number of polluted cities in Central and South Asia, with twelve out of the fifteen most polluted cities located within the country. Bhiwadi is ranked as the most polluted city in India. As per reports, urbanization has caused night-time temperatures in over 140 major Indian cities to rise nearly 60 per cent more than in the surrounding non-urban areas. Air pollution is a problem in both rural and urban parts of India, but the sources and types of pollutants differ between these areas. Factors like the fuels used for cooking, the number of vehicles, and the varying climate and geography contribute to differences in air pollution levels across different regions and seasons. Contrary to the idea that air pollution is equalizing, it actually worsens existing environmental inequalities. Scientific studies have shown that certain groups, such as children and the elderly, are more vulnerable to the harmful effects of air pollution.

Children can experience stunted lung development, impaired thinking abilities, and higher rates of respiratory infections due to pollution. Long-term exposure can lead to chronic respiratory and heart diseases in the elderly, and they are at greater risk of heart attacks and strokes during periods of high pollution. People with lower incomes also face higher risks because of factors like their occupation, housing conditions, and the use of polluting fuels for cooking.

Although economic growth is often seen as conflicting with environmental and health concerns, research suggests they are interconnected. A study by the World Bank in 2016 found that air pollution cost India around 8% of its GDP, equivalent to \$560 billion in 2013, due to reduced productivity from premature deaths and illnesses caused by pollution. However, this study didn't include the healthcare expenses associated with treating pollution-related illnesses, which would likely increase the economic burden even further.

Air pollution affects both rural and urban areas in India, but the specific sources and types of pollutants vary. Vulnerable groups like children, the elderly, and those with lower incomes bear a heavier burden of the health effects caused by pollution. Although there's often a perception of conflict between economic growth and environmental and health concerns, addressing air pollution is crucial for sustainable development because it has significant economic costs in terms of lost productivity and healthcare expenses. [Centre for Environmental Health and Public Health Foundation of India, 2017] Planting more trees and implementing urban forestry initiatives can help India address air pollution and create healthier and sustainable environments for its people. By combining these efforts, India can take a comprehensive approach to improve air quality and promote the well-being of its residents.

Climate change is a big problem worldwide, so many countries are using urban forestry to help deal with it. Urban forests have lots of benefits for cities. They help clean the air by taking in and filtering out pollutants. Trees in cities also give us shade, which helps to cool things down and reduce the heat in crowded areas. Another important thing is that trees can soak up carbon dioxide, which is a gas that causes climate change. This helps to make cities greener and lower their carbon footprint. Urban forests can also absorb rainwater, which is good for managing storms in cities. Trees act like sponges and hold onto the water, which reduces the risk of flooding and helps the water go into the ground. So, by having urban forests in cities, we can tackle climate change, make the environment healthier, and create more sustainable urban spaces.

Urban forestry brings not only environmental benefits but also social and economic advantages. From an economic perspective, it can increase property values, attract investments, and boost economic growth in cities. Urban forests make neighborhoods more attractive to residents, businesses, and investors, which leads to higher property values and contributes to the overall development of the community. Moreover, urban forestry creates job opportunities in activities like planting and maintaining trees. As cities recognize the importance of greening

initiatives, the demand for skilled workers in urban forestry increases. This job creation not only helps people find employment but also contributes to the local economy.

In terms of social benefits, urban forests have a positive impact on well-being and mental health. They provide accessible green spaces for recreation and relaxation within urban areas. These spaces offer opportunities for physical activities like walking or jogging, promoting a healthier lifestyle and countering the sedentary nature of urban living. Spending time in nature has been proven to reduce stress, improve mood, and enhance overall well-being. Urban forests also help people connect with nature in urban environments. In cities dominated by concrete and buildings, the inclusion of green spaces through urban forests allows individuals to reconnect with the natural world. These green spaces provide a peaceful escape from the fast-paced urban lifestyle and offer a refuge from daily demands. They give people the chance to experience the benefits of nature first-hand, leading to a greater appreciation for the environment and encouraging responsible environmental practices.

In summary, urban forestry brings social and economic benefits alongside its environmental advantages to the urban ecosystem. It enhances property values, attracts investments, and stimulates economic growth. Additionally, it provides accessible green spaces for recreation, promotes physical activity, and improves mental well-being. Urban forests also enable a deeper connection between people and nature in busy cities, offering solace and fostering environmental awareness.

4. Climate Change and its Effect on Urban Forestry

While we acknowledge the role of urban forestry as a climate change mitigation strategy, it is essential to recognize that climate change poses significant threats to existing urban forests. As temperatures increase and weather patterns become increasingly unpredictable, urban forests encounter various obstacles that can hinder their ability to deliver the intended environmental, social, and economic advantages.

The altering temperature and precipitation patterns are one of the primary effects of climate change on urban forestry. As temperatures rise, trees face increased water stress, particularly during droughts. Additionally, higher temperatures contribute to the urban heat island effect, intensifying heat-related problems in densely populated areas. These conditions weaken tree health, making them more susceptible to pests, and diseases, and lowering their survival rates. Changes in rainfall, including its amount, frequency, and intensity, impact soil moisture levels, leading to both waterlogging and drought conditions. Floods and storms can cause damage to trees and their roots, while extended periods of drought hinder tree growth and increase mortality rates. Furthermore, climate change alters the geographic distribution of tree species. As temperatures and growing conditions shift, some species may struggle to adapt or survive in their current locations.

This leads to changes in the composition of tree species within urban forests, affecting their diversity and overall functioning as ecosystems. Elevated levels of carbon dioxide (CO₂) and warmer temperatures can initially enhance the growth of urban trees by speeding up the process of photosynthesis. However, when the warming is excessive and lacks sufficient water and nutrients, it can negatively impact tree growth by causing stress and hindering future development.

Warmer winter temperatures also raise the risk of winter kill, a phenomenon where trees suffer damage or die due to the combination of warmer temperatures and frozen ground. In such cases, trees require water to nourish their cells, but the frozen ground prevents water release, leading to moisture deprivation and harm to the plant. Climate change brings warmer winter temperatures, which can benefit populations of tree pests and diseases that are usually kept in check by cold temperatures. While some species may decrease in numbers due to climate change, others have a better ability to adapt to changing environments compared to the trees they affect. This is because pests and diseases have shorter lifecycles and can evolve more quickly. Hot and dry environments create higher levels of carbohydrates in tree foliage which makes urban trees more appealing to pests and pathogens.

Climate change also affects water cycles, which have consequences for urban forests. In winter, more precipitation can lead to increased snow and ice, posing a higher risk of physical damage to urban forests. In summer, increased evaporation and transpiration can cause water shortages, especially when combined with compacted soil and impermeable surfaces in urban areas. More frequent and intense extreme weather events can result in severe flooding, uprooting trees and damaging their root systems if waterlogged soils persist for long periods. As temperatures rise and pests and diseases become more active, urban forests face physiological challenges that weaken their ability to provide essential services in combating climate change. Climate change also affects the distribution of tree species and their ability to regenerate, which further impacts the health and composition of urban forests. It is very evident that climate change also harms urban forests, but taking adequate measures and implementing effective policies can help mitigate these risks. [Safford et.al, 2013]

5. Conclusion

In conclusion, this research paper presents a comprehensive review of the intricate relationship between climate change and urban forestry. The findings highlight the significant challenges posed by climate change in the 21st century and the unique vulnerabilities and opportunities presented by urban environments. Urban forestry emerges as a valuable solution for mitigating and adapting to climate change, providing multiple benefits such as carbon sequestration, temperature regulation, and stormwater management. The paper emphasizes the need to integrate urban forestry into urban planning and design, considering the specific impacts of climate change on tree species composition, growth, and overall health. By incorporating

urban forestry practices into climate change strategies, we can foster sustainable and resilient urban environments. This research contributes to a better understanding of the relationship between climate change and urban forestry and underscores the importance of collective efforts to create a more sustainable future.

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Special Article

Child Labour: Status And Policy In India

Vaishali Singh¹

Abstract

Child labor in India is a persisting problem majorly due to poverty, unemployment, or the socio-economic conditions of the parents that force the children to contribute. Due to migration in urban areas, all the family members contribute to the income of the family which means children take up menial work. Due to the lack of government reporting, reliance is placed on the reports from various organizations and NGOs. The legislative and other statutory efforts by the government in addressing the child labor problem have been a failure as schemes like NCLP are deficient in funds meaning the closure of various schools formed under NCLP to rehabilitate these child laborers rescued. A grey area in child labor persists due to higher employment of children above 14 years in hazardous employment and engagement more in employment rather than schooling. The author emphasizes the need to include trade learning and skill development as a solution to better engage children over 14 years in schooling and provide an incentive for them to develop skills that will enhance their job prospects in the market.

Keywords: Child Labour, India, Poverty, Education, hazardous work

1. Introduction

“I am the child. All the world waits for my coming. All the earth watches with interest to see what I shall become. Civilization hangs in the balance, For what I am, the world of tomorrow will be. I am the child. You hold in your hand my destiny. You determine, largely, whether I shall succeed or fail, Give me, I pray you, these things that make for happiness. Train me, I beg you, that I may be a blessing to the world”. Manie Gene Cole.²

The poem was quoted by Justice Hansari in the *M.C. Mehta v State of Tamil Nadu*³ judgment, where the petitioner raised the problem of child labor engaged in

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² Cited by Justice Hansaria in the judgment of *M.C. Mehta v. State of Tamil Nadu*, AIR 1997 SC 699.

³ AIR 1997 SC 699.

hazardous employment. The court observed that child labor is a national problem due to poverty. The judgment defines the problem of child labor as one of the intractable during that time. However, seeing a similar situation after more than two decades is of no shock.

The vision of a socialist economy giving access to every one of the basic necessities including housing, books, and leisure is still a far-fetched dream for many Indians. The reality of equality and equity is still dramatically different for different sections of the people in the society, few due to their economic background have to start earning from a young age others retire at 40 years earning and investing enough to sustain their lifetime. Engagement of child laborers in hazardous employment such as mines, inflammable substances or explosives, and hazardous processes⁴ violates sec 3A of the Child Labour Protection Amendment Act, 2016.⁵

Child labor in India is a practice that is carried out of compulsion, the need to sustain families in the cities, or urban living. The outcome of child labour majorly affects the learning ability of the children considering that early age is crucial for their formative development, hence, reducing their potential to secure better wages in the future. (Dessy & Pallage, 2005)

India has a long and complex history when it comes to child labor. Historically, child labor was prevalent in various sectors such as agriculture, textiles, and manufacturing, driven by economic factors and societal norms. The British colonial rule exacerbated this issue, exploiting child labor for cheap labor in industries and plantations. Post-independence, India made significant strides in addressing child labor through legislative measures and social reforms. The Constitution of India, adopted in 1950, enshrined the rights of children and prohibited the employment of children under the age of 14 in hazardous occupations (The Constitution of India, 1950, A 24) The Child Labour (Prohibition and Regulation) Act of 1986 further strengthened legal protections for children, prohibiting their employment in certain occupations and processes⁶. However, despite these efforts, child labor remained a persistent challenge, particularly in informal sectors and marginalized communities. Poverty, lack of access to education, and social inequalities continued to drive children into exploitative labor practices. The National Child Labour Project (NCLP),

⁴ The Factories Act 1948, clause (cb), “hazardous process” means any process or activity in relation to an industry specified in the First Schedule where, unless special care is taken, raw materials used therein or the intermediate or finished products, bye-products, wastes or effluents thereof would— (i) cause material impairment to the health of the persons engaged in or connected therewith, or (ii) result in the pollution or the general environment.

⁵ The Child Labour (Prohibition and Regulation) Amendment Act, 2016 (35 of 2016), 3A. No adolescent shall be employed or permitted to work in any of the hazardous occupations or processes set forth in the Schedule: Provided that the Central Government may, by notification, specify the nature of the non-hazardous work to which an adolescent may be permitted to work under this Act.”

⁶ The Child Labour (Prohibition and Regulation) Act, 1986, S 3. Prohibition of employment of children in certain occupations and processes - No child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on: Provided that nothing in this section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from, Government

launched in 1988, aimed to rehabilitate child laborers and provide them with education and skill development opportunities.

In recent years, India has made significant progress in combating child labor and promoting social justice. The amendment to the Child Labour (Prohibition and Regulation) Act in 2016 strengthened protections for children, prohibiting their employment in all occupations and processes except for family businesses and the entertainment industry⁷. Government initiatives such as the National Action Plan for Children (NAPC) and the Integrated Child Development Services (ICDS) scheme focus on holistic child development, including education, nutrition, and healthcare. The 'Beti Bachao, Beti Padhao' (Save the Girl Child, Educate the Girl Child) campaign emphasizes the importance of girls' education and empowerment in reducing child labor (GOI). Despite progress, challenges persist in eliminating child labor entirely. The informal sector, rural areas, and marginalized communities remain vulnerable to child exploitation. Lack of enforcement of child labor laws, weak implementation of education and social protection programs, and gaps in data collection and monitoring pose challenges in combating child labor effectively.

The author through the paper aims to propose the fact that instead of banning child labor altogether government should develop a policy for child labor based on children who go to school and work as well, another based on children not going to school and being involved in wage-earning for the family by working in less hazardous employment and last children involved in hazardous employment.

2. International Agreements, Indian Laws, And Landmark Judgments

Child labor remains a global challenge that violates the very essence of human rights and dignity, particularly concerning children's education, health, and overall well-being. Addressing this complex problem involves international agreements, conventions, Indian laws, and landmark judgments.

The Universal Declaration of Human Rights (UDHR) 1948 sets the foundation for human rights protection, emphasizing equality, dignity, and freedom for all individuals. Although not explicitly mentioning child labor, the UDHR underscores education as a fundamental right, crucial for preventing exploitative labor practices. A beacon of human rights, underscores the sanctity of childhood through Articles 1 and 5, emphasizing equality and protection from cruel treatment. While not explicitly mentioning child labor, the UDHR's call for education lays a foundation for safeguarding children from exploitation. The Universal Declaration of Human Rights (UDHR) is a seminal document adopted by the United Nations General Assembly in 1948. It lays out the fundamental human rights that are to be universally protected. Among its many articles, Article 5 and Article 1 are particularly relevant when discussing the protection of children from exploitation and ensuring their right to education and a safe environment. Article 5 of the UDHR states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

⁷ The Child Labour (Prohibition and Regulation) Amendment Act, 2016 No. 35 Of 2016, S 3.

This article establishes a clear prohibition against any form of severe mistreatment, emphasizing the inherent dignity of every individual. Article 5 prohibits cruel, inhuman, or degrading treatment that is directly relevant to child labor practices. Many forms of child labor involve harsh conditions that can be considered cruel or degrading. Therefore, this article implicitly calls for the elimination of such exploitative practices.

Article 1 states: “All human beings are born free and equal in dignity and rights.” This foundational principle asserts that every person, regardless of age, sex, nationality, or any other status, possesses intrinsic dignity and equal rights. When these two articles are analyzed together, they underscore the necessity of comprehensive measures to protect vulnerable populations, especially children, from exploitation and abuse. They highlight the universal imperative to ensure that all individuals, including children, are treated with respect and afforded their basic rights. The UDHR states, “Everyone has the right to education” and mandates that elementary education be free and compulsory (UDHR, 1948, A. 26). Ensuring access to education is a fundamental strategy in combating child labor, as it provides children with opportunities for personal development and future employment, breaking the cycle of poverty and exploitation.

Adopted in 1973 by the International Labour Organization (ILO), Convention No. 138 establishes international standards to eliminate child labor and ensure the physical and mental development of young people (Minimum Age Convention, A.1). It sets the minimum age for general employment at 15 years, emphasizing that children should remain in school at least until this age, thus ensuring they receive a basic education before entering the workforce⁸. This alignment of compulsory education with the minimum working age is crucial for preparing children for productive and fulfilling work lives. Furthermore, the convention stipulates those 18 years is the minimum age for hazardous work, aligning with Article 32 of the UN Convention on the Rights of the Child⁹. This article mandates that children be protected from economic exploitation and any work that could harm their health or development, interfere with their education, or negatively impact their physical, mental, spiritual, moral, or social growth. Accompanying the convention, Recommendation No. 146 stresses the importance of national policies aimed at poverty alleviation and the promotion of decent jobs for adults (ILO).

These policies are vital in reducing the necessity for child labor, the recommendation also highlights the need for free and compulsory education and the provision of vocational training to equip young people with the skills necessary for future employment. The exception to child labor activity is also mentioned under the convention that permits light work for children younger than the general minimum age¹⁰. In countries where the minimum age for general work is 15, children aged 13-14 are allowed to engage in light work. Similarly, in countries where the

⁸ Minimum Age Convention, 1973 (No. 138) ILO A.2 (3).

⁹ Minimum Age Convention, 1973 (No. 138) ILO A.3 (1).

¹⁰ Minimum Age Convention, 1973 (No. 138) ILO A.7 (1).

minimum age is 14, children aged 12-13 may participate in light work. This exception is attached with a condition that this type of work must not interfere with their schooling or their ability to benefit from it and should not be harmful to their health or development.

As of April 2018, 171 countries have ratified C138, demonstrating a global commitment to ending child labor and promoting education and development. India's ratification in 2017 marked a significant milestone, reflecting its dedication to these international standards. The convention, along with Recommendation No. 146, provides a comprehensive framework to protect children from labor exploitation and ensure they receive the education and opportunities necessary for their growth and development.

Adopted in 1999 by the International Labour Organization (ILO), Convention No. 182, complemented by Recommendation No. 190, mandates the prohibition and immediate action to eliminate the worst forms of child labor. This convention provides a clear definition of what constitutes the worst forms of child labor and outlines specific measures that member states must implement to eradicate them, emphasizing the crucial role of education in this process¹¹.

Defining the Worst Forms of Child Labour Article 3 specifies the worst forms of child labor as slavery¹², exploitation in prostitution and pornography¹³, illicit activities¹⁴, and hazardous work¹⁵. Article 7 (2) of the convention requires member states to take effective and time-bound measures, recognizing the importance of education in eliminating child labor¹⁶. These measures include

- Implementing strategies to prevent children from engaging in the worst forms of child labor.
- Providing the necessary and appropriate assistance for the removal of children from the worst forms of child labor, ensuring their rehabilitation and social integration.
- Ensuring access to free basic education and, where possible and appropriate, vocational training for all children removed from the worst forms of child labor¹⁷.

Despite international efforts, child labor persists globally. Over one-third of children, labourers are out of school, with the 15-17 age group comprising 53.2% of

¹¹ Worst Forms of Child Labour Convention, 1999 (No. 182) A. 3.

¹² This includes all forms of slavery, such as the sale and trafficking of children, debt bondage, serfdom, and forced or compulsory labour, including the forced recruitment of children for use in armed conflict.

¹³ The use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances.

¹⁴ The use, procuring, or offering of a child for illicit activities, particularly for the production and trafficking of drugs as defined in relevant international treaties.

¹⁵ Work that, by its nature or the conditions in which it is performed, is likely to harm the health, safety, or morals of children.

¹⁶ International standards define child labour as work that is hazardous, demands excessive hours, or is performed by children who are too young.

¹⁷ Worst Forms of Child Labour Convention, 1999 (No. 182) A. 7.

these out-of-school children (ILO). Child labor is more prevalent among boys than girls across all age groups, indicating a need for targeted interventions.

3. Analysing Child Rights And Labour Laws In India

The legislative framework robustly safeguards the rights of children against labor exploitation. The Child and Adolescent Labour (Prohibition and Regulation) Act, of 1986, prohibits the employment of children under 14 years of age in any occupation. It also restricts the employment of adolescents (ages 14-18) in hazardous occupations and regulates working conditions where adolescent employment is permitted. Complementing this, the Factories Act, of 1948, specifically under Sections 22, 23, and 27, prohibits child employment in certain factory environments to ensure their safety. Further reinforcing these protections, the Beedi and Cigar Workers Act, of 1966, strictly prohibits the employment of children in the beedi and cigar industry, recognizing the hazardous nature of this work. The Plantation Labour Act, of 1951, under Section 25, regulates working conditions for children in the plantation industry, ensuring that their rights and safety are maintained. Additionally, the Domestic Workers (Registration, Social Security and Welfare) Act, 2008, under Section 14, bans the employment of children as domestic workers or in any related work, acknowledging the vulnerability and exploitation risks in this sector.

Efforts to preserve children's fundamental social and humanitarian rights extend to rescuing them from hazardous employment, such as scrap collection, automobile workshops, and garbage landfills. Despite these comprehensive legislative measures, enforcement remains a challenge. As per the NCPCR Annual Report 2022-2023, India's Commission noted discrepancies in the number of First Information Reports (FIRs) filed regarding child labor violations. The report emphasizes the underreporting of such cases. The report stated the gap in child labor cases reporting and enforcement, it was mentioned that the State of Rajasthan reported 726 FIRs in 2020, yet NCRB data recorded only 476 FIRs for the entire country in the same year (ILO, 2023). This discrepancy underscores the importance of having robust legislative provisions as well as ensuring effective implementation and enforcement. Continuous monitoring, accurate reporting, and stringent enforcement are essential to uphold the rights of children and eliminate child labor practices.

Judicial intervention in India has played a crucial role in protecting children from hazardous employment and ensuring their overall well-being. The courts have recognized the necessity of safeguarding children's rights to physical and mental development, especially against the backdrop of socio-economic challenges faced by marginalized and poor families, which often compel children to contribute financially. In addressing these issues, the judiciary has delivered several landmark

judgments. The cases of *People's Union for Democratic Rights v. Union of India*¹⁸ and *Francis Coralie v. Administrator, Union Territory of Delhi*¹⁹, were pivotal in setting the minimum age of employment and affirming the right to a dignified life, which includes the right to education and protection from exploitation. These judgments established that no child under the age of 14 should be employed in any hazardous occupation, thereby laying the groundwork for subsequent legislative measures. Recognizing the need for a comprehensive solution to child labor, the judiciary also emphasized the importance of compulsory education as a means to curb child labor.

In the TMA Pai Foundation case²⁰, the court enforced the provision of free and compulsory education, highlighting that education is a fundamental right crucial for the development and empowerment of children. This decision underscored that access to education is not only a tool to prevent child labor but also a means to ensure children's holistic development. Despite these judicial interventions, the socio-economic realities of marginalized communities pose significant challenges. Many families rely on the additional income generated by their children, making it difficult to eradicate child labor entirely. Therefore, while the judiciary has made significant strides in protecting children's rights through setting employment age limits and enforcing compulsory education, there remains a need for continuous efforts to address the root causes of child labor.

Indian courts have issued landmark judgments to protect children's rights and eradicate child labor. In the above cases mentioned the court emphasized Article 21 protection, including children's health, strength, and freedom from abuse. This case underscored the holistic development and well-being of children as paramount. The Delhi High Court has taken a firm stand against child labor, emphasizing the critical importance of safeguarding children's rights and ensuring their access to education. In the landmark judgment in *Save the Child Foundation vs. Union of India*,²¹ the court articulated a vision for the future, asserting that today's children, free from exploitation, constitute tomorrow's bright future.

The judgment underscores the necessity of education in securing this future. The court meticulously defined the roles and responsibilities of various government agencies to ensure a complete ban on child labor, highlighting the need for coordinated efforts across different levels of government. A significant directive mandated the rescue of 500 children from labor every month, aiming to systematically reduce the number of children subjected to labor. To ensure swift justice, the court ordered that charge sheets in cases involving child labor and trafficking be filed within 45 days, deterring such practices through timely prosecution. Additionally, the court instructed that the appropriate District Legal Services Authorities (DLSAs) provide compensation to victims of trafficking, supporting their reintegration into society. This judgment not only underscores the

¹⁸ AIR 1982 SC 1473.

¹⁹ 1981 AIR 746.

²⁰ T.M.A. Pai Foundation v. State of Karnataka, AIR 2000 SC 355

²¹ WP (Crl.) 2069/2005.

importance of education but also sets a precedent for rigorous enforcement of child labor laws, representing a vital step toward securing a bright future for the next generation by ensuring they are educated, protected, and free from exploitation. Similarly, *Bachpan Bachao Andolan vs. State of Bihar* emphasized training, sensitization, and coordinated efforts among stakeholders to combat child labor effectively.

Recently a video circulated on social media where a child was seen delivering food in his uniform after school because his father a delivery person for Zomato was injured. Similar incidents of children honing adult responsibilities at an early development stage of their life face the bitter truth of life. For these children the nuances of life do not rely upon rights, the social structure of our democracy, or equity of development opportunity rather it is about survival depriving them of the basic rights that accounted for their welfare. Child labor is work that deprives children of their childhood, their potential, and their dignity (ILO, 2021). The picture of child labor is visibly witnessed in the Indian dhabas, traffic lights, and construction sites.

There was a time in India when people were suffering from extreme starvation and famine, at that time poverty was estimated based on a cost supported by diet (NITI Ayog, 2021). In India, the trend of poverty estimation has developed over the years taking into account varied dynamic dimensions. Due to the changing times, this estimation was based on income level, subsequently, this has now changed and it depends on a multidimensional poverty index that includes health, standard of living, and education. However, the government being a socialist democracy is fulfilling this gap by various schemes and policy development. Education is accessible to all children under Sarva Shiksha Abhiyan (SSA), Health is accessible to all under the Aayushman Bharat Scheme, standard of living is provided by better sanitation schemes under Swachh Bharat Abhiyan, minimum wages, cooking Pradhan Mantri Ujjawal Yojana that is aiming to achieve the twin objective of health of females working by providing clean fuels and achieving zero carbon for India.

The Indian constitution protects the rights of children in hazardous employment including the fireworks industry²², construction work²³, and beedi work²⁴. Children are protected from working in hazardous employment under the Indian constitution under Article 24. Notably, the nature of employment that is hazardous does not make it suitable for a child to work. However, the Indian constitution specifically mentions in Article 39 to not let the socio-economic condition of a child force them to take up work that affects the development of a

²² *M.C.Mehta v State of Tamil Nadu*, AIR 1997 SC 699.

²³ Construction is majorly dangerous activity held in *People's Union for Democratic Rights v. Union of India & Ors, Francis Coralie Mullin v. Union Territory of Delhi, T.M.A Pai Foundation, M.C. Mehta v. State of TN- Child Fund, Roshan Gupta v. The State of Bihar & Ors, N Jayakumar Nat & Anr v. State of NCT Of Delhi & Anr.*

²⁴ *Ranjangam, Secretary, District Beedi Workers' Union v. State of Tamil Nadu and others*

child. In order to substantiate the role of parents in ensuring that children are not employed in any employment that will affect their development has been provided for the duty in the constitution (Constitution of India, A 51 A (k)).

Children and youth are crucial to the development of a country, providing essential human resources. It is important for a country to have a healthy youth, and holistic child development is essential to ensure that children are not forced to work at a young age due to their socio-economic background. The situation of child labor is due to the economic and financial situation of the family especially in the urban areas where it is becoming difficult to sustain it has become important for children to engage in employment activities at an early stage or in a situation to work after school (Rawat, 2020). This undermines the very purpose of National Education Policy 2020 and creates a gap in getting better educational opportunities for these children due to their condition and gives a very narrow margin for few to better their lives in the future and in some cases a reason for them to engage in criminal activities.

4. Child Labour Statistics In India

17 years is the highest as compared to the other South Asian regions in India, with approximately 5.8 million (Khan & Lyon, 2015). The report observed a decline in child labor incidence in India between 2001-2011, particularly in rural areas. The number of child labourers working in urban areas had increased during the same period due to their demand for menial work (Khan & Lyon, 2015). That means lesser pay to the child laborers and more profit margin for the employer. Yet another reason is the negative impact of urbanization, where children have to work in order to share the expenses of living and sustain their families. As per the report, the number of children working in hazardous employment is highest in the construction sector. Based on the different age groups 7-14 years of the group contributed 4.7% and children in the 15-17 years of age group contributed 13%. The report has been able to highlight the issue of children above 14 years being employed in hazardous employment that is not covered by child protection laws.²⁵ This makes them compromise their education in light of no regulation to check such exploitative working conditions that force them to contribute to the family occupation. The nature of such employment is more or less on a contractual basis falling under casual workers. As per the ILO report, the age group of 7-14 years is engaged as workers in casual employment which accounts for 32.8 percent, whereas, 42.1 % under 15-17 years of age group are engaged as casual workers. This figure is not a shocking reality considering the socio-economic conditions of the people, who in order to sustain themselves in urban areas tend to make all their family members engaged.

Child labor has been associated with infringing human rights and depriving children of their basic fundamental development, there is evidence to associate

²⁵ The Child Labour (Prohibition and Regulation) Act, 1986, (61 Of 1986), Sec 2 (II).

household poverty with child labor that continues to keep them in poverty child after child through generations and deprive them of social upliftment²⁶.

Under The Child Labour (Prohibition and Regulation) Amendment Act, 2016, section 3 of the act covers employment, which includes a child helping his family or family enterprises after his/her school hours or during vacations. The act is vague about what constitutes a family enterprise²⁷, as it is noticed that a family's routine work can include working in beedi factories, agarbatti factories, and other similar product manufacturing units. This issue has been rightly raised by the former head of the National Commission for the Protection of Child Rights, who has highlighted the child exploitation of children coming from marginalized communities due to a lack of regulated labor conditions. The children participate to help their parents ensure that they finish the given work in the limited time frame to get wages based on a piece rate basis (Tewari, 2016).

Newspaper reports indicate that government statistics place the child labor population at over 20 million. However, NGO estimates suggest a higher number, around 60 million, potentially reaching 100 million if all out-of-school children are included in the labor force. The statistics and the report findings prove the ground realities of child labor protection in India and the lack in our education system to attract the pool of children who can rely on it for better job opportunities or skill development. The 2020 National Education Policy has emphasized the importance of the holistic development of children. The school attendance dropout rate is higher among the 7-14 years group i.e., 93.5 percent. It is to be noticed that the school attendance rate for children over 14 years drops more than 6.5 percent per year, which reflects the need to earn money is of primary importance in comparison to education. Besides, the school dropout rate for employment there is no regulatory check or accountability on the employer for engaging children above 14 years exposes the age group in a vulnerable position, approx. 2.5 million of the 15-17 years group are in hazardous labor work.

5. Failure Of Schemes In The 21st Century

The Ministry of Labour and Employment implemented the National Child Labour Project (PIB, 2019) in 1988's objective is to rehabilitate child laborers by rescuing them from their work and getting them enrolled in NCLP special training centers that provide education, financial support, health support, and other basic needs to children of 9-14 years before they enter the formal education system. For children aged 5-8, the Samagra Shiksha Abhiyan facilitates their direct entry into formal

²⁶ ILO, International Labour Standards on Child labour, <https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang--en/index.htm>.

²⁷ The Child Labour (Prohibition and Regulation) Amendment Act, 2016, S. 3(2) Explanation (b) "Family enterprise" means any work, profession, manufacture or business which is performed by the members of the family with the engagement of other persons.

education. So, far the project has been able to mainstream 13.63 lakhs (PIB, 2020). The drawback of this project has been that there are budgetary issues in supporting the project (Jigeesh, 2022). This state is reflected in the Ludhiana school where NCLP plans to close the school under the project. There insufficiency of grant releases from the center to run these schools and the center plans to merge it with the Sarva Siksha Abhiyan Scheme (Sharma, 2022).

The Child & Adolescent Labour Rehabilitation Fund ²⁸ which was created by the government to ensure the welfare of the children rescued has been stagnant for the past five years with the center not distributing it for its said purpose (HT Correspondent, 2022).

The central scheme to run the National Child Labour Project (NCLP) has been able to achieve its objective of rescuing and rehabilitating child laborers to a certain extent, since to date more than 20 million child laborers exist in India.

Eradicating child labor in the country is an intersectoral approach where the effort of addressing the needs of migrants is required to be structured that involves providing better housing, stable job opportunities, and fixed minimum wage keeping the inflation margin in mind. Social protection in the form of pension schemes, death, and disability benefits assures the parents to send their children to schools rather than engaging them in labor and continued educational development in a holistic manner. Creating a cycle where education for the migrants' children is a compulsory state-level approach. There needs to be some reformation in the approach of schooling and creating an open environment to enter school. School is not seen as a means to get mid mad meal that satisfies their temporary objective but rather a long-term-based approach has to be created. This long-term agenda can be made by providing skills and development training to the children from an age that will help them learn and develop a skill that benefits them in gaining job opportunities (Sabina Dewan, 2019). This will help in filling the illiteracy gap existing in our country and the lack of employable population being generated from our education system. The number of those unemployed in the 20-24 age group is an astonishing 43.7 percent (Joshi, 2022).

As the center now plans to remove NCLP and induct these students in government schools, a separate provision for counseling needs to be created to help them integrate into the mainstream education system. Additionally, the government should use technological advancements to monitor child engagement in schools or employment accurately. This would allow authorities to adjust schemes as needed and address illegal practices against marginalized children. This will give an opportunity to the authorities to mold the schemes as per the requirement and also alter the illegal practices committed towards the children belonging to the marginalized sections.

²⁸ The Child Labour (Prohibition and Regulation) Amendment Act, 2016 No. 35 Of 2016, S. 14B.

6. Collective Action and Shared Responsibility

The long-term viability and resilience of emerging countries depend on collective action. The complexity and scope of the problems these nations face such as economic instability, poverty, and climate change often surpass the potential of individual initiatives. To solve such big issues calls for concerted efforts by a variety of stakeholders, including governments, international organizations, businesses, and civil society, who are collaborating to achieve shared objectives. In order to make a larger impact, the collective action principle makes sure that resources are combined, knowledge is exchanged, and activities are coordinated accordingly (Ostrom, 2010). The notion of shared responsibility highlights the necessity of sustainable development on a global scale. We can see that modern economies are interdependent, so decisions made in one country can have a big impact on other countries. For example, pollution and environmental deterioration can have far-reaching effects and are not limited by national lines. Thus, in addition to managing global externalities that disproportionately harm developing nations, collective effort is required to solve local challenges (Sachs, 2015).

It is commonly known that group efforts can significantly increase sustainability and resilience. The global reaction to the COVID-19 pandemic, for instance, demonstrated how concerted efforts can result in notable improvements in public health and economic recovery. Numerous international agreements, including the Paris Climate Agreement, show how cooperative nations can establish and meet challenging goals for cutting greenhouse gas emissions (UNFCCC, 2015). By promoting inclusive growth and development, collective action can improve resilience in poor countries. A framework for cooperation that addresses many aspects of development, from health and education to economic growth and environmental sustainability, is provided by multilateral programs like the Sustainable Development Goals (SDGs).

So, sustaining the long-term sustainability and resilience of developing countries requires not only shared responsibility but also joint action. Through collaborative efforts, knowledge sharing, sacrificing insignificant interests, and a shared vision, stakeholders may tackle complicated issues more successfully than they could if they worked in isolation. The accomplishments of group efforts in the fields of development, health, and climate change highlight the value of cooperation in obtaining resilient and sustainable results.

7. Enhancing Employability Opportunities for Children

The current status of India is such that despite the fundamental rights of the children and statutory rights in the form of the Child Protection Act, social schemes that promotes child participation in school education through mid-day meals. Children may not attend school because their families urgently need financial help, or because they see less value in schooling since better work opportunities often come from work experience rather than education.

To address this, child labor policy reform should focus on reviewing school curricula and implementing measures to nurture employability in age-appropriate ways. A report from the Centre for Policy Research highlighting the employment crises in India proposes the introduction of skill development and trade-related training at different school levels. This form of training development at the school level will help them with an incentive to go to school where they will learn the actual skills to be applied at work apart from learning soft skills. It will help in changing the labor market working conditions and development of more trained human capital, good incentives for children to attend school and look up to the future for far more job opportunities and less reliance on working and focusing majorly on education (Dewan, 2019). The government should focus on generating more jobs that can help absorb the rural population (Joshi, 2022). This system change will help the ever-employment crises in India.

In the case of *M.C. Mehta v State of Tamil Nadu*, AIR 1997 SC 699, the court has clearly laid down the reasons for child labor namely lack of opportunity for gainful employment, intermittency of income, and low standards of living. It is also able to highlight the ignorance of parents.

8. Conclusion

We part with the fond hope that the closing years of the twentieth century would see us keeping the promise made to our children by our constitution about a half-century ago.” The judgment mentions the “heaven of freedom” for the children, but the heaven of freedom is a balance of equity and opportunities. A complete ban on child labor may inadvertently result in more widespread, less humane working conditions. Rather a more holistic approach is required where importance to human capital by way of better investments in skill training from school level to give them a better bargain in the job front. The problem is child labor is not going to vanish from society due to ever-increased urbanization and increased inflation. Given the failure of previous government schemes to improve and rehabilitate child labor conditions, it is crucial to revise these initiatives. Effective, well-designed policies that address the root causes and provide sustainable solutions are essential for real progress.

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India's G20 Presidency: Reflections and Learnings

Shashank Shah¹ and Swapnil Morande²

Abstract

India's yearlong G20 presidency, culminating in the New Delhi Summit, has left an indelible mark on the global socioeconomic agenda. With meticulous planning and inclusive diplomacy, India managed to drive consensus around its key priorities while balancing competing interests of world powers. The presidency was characterized by extensive public participation, making it the most participatory G20 to date. India's ancient ideal of 'Vasudhaiva Kutumbakam' was skilfully woven through the motto 'One Earth, One Family, One Future', focusing on sustainability, inclusiveness, and shared global aspirations. The unanimous adoption of the New Delhi Leaders Declaration, a first in G20 history, reflected India's success in consensus-building. India's progressive agenda on women's empowerment, showcasing of homegrown innovations, and the inclusion of the African Union as a permanent member were defining features of its presidency. The post-summit follow-up process and virtual G20 Leaders' Summit underscored India's commitment to realizing the endorsed vision. India's G20 presidency marked its coming-of-age as a global power, displaying capability, nuance, and wisdom, and raised hopes of reinvigorating multilateralism in a fractured world.

Keywords: Diplomacy; G20; Democracy

As the curtains closed on India's yearlong G20 presidency that culminated in the New Delhi Summit, India emerged with enhanced prestige on the world stage. Prime Minister Modi characterized the summit not just as a diplomatic event, but a celebration of India's vibrant democracy and diversity. Accounting for 85% of global GDP, 75% of world trade and 2/3rd of the world population, the G20 Summit was the highest-profile international gathering in the history of independent India. Not only did India showcase world-class event management competencies, but with meticulous planning and inclusive diplomacy, it also managed to drive consensus around its key priorities while balancing competing interests of world powers.

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An in-depth analysis reveals how India has left its mark on the global socioeconomic agenda.

1. Making G20 a Jan Andolan with Jan Bhagidari

India organised 227 physical events across 60 cities in 28 States and 8 UTs through a decentralized public engagement model during the year of its Presidency. This allowed extensive participation, making it empirically the most participatory G20 to date. Over 100,000 participants, from 135 nationalities, attended the G20, Engagement Group and related meetings. During these events, India's inclusive traditions, and cultural richness were on full display. Over 300 cultural events, with the participation of over 18,000 artists, showcasing local and national art forms, were organised. Millet-based dishes were incorporated into the menu at most events to celebrate the International Year of Millet.

India's G20 Presidency witnessed 40 workstreams including 13 Groups under the Sherpa Track, 8 under the Finance Track, 11 Engagement Groups, 2 Standalone Ministerial Meetings, and 6 Special Initiatives. Some of the new initiatives included the Startup20 Engagement Group, Chief Scientific Advisors Roundtable, Disaster Risk Reduction Working Group, Conference on Crime and Security in the Age of NFTs, AI and Metaverse, and Cooperation in counternarcotics and traditional medicines. Top academic institutions, leading think tanks and civil society organisations enthusiastically participated in a variety of intellectually stimulating events held during the three quarters leading to the Summit Event in September 2023. The year-long Jan Bhagidari activities touched over 7 crore people across India.

2. The Unanimously Adopted Declaration

While tricky negotiations had reached a stalemate during the year, observers doubted substantial outcomes. However, deft diplomatic handling yielded incremental progress on contentious issues. Finally, in an unprecedented accomplishment of consensus-building, the New Delhi Leaders Declaration (NDLD) and its 83 paragraphs were adopted at the Summit. It was the first-ever unanimous communique without dissenting footnotes in G20's history. Unlike previous G20 presidencies led by developed economies, India adopted a uniquely decentralized, developmental, and collaborative approach.

An analysis of past communiqus conveys that India gave far greater weightage to issues such as reforming multilateral institutions like the IMF, WTO, and the UN for amplifying the marginalized voices of nations from the Global South. In contrast to rigid stances, India's presidency emphasized a more inclusive and cooperative multilateralism. Its stance on food security aligned more with Indonesia and Saudi Arabia than the confrontational stances of Western nations post-Ukraine. It reaffirmed commitments to rules-based international trade and investment.

NDLD called for enhancing financing for developing countries to bridge the SDG investment gap. This aligned with its focus on socio-economic transformation, differentiated from G20 partners like Germany that prioritised macroeconomic resilience. Compared to past hosts like Italy and France, India placed relatively less emphasis on setting new climate ambitions in favour of stressing implementation and finance. It promoted Mission LiFE to encourage the global citizenry to espouse sustainable lifestyles. Compared to Indonesia in 2022, India expanded the health agenda to cover its domestic needs. But it maintained continuity with previous G20s on coordinating pandemic preparedness and response. It also promoted holistic wellbeing by mainstreaming its ancient medicinal and wellness knowledge systems like Ayurveda and Yoga.

While previous G20s focused on setting policy direction, India contributed by stressing tangible outputs and outcomes. Its nuanced positions on a host of issues struck a delicate balance between competing interests and prioritised sustainable and equitable growth benefiting all segments of the global society.

3. One Earth, One Family, One Future

India skilfully wove its ancient ideal of 'Vasudhaiva Kutumbakam' through the motto of its Presidency, 'One Earth, One Family, One Future' that focused on themes of sustainability, inclusiveness and shared global aspirations. While each of these represents global priorities for the 21st century, they also represent India's domestic primacies for achieving the vision of a *Viksit Bharat* by 2047. The resonance is evident.

3.1 One Earth (Sustainability)

Food and energy security, climate financing, clean transitions and disaster resilience are issues that align with sustainable development for the planet. Given the recent turbulence in prices and supply, food and energy security predictably took focus under India's presidency. India is the world's largest producer of milk and pulses and the second-largest producer of rice, wheat, sugarcane, groundnuts, and fruits and vegetables. Its focus on food security and sustainable agriculture is backed by substantive capacity along with its priority to feed its population - the largest in the world. The NDLD contained strong commitments to boosting fertiliser supply, agricultural productivity through climate-smart technologies, food systems resilience and stabilizing energy markets through clean transitions.

India succeeded in building consensus around the new Global Partnership on Food and Energy Security, co-led by key developing countries like Indonesia, Nigeria, Egypt, and Argentina. Having built a formidable renewable capacity of 167 GW, the 4th largest globally, and improved farmer access through a host of schemes, India could project its successes as templates for others.

The climate section accommodated India's equity and climate financing stance while recommending accelerated action. It highlighted disaster resilience and blue economy partnerships, aligning with its needs as a climate-vulnerable maritime nation. Thus, India succeeded in delicately balancing its interests with the wider reform agenda.

3.2 One Family (Inclusiveness)

Advocating for vulnerable economies and deprived strata of society reflects inclusiveness towards the global family. India's progressive agenda on women's empowerment was a defining feature of its G20 presidency. During the last decade, India has demonstrated its commitment to gender equality across multiple fronts. Schemes like PM MUDRA Yojana and Beti Bachao, Beti Padhao have actively promoted economic and social progress, while legislative moves like the Women's Reservation Bill 2023 have signalled political intent. As a result of sustained efforts, India has succeeded in raising female literacy to 70% thereby expanding opportunities for millions. The country has also made giant strides in reducing maternal mortality and improving women's health outcomes.

During its G20 leadership, India cemented its position as an advocate for women-led growth and development. Its presidency provided a platform to collaborate with member countries in mainstreaming gender in policy frameworks. It is because of ground-level improvements and noteworthy progress made in the last decade in empowering women across social and economic spheres that India could nudge other emerging economies to adopt a similar inclusive development model. By placing women at the centre of its G20 agenda, India left an indelible mark on the global discourse.

3.3 One Future (Shared Aspirations and Technology)

Positioning emerging technologies for bridging digital divides embodies creating a shared future and fulfilling shared aspirations. By showcasing homegrown innovations like 'India Stack' and its locally developed 5G technology, India displayed its indigenous capabilities and offered these as templates for other developing countries. The proposal for a 'One Future Alliance' underscored India's commitment to bridging digital divides through South-South cooperation. The balanced references to data openness and privacy reflected India's middle path on cross-border data flows.

The Summit produced a groundbreaking G20 Framework for Leveraging Digital Public Infrastructure, capitalizing on India's success with open-source platforms annually processing over \$1 trillion in digital payments and used for delivering 2.2 billion vaccination doses under CoWIN. Launching global initiatives on digital health and the crypto regulatory framework established India's role in steering conversations on critical emerging technologies. While advanced economies sparred

over polarized stances, India charted a balanced middle path on technology governance, reflecting its matured understanding of opportunities and risks. Its collaborative approach to initiatives like the Global Digital Health Initiative displayed wisdom earned from its own digital transformation journey. The Summit delivered a landmark agreement on voluntary licensing and technology transfer for critical pandemic technologies. By showcasing its digital and climate capabilities, India strengthened its position as a vital source of innovation and talent.

The successful landing of Chandrayaan-3 just a week before the Summit attracted global attention and commendation for India's scientific prowess and indigenous capabilities in space technology. Achieving this rare space feat cemented India's position as the very first country to land on the South Pole of the Moon. Attaining such a significant milestone gave India superior credibility thereby boosting its influence.

4. Enhancing Africa's Potential

India signalled the rise of the Global South within the G20 by giving the African Union (AU) a prominent role and a permanent seat. The inclusion of the AU, representing 55 African countries and 1.4 billion people, expanded the G20 to cover 80% of the world's population compared to just 63% earlier. This fulfilled a long-standing demand of African nations for representation in premier global bodies. According to the IMF, the AU bloc's collective GDP is around \$7.573 trillion. Moreover, Africa's population is set to hit 2.5 billion by 2050, representing 25% of humanity.

The continent's youthful demographics and rapid urbanization signal enormous economic potential. Though recent growth has slowed, Africa's massive working-age population, expanding middle class, and new pan-African free trade pacts together offer the possibility of a major demographic dividend. If these advantages are harnessed effectively, Africa could emerge as a vital engine of global economic dynamism. By bringing the AU into the G20 fold and intensifying partnerships, India has invested in Africa's future trajectory.

5. Key Learnings from India's G20 Presidency

The uniqueness of India's G20 Presidency was threefold: meticulous planning and coordination throughout the year, deft diplomacy during the Summit, and a focus on implementation post-presidency. Through active public participation with a whole-of-government and whole-of-society approach, India's G20 Presidency emerged as a 'People's G20'. With a progressive global socioeconomic agenda rooted in Bharatiya culture and ethos, India stood for the 'Voice of the Global South'. In January 2023, the Prime Minister chaired a first-of-its-kind virtual summit with the same nomenclature and participation from heads of States of 120 countries to identify and represent the common concerns of the developing world during its Presidency.

Several events during the Summit conveyed India's emergence as a global champion of green growth and the torchbearer of democracy. India spearheaded the Global Biofuels Alliance to promote sustainable biofuels and relevant standards. This reflected India's focus on clean energy and climate action. India championed the Green Development Pact for commitments to reduce emissions, boost renewables, and protect biodiversity. The India-Middle East-Europe Corridor, a comprehensive transportation corridor ensuring food security and securing global supply chains, launched on the sidelines of the Summit by Heads of States from three continents was another milestone. The highlight of the Summit was a visit by all Heads of States to Rajghat for paying collective homage to Mahatma Gandhi. This underscored India's ancient message of non-violence and peace and emphasized India's commitment to eternal values in a changing society.

Post the Summit, an extensive follow-up process was initiated to design the path forward for NDLD and suggest actionable issues for implementation. In the first fortnight of November 2023, NITI Aayog organised a series of workshops in collaboration with various think tanks and subject experts on themes including Data for Development, Tourism, Digital Public Infrastructure, Sustainable Development Goals, Trade, Women-led Development, Reforming Multilateral Development Banks, Climate Finance and Green Development. This approach displayed India's seriousness in sustaining engagement beyond the Delhi Summit. By mobilizing experts and policymakers domestically while maintaining international momentum, India underscored its commitment to realizing the vision endorsed by G20 leaders.

A virtual G20 Leaders' Summit was organised on 22nd November with participation from all G20 leaders and with the objective of pushing for effective implementation of various G20 decisions through relevant national and international platforms. This was the finale of India's yearlong Presidency that concluded on 30th November.

Thus, India's presidency not only won global acclaim but also amplified its voice on the world stage and boosted its leadership profile. It marked India's coming-of-age as a global power, displaying capability, nuance, and wisdom.

6. The Road Ahead

In a fractured world and polarised geopolitical system, the NDLD has raised hopes of reinvigorating multilateralism and catalysing action on critical challenges. As India has passed the baton, the world is watching how successors like Brazil and South Africa will carry forward its development-focused agenda. If future summits match India's diplomacy and commitment, it will significantly rebuild fractured global trust. If not, it may exemplify how even the most skilful diplomacy cannot paper over deep ideological rifts for long.

With the phenomenal success of its G20 Presidency, India has charted its own unique path on the world stage - balancing global ambitions and domestic primacies, securing gains while building bridges. If this defining moment catalyses sustained

engagement on collective global priorities, its impact will be truly far-reaching. That India managed conflicting priorities amidst simmering geopolitical tensions speaks volumes of its diplomatic and geopolitical maturity. India can derive immense satisfaction from a presidency that enhanced its global stature and foregrounded development. Sustaining that goodwill and engagement will be the real long-term success of Bharat's leadership.

Empowering or Encumbering? An insight into the impact of the Wildlife (Protection) Act of 1972 on Denotified, Nomadic, and Semi-Nomadic Tribes of India

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Abstract

The Wild Life (Protection) Act of 1972 has been instrumental in India's efforts to conserve its rich biodiversity. However, there are growing concerns about its impact on marginalized communities, particularly the Denotified, Nomadic and Semi-Nomadic Tribes (DNTs), who rely heavily on wildlife for their livelihood. This article examines the various effects of the act on DNTs, analyzing whether it empowers or hinders these vulnerable populations. Drawing on a comprehensive approach that includes a literature review, policy analysis, and fieldwork, the present study sheds light on the complex situation between wildlife conservation laws and the socio-economic realities of DNTs. It acknowledges the perspectives of DNTs, as this research suggests that policymakers roll out balanced conservation policies through a community-centric and bottom-up approach.

Keywords: Wildlife Protection Act, Denotified Tribes, Livelihood impact, Marginalised communities

1. Introduction

India is a country that boasts a rich cultural mosaic, with a diverse range of communities coexisting in harmony (Das, 2006). Unfortunately, some of these communities were historically marginalized under British colonial rule, such as the Denotified, Nomadic, and Semi-Nomadic Tribes (DNTs) (Bokil, 2002; Alam, 2023; Chatterjee, 2024). These groups were criminalized by colonial authorities, resulting in socio-economic exclusion despite their traditional nomadic lifestyles involving

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activities like street vending, entertainment, and small-scale trade (Gandee, 2020; Meena, 2021).

Independent India's commitment to conserving biodiversity is reflected in the Wild Life (Protection) Act (WPA) of 1972, which restricts activities like hunting, poaching, and habitat destruction as a means to protect the nation's rich biodiversity (Kunte, 2008). For generations, DNTs have been reported to have traditionally depended on wildlife for their sustenance and their livelihoods have been intricately linked to biological diversity (Ministry of Social Justice & Empowerment [MoSJE], 2022; Narayan, 2022). Many DNT communities, like the Sapera (snake charmers), Kalandar (sloth bear entertainers), Madari (monkey entertainers), etc., have played crucial roles in India's cultural heritage and traditions (Rahul, 2023).

While the WPA has ensured the humane treatment of animals, DNT activists argue that it has minimized the livelihoods of communities like the Kalandar, who used to perform with sloth bears in public spaces. However, mainstream communities view such performances as exploitative of animals, despite the lack of clear evidence of animal abuse by DNT communities, who had lived and worked closely with their animals as part of their communities, for generations (Pawar, 2021).

This article aims to provide an in-depth analysis of the complex and multifaceted situation between the WPA and the DNTs of India and investigates how the legal act shapes the livelihood of these tribes and impacts their traditional practices. The article also explores the effectiveness of conservation efforts and their impact on the socio-economic and cultural aspects of these communities. By examining the interplay between the WPA and the unique lifestyle of these tribes, this article offers valuable insights into the challenges and opportunities for sustainable development and conservation in the country.

2. Methodology

Participants from the Kalandar, Madari, and Sapera communities were included in the present study using a purposive sampling method, to assess the impact of the WPA on their livelihoods, as per the research objective. The investigation used a qualitative research design to collect data, which included semi-structured and in-depth interviews with community members. Focus group discussions and case study methods were also used to gather information. In addition, government reports, press releases, and other archives were considered for the study. Later, the narrative analysis method was employed.

3. The Wild Life (Protection) Act of 1972: A pillar of Indian wildlife conservation

The Wild Life (Protection) Act of 1972 (Act No. 53 of 1972) is a landmark legislation in India that serves as the foundation for wildlife protection and conservation

efforts. Enacted on September 9, 1972, this Act provides a comprehensive framework for safeguarding wild animals, birds, and plant species (Krishnan, 1973).

1. Hunting Prohibition: The Act strictly prohibits hunting wild animals, with exceptions granted only under specific circumstances.
2. Scheduling System: The Act classifies animals and plants into six schedules, assigning varying degrees of protection based on their rarity and conservation status.
3. Protected Areas: The Act empowers the creation of sanctuaries and national parks to provide safe havens for wildlife and their habitats.
4. Regulation of Trade: The Act regulates trade in wildlife products, including trophies and animal articles, to combat illegal poaching and trafficking.
5. Institutional Framework: The Act establishes a central and state-level administrative structure for wildlife management, including the National Board for Wildlife and State Boards for Wildlife.

4. DNTs and their dependence on wildlife

The DNTs, are Indian communities that have been factually marginalized. These communities have primarily relied on wildlife for their survival to enhance their traditional practices. For instance, the Sapera community, also known as Jogi Nath or Sapela, found primarily in Central and Eastern parts of the country, is known for its traditional livelihood of snake charming. They use their skills to handle snakes and entertain people during festivals and other events (Singh, 1998b).

Similarly, the Kalandar community, also identified as Qalandar, Qalandar Faqir, and Bhaluwala, engage in the traditional practice of sloth bear dancing. This practice involves training and performing with sloth bears, which are now a protected species in India. The Kalandars have been historically known for their close relationship with bears, and they have been performing with them for generations (Singh, 1998b).

The Madari community, also termed Bazigar or Bandar Wala, participates in monkey dancing as their traditional livelihood. They train and carry out performances with different species of monkeys. Monkey dancing involves training monkeys to perform tricks, which are then showcased during festivals and other events (Singh, 1998a).

These traditional livelihoods have been an integral part of these communities for generations, and they have been passed down from one generation to another. Significant changes in laws and attitudes towards animal welfare resulted in almost a ban on these practices in the country. As a result, many of these communities have struggled to find alternative sources of livelihood, which has led to an identity crisis as a community and further marginalization.

5. Case Studies: Voices from the Grassroots

5.1 Loss of livelihood: Qalandar community

The Qalandar community in Uttar Pradesh faced a significant setback when the WPA banned bear dancing, which had been their traditional livelihood for ages. The community had relied on sloth bear dancing as a primary source of income. Their skills were limited to bear handling, making it arduous for them to find new opportunities, especially since most members of the community lacked formal education. Overnight, they lost their primary source of income and faced severe financial insecurity, which was compounded by social stigma. However, the Qalandar community did not give up and showed great resilience by engaging in skill development programs, and advocacy efforts, and received economic support. Some members were able to transition successfully to new livelihoods, but sustained assistance is still needed for long-term prosperity. Unfortunately, some members were not able to do so. To address this problem, it is suggested that solutions such as skill development programs, micro-finance, and free educational access should be implemented to empower them towards new livelihood opportunities. This case highlights the need to address the complex intersection of cultural heritage, conservation, and livelihood sustainability for marginalized communities.

5.2 Adapting livelihoods: Sapera community

The Sapera community in West Bengal is known for their traditional occupation of snake charming. For generations, they have earned their livelihood through this unique skill. However, the WPA, which was introduced to protect endangered species, banned this practice, leaving many members of the community without a source of income. Some members of the community continued to pursue snake charming through legal loopholes, others had to find alternative occupations to make ends meet. Some turned to be an ethnomedicine practitioner and exorcists, while others resorted to wage labor and construction work. Despite the challenges they faced, the community showed remarkable resilience and adaptability in the face of changing circumstances. The transitions made by the Sapera community highlight the need for sustainable solutions to support marginalized groups affected by conservation legislation. It is important to address the economic impacts of such laws and ensure that affected communities are not left behind. By providing alternative livelihood options and support for skill development, we can help ensure that they can adapt to changing circumstances and thrive in the long term.

5.3 Co-existing livelihoods: Madari community

The Madari community, a group of semi-nomadic performers in the state of Punjab, has been practicing the traditional art of monkey dancing for generations. However, with the enactment of the WPA, their livelihood was put in jeopardy. This posed a significant challenge for the Madari community, as displaying public acts related to monkeys was their primary source of income and cultural identity. Despite this

setback, some members of the community decided to adapt to the changing times by diversifying their livelihoods. They explored alternative sources of income such as selling colored stone amulets, wage labor, e-rickshaw driving, or masonry. This transition highlights the community's resilience and ability to adapt to changing circumstances. Although some members of the Madari community continued to practice monkey dancing by using domesticated monkeys, the reduced demand due to modernization prompted further diversification. The community's ability to navigate new paths and ensure sustainable livelihoods beyond traditional practices is truly admirable. Therefore, this case emphasizes the importance of providing tailored support to facilitate transitions and ensure the economic resilience of communities in evolving socio-environmental landscapes. Thus, the example of Madaris infers if significant support is provided to them, communities can overcome challenges and adapt to changing times while preserving their cultural heritage.

6. Policy analysis and recommendations

The Wild Life (Protection) Act of 1972 has played a crucial role in India's efforts towards wildlife conservation and protection. However, the Act's strict regulations have had an unintended negative impact on marginalized communities, particularly the DNTs, who have historically relied on biodiversity for their livelihoods and cultural practices. The Act's provisions, which prohibit practices like bear dancing, snake charming, and monkey dancing, have significantly affected the socio-economic status, leading to economic instability and social marginalization of these communities.

The recommendations for mitigating the adverse effects of wildlife conservation laws on DNT communities in India encompass several important aspects. Firstly, it is essential to involve and engage with representatives of DNT communities in policy-making processes. The aim of this is to understand their traditional practices, cultural significance, and socio-economic dependencies on wildlife. Additionally, community-tailored livelihood diversification programs should be implemented through a bottom-up approach. These programs would provide vocational training, skill development workshops, and access to micro-finance for entrepreneurial ventures. Efforts to preserve this rare cultural heritage while promoting sustainable tourism initiatives are also recommended. This can be achieved by leveraging and documenting cultural performances, storytelling, and traditional craftsmanship to provide economic opportunities while maintaining cultural identity.

Additionally, educational programs should be developed to raise awareness among DNT communities about wildlife conservation laws. These programs should emphasize alternative livelihood options and sustainable practices. Financial support, subsidies, and grants should be provided to facilitate the economic transition of DNT communities towards alternative livelihoods. This should be complemented by mentorship programs and access to markets. Collaboration and a sense of cooperation are essential between government agencies, non-profit organizations, academia and local community leaders for successful policy implementation. This would leverage resources, expertise and community networks.

During implementation, continuous monitoring and evaluation of interventions are essential to assess effectiveness and make necessary adjustments. The study recommends socio-economic indicators, cultural preservation, and ecological impact should be the areas the policymakers should focus on. These recommendations aim to ensure equitable and inclusive conservation efforts. To conclude, balancing conservation imperatives with the socio-economic well-being of marginalized DNT communities is crucial. A prompt reaction from the administrations and other involved stakeholders is expected regarding this alarming situation before the cultural identities of these communities get wiped out.

7. Conclusion

The Wild Life (Protection) Act of 1972 is a crucial legislation in India's conservation efforts. It provides a comprehensive framework to safeguard a diverse range of species and habitats. However, the stringed-ness of the Act has unintentionally marginalized certain communities, particularly the DNTs. These communities have relied heavily on wildlife for their traditional livelihoods and cultural practices. The case studies presented highlight the significant impact of conservation laws on DNT communities. They face significant challenges in transitioning away from traditional practices that have been banned by the Act. Despite these obstacles, DNT communities like the Qalandar, Sapera, and Madari have shown resilience and adaptability. Their success underscores the potential for sustainable livelihood transitions with the right support mechanisms in place.

The study recommends community engagement and consultation. It's necessary to integrate the voices and concerns of DNTs into policy-making processes. Additionally, livelihood diversification programs tailored to the specific needs of DNT communities and efforts to preserve cultural heritage and promote sustainable tourism are essential for fostering economic resilience and cultural continuity to strike a balance between conservation imperatives and the socio-economic well-being of marginalized communities. By implementing these recommendations, India can scale up in mitigating the adverse effects of wildlife conservation laws on DNT communities. It will advance the overarching goals of biodiversity conservation and significantly contribute to the goals set by the United Nations to reach sustainable development.

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Uniting Queer Hearts Under the Law: Envisioning a Future of Inclusivity with the Amended Special Marriage Act for Same-Sex Couples in India

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Abstract

The paper explores the historical context, significance, current landscape, and potential amendments of the Special Marriage Act (SMA) of 1954 to include same-sex marriages. Tracing its origins from colonial-era legal reforms, the paper highlights the Act's role in facilitating interfaith and inter-community marriages while addressing the glaring absence of recognition for same-sex unions. Through an analysis of key provisions, legal precedents, constitutional harmony, and international examples, the paper argues for the amendment of the SMA to embrace marriage equality. Emphasizing the Act's inherent flexibility, the paper proposes leveraging its existing framework to accommodate same-sex marriages efficiently. Furthermore, it discusses the socio-economic benefits and legal clarity associated with recognizing same-sex marriages, advocating for the alignment of Indian law with constitutional values of equality and non-discrimination. The paper underscores the imperative of legislative reform to foster social inclusion, and progress, and strengthen India's secular fabric. Amending the SMA to recognize same-sex marriages represents a pivotal step towards a more inclusive and equitable society, promoting the fundamental rights and dignity of all individuals regardless of sexual orientation.

Keywords: Special Marriage Act, Same-Sex Marriage, Secularism, Inclusivity, Legal Reform, Constitutional Harmony, Social Acceptance, Human Rights

1. Introduction

This paper sheds light on the historical evolution and contemporary significance of the Special Marriage Act (SMA) of 1954, alongside addressing its current inadequacies

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concerning the recognition of same-sex marriages. Marriage in India underwent a notable transformation during the colonial era, transitioning from solely religiously governed customs to the introduction of civil marriages under Act III of 1872. However, early resistance revealed the challenges of reconciling legal reforms with entrenched religious practices. Following India's independence, the SMA of 1954 emerged as a progressive measure, providing a secular alternative to traditional religious ceremonies and facilitating interfaith and inter-community unions. Despite its role in promoting social harmony and individual choice in marital unions, the SMA's failure to explicitly address same-sex marriages highlights a significant gap in India's legal framework. Despite landmark judicial decisions, such as *Navtej Singh Johar v. Union of India* (2018) decriminalizing homosexuality, the absence of legal recognition for same-sex unions perpetuates marginalization and legal ambiguity for LGBTQIA+ couples.

This paper sets the stage for examining the SMA's historical context, current landscape, and the imperative for legislative reform to embrace marriage equality. By analyzing key provisions, legal precedents, constitutional harmony, and international examples, the paper advocates for amendments to the SMA that align with India's constitutional values of equality, non-discrimination, and personal liberty, thereby fostering a more inclusive and equitable society for all its citizens.

2. Historical Context: Tracing the Origins from the Colonial Era to the Enactment in 1954

The SMA finds its genesis in the fertile ground of colonial legal reforms. Prior to the 19th century, marriage in India was governed entirely by the religious customs and personal laws of various communities (Mitra & Fischer, 2002). However, the British Raj, with its emphasis on codified law, introduced Act III of 1872, which provided a framework for civil marriages for all persons irrespective of religion (Chatterjee, 2010). This early legislation, however, met with resistance due to concerns about undermining established religious practices (Chatterjee, 2010). The seeds for the SMA were sown in the aftermath of India's independence. Recognizing the limitations of Act III and the need for a more inclusive approach, the nascent Indian government embarked on drafting a new law. The SMA, enacted in 1954, aimed to provide a secular alternative to religious marriages, particularly facilitating unions between individuals of different faiths or castes. While the Act did not explicitly address same-sex marriage, its emphasis on a civil, non-religious approach to matrimony laid the groundwork for future debates on expanding its scope to encompass unions beyond those defined by gender and religion.

3. Objective and Significance: Understanding the Act's Role in Facilitating Interfaith and Inter-Community Marriages

The SMA stands as a landmark piece of legislation in its contribution to social harmony within India's diverse society. Before its enactment, marriages were solely governed by the religious codes and customs of individual communities. This often posed a significant barrier for couples from different faiths or castes who wished to marry. The SMA emerged as a progressive response, offering a secular alternative to traditional religious marriage ceremonies.

The Act's significance lies in its ability to transcend the limitations of religious affiliation and social stratification (Subramanian, 2010). By providing a standardized legal framework for civil marriages, the SMA empowered individuals to marry outside their designated faith or community, based on their own volition. This not only fostered greater individual choice in marital unions but also served to weaken the hold of rigid social structures that might have otherwise discouraged interfaith and inter-community marriages. The Act's role in promoting social mobility and dismantling social barriers remains a crucial aspect of its enduring legacy (Maity, 2020).

4. Current Landscape: The Act's Relevance in Contemporary India and the Absence of Same-sex Marriage Recognition

The Special Marriage Act (SMA) of 1954 continues to hold significance in contemporary India by providing a legal framework for interfaith and inter-community marriages, fostering national unity amidst a backdrop of diverse religious and social identities. However, a glaring lacuna exists within the Act's purview - the absence of recognition for same-sex marriage. While the Supreme Court's landmark 2018 decision in *Navtej Singh Johar v. Union of India* decriminalized homosexuality, it did not extend to acknowledging same-sex unions as marriages (Chaudhary, 2020). This exclusion creates a state of legal ambiguity and marginalizes LGBTQIA+ couples, denying them the rights and protections afforded to heterosexual married couples.

Further compounding this issue, the Supreme Court's recent judgment in a series of petitions demanding marriage equality for same-sex couples (October 2023) declined to recognize same-sex marriage as a fundamental right (Yasir & Travelli, 2023). The court, while emphasizing the right to cohabit and form partnerships, refrained from mandating the legislature to legalize same-sex marriage. This decision underscores the current limitations of legal recourse for LGBTQIA+ couples seeking marital recognition (Divan, 2023).

The Act's gender-neutral language pertaining to spouses offers a glimmer of hope for potential future amendments that embrace inclusivity. However, the current landscape remains one of dissonance between evolving societal norms and the limitations of existing legislation.

5. Key Provisions: An examination of the important sections and their implications for marriage beyond gender and religion

The provisions of SMA have not evolved to recognize the changing dynamics of society, particularly concerning the rights of same-sex couples. Section 4 of the Act stipulates conditions for the solemnization of marriage, which implicitly assumes heterosexual unions by requiring neither party to have a living spouse.

This implicitly excludes same-sex couples, who cannot legally marry under the current framework. Section 5 mandates notice of intended marriage, and Section 6 allows for objections to be raised, both of which are accessible only to heterosexual couples due to the Act's interpretation. The Act's Section 11 provides for the declaration by parties and witnesses.

Here, the language used is gender-neutral, suggesting that the Act's framework could potentially accommodate same-sex marriages without substantial alterations. Section 21 deals with the legitimacy of children from such unions, which could be interpreted to extend protections to children of same-sex couples if the Act were to be amended. Section 24 outlines the consequences of marriage on property, which is a significant aspect for same-sex couples as it would grant them equal legal status in property matters. Section 25 and Section 26, concerning divorce and custody of children, respectively, are also critical as they currently do not apply to same-sex couples due to the lack of legal recognition of their unions.

The Act's silence on the recognition of same-sex marriages creates a legal void. While the Act's existing framework, with its secular orientation and gender-neutral language in certain sections, shows an inherent flexibility, it requires legislative intervention to become truly inclusive.

The judiciary has indicated that the onus lies with the legislature to amend the law to reflect contemporary societal values (Mahajan, 2020). Incorporating same-sex marriages into the Act's purview would entail redefining marriage within its provisions as a union between two persons, not predicated on gender. This amendment process would involve the introduction of a bill in Parliament, followed by the necessary debates and approvals, culminating in the President's assent.

Such a legislative change would not only extend the Act's secular promise to same-sex couples but also harmonize it with the constitutional values of equality, non-discrimination, and personal liberty. The Act's potential expansiveness could be harnessed to encompass marriage beyond gender and religion, thereby strengthening the secular fabric of the nation and providing a legal foundation for the recognition of same-sex marriages in India. This would not only align the Act with constitutional values but also with international human rights standards, which increasingly recognize marriage equality as a fundamental right (Rajagopal, 2023).

The amendment of the Act to include same-sex marriages, which can also be considered 'special' in the context of the Act, would be a step towards a more inclusive society, ensuring that all individuals have the right to marry the person of their choice.

6. The Act's Flexibility: How the Act's existing framework is conducive to encompassing same-sex marriages

The SMA offers a compelling framework for recognizing same-sex marriages in India through its inherent flexibility. Unlike personal marriage laws that govern specific religious communities, the SMA focuses on civil marriage solemnized by a Marriage Officer. This neutrality regarding gender and religion in the core definition of marriage (Section 5) presents a crucial point of entry for legal inclusion (Dideriksen, 2020). Furthermore, the Act emphasizes the concept of consent between two individuals (Section 4). This focus on mutuality transcends considerations of biological sex, potentially paving the way for the recognition of same-sex unions built on mutual commitment (Subramani, 2023).

Additionally, the Act doesn't prescribe any specific conditions for the parties entering a marriage beyond basic requirements like age and mental capacity (Section 4). This absence of gendered language creates further space for legislative interpretation to encompass same-sex couples (Singh, 2017). The flexibility extends to formalities as well. The Act mandates a 30-day public notice period (Section 6) to prevent existing marriages. While intended to safeguard existing heterosexual unions, this provision can be adapted to address potential challenges arising from same-sex marriage recognition. By fostering transparency and allowing for objections, the Act provides a mechanism to navigate potential concerns during the transition to a more inclusive legal landscape (Bag et al., 2011).

7. Legal Precedents: Discussing past judgments and interpretations that hint at the Act's potential expansiveness

The SMA has undergone several amendments to address the evolving legal and social landscape. Notably, the Marriage Laws (Amendment) Act, 2001 introduced significant changes, including the provision for the appointment of Diplomatic and Consular Officers as Marriage Officers for solemnizing and registering marriages between Indian nationals abroad. This amendment broadened the Act's applicability, reflecting India's commitment to accommodating its diaspora (Press Information Bureau, 2024).

Further, the Personal Laws (Amendment) Act, 2019 removed leprosy as a ground for divorce or separation, aligning the Act with modern medical advancements and human rights standards (Rajagopal, 2018). These amendments demonstrate the legislature's intent to refine the SMA in response to contemporary challenges and societal progress. Additionally, the proposed Marriage Laws (Amendment) Bill, 2010, sought to introduce the 'irretrievable breakdown of marriage' as a new ground for divorce, emphasizing the Act's adaptability to the changing dynamics of marital relationships. Although not yet enacted, this bill indicates a legislative inclination towards recognizing the personal autonomy of individuals within the marriage (Chakrabarti et al., 2022). These amendments,

coupled with judicial interpretations, suggest that the SMA's framework is capable of further expansion, potentially to include same-sex marriages, thereby reinforcing the Act's foundational principle of secularism and equality.

8. Legal Efficiency: The advantages of amending existing laws over crafting new ones

Amending the SMA to encompass same-sex marriage offers a strategic and efficient pathway to legal reform, as evidenced by several key advantages. Courts and legal professionals are already familiar with the Act's procedures and interpretations, streamlining the integration of provisions for same-sex couples (Bhatia, 2023). This efficient utilization of resources circumvents the extensive bureaucratic and legislative processes required for entirely new laws. Amending the SMA minimizes disruption, conserves governmental and judicial resources, and allows for a more focused allocation towards public education and societal integration (Gee & Webber, 2005). Furthermore, amending the SMA fosters public perception and acceptance. Incremental changes are often more palatable to the public, facilitating smoother societal transition. This method respects the evolutionary nature of social norms, aligning legal progress with the gradual shifts in public consciousness.

The familiarity of the SMA as a framework for interfaith and inter-community marriages can ease the public's understanding of its potential extension to same-sex couples (Osman, 2020). Finally, amending the SMA presents a strategically opportune moment to address any shortcomings in the existing Act. By incorporating provisions for same-sex marriage, legislators can simultaneously introduce updates or clarifications to the SMA, ensuring its continued effectiveness in contemporary society. This approach leverages the legislative process to achieve multiple goals, promoting efficiency and maximizing the impact of legal reform (Solanki, 2015). Beyond domestic considerations, amending the SMA aligns with international resonance. Numerous jurisdictions have successfully expanded marriage laws to include same-sex couples. By embracing international trends, India can demonstrate its adherence to human rights standards and solidify its position as a leader in social justice (Shunmugasundaram, 2021).

9. International Examples: How other countries have successfully amended marriage laws to include same-sex couples

India can glean valuable insights from the experiences of nations that have successfully amended their marriage laws to encompass same-sex couples. Several countries serve as compelling case studies, demonstrating the feasibility and positive outcomes associated with this approach. Legislative amendments have been the most common method, with 25 countries enacting laws through their parliaments (Marks, 2006). Notably, Australia, Ireland, and Switzerland required public referenda before legislative action, underscoring the importance of societal consensus in the

process (Raveau et al., 2022). Conversely, 10 countries have relied on judicial rulings to extend marriage rights to same-sex couples, with courts often interpreting constitutional principles of equality and non-discrimination as mandates for change (Norrie, 2015). Canada, a Commonwealth nation with a legal system sharing some similarities with India, offers a particularly instructive example (Gee & Webber, 2005). In 2005, Canada amended the Civil Marriage Act, removing gender-specific language and defining marriage as "the lawful union of two persons to the exclusion of all others." This concise amendment effectively opened marriage to same-sex couples while maintaining the core principles of the existing legislation (Wright, 2006).

Similarly, numerous European nations have embraced inclusivity through legislative reform. In 2001, the Netherlands became the first country in the world to legalize same-sex marriage through a legislative amendment (Wockner, 2023). Other European nations followed suit, with countries like Spain (2005), France (2013), and Germany (2017) all amending their marriage laws to include same-sex couples. These amendments typically involved revising existing legal definitions of marriage to be gender-neutral, ensuring a smooth integration of same-sex unions into the established legal framework (Trimble, 2017). Beyond Europe and the Commonwealth, countries in Latin America have also demonstrated successful legislative reform. Argentina, in 2010, amended its Civil Code to explicitly recognize same-sex marriage. This amendment not only provided legal recognition but also ensured equal rights and obligations for same-sex couples compared to heterosexual couples (Masci et al., 2019).

Recent examples include Greece, which, in 2024, became the first Christian Orthodox majority country to legalize same-sex marriage, also permitting same-sex adoptions (Smith, 2024). Estonia followed suit as the first post-Soviet state to embrace marriage equality, with legislation effective from January 1, 2024 (Musaddique, 2024). These instances illustrate the evolving nature of marriage laws, adapting to contemporary understandings of human rights and equality. The global trajectory towards marriage equality has not only aligned with constitutional values but also reflected a broader commitment to human dignity and the universality of love (DeSilver, 2023).

10. Constitutional Harmony: Aligning the Act with the constitutional values of equality and non-discrimination

The Indian Constitution enshrines the principles of equality and non-discrimination as fundamental pillars of a just society (Articles 14, 15). These principles unequivocally posit that all individuals are equal before the law, irrespective of their caste, religion, sex, or sexual orientation (Sankaran, 2007). The exclusion of same-sex marriage from the purview of the SMA stands in stark contrast to these core tenets. The denial of marriage rights to same-sex couples creates a two-tiered system of citizenship, privileging heterosexual relationships and relegating same-sex

partnerships to a status of inferiority. This dissonance between the lived realities of LGBTQIA+ individuals and the constitutional promise of equality undermines the very notion of a just and inclusive society (Bilchitz, 2016).

Further, the current legal framework fails to recognize the inherent dignity and autonomy of same-sex couples. The right to marry is not merely a social construct; it signifies the state's recognition of a fundamental human right - the right to form a family unit and enjoy the legal and social benefits associated with marriage. Denying this right to same-sex couples constitutes a form of state-sanctioned discrimination, perpetuating social stigma and marginalization (Mishra, 2023). Amending the SMA to encompass same-sex marriage would bring Indian law into harmony with its own constitutional aspirations. By extending marriage rights to all consenting adults, irrespective of gender, the state would reaffirm its commitment to equality and non-discrimination.

This alignment would not only promote social justice but also strengthen India's image as a progressive and inclusive democracy (Spandana, 2023). Opponents of same-sex marriage may argue that the concept of marriage is inherently linked to heteronormative procreation. However, this argument fails to acknowledge the evolving nature of family structures and the diverse forms of love and commitment (Gerstmann, 2008). The focus of marriage under the SMA lies in the formation of a civil union, devoid of religious connotations (Bag, 2011). Amending the Act to include same-sex couples would simply extend this existing framework to a historically marginalized segment of society.

11. Marriage as a Civil Right: Interpreting the Act's Provisions to Support the Civil Nature of Marriage for All, Including Same-Sex Couples

The SMA transcends religious considerations, focusing instead on the formation of a civil union between consenting adults. This inherent focus on the civil character of marriage presents a compelling opportunity to interpret the Act's provisions in a way that embraces same-sex couples, thereby securing their right to marry (Mitra & Fischer, 2014). A crucial argument in this regard lies in the concept of "pro forma" - a legal term signifying a prescribed form or procedure. The SMA outlines specific requirements for a valid marriage, such as minimum age, mutual consent, and the absence of prohibited relationships. These requirements are demonstrably gender-neutral, focusing on the capacity and consent of the individuals involved, not their biological sex (Dalal, 2020).

Furthermore, the Act conspicuously avoids any mention of procreation or gender roles within a marriage. This reinforces the notion that marriage under the SMA signifies a formal recognition of a committed partnership, devoid of religious or procreative imperatives (Kirpal, 2020). Objections may arise concerning the historical context of the Act and its initial focus on facilitating interfaith and inter-community marriages. However, the evolving nature of legal interpretation allows for a progressive reading of the Act (KT & Bhat, 2020). Landmark judgments like

Navtej Singh Johar v. Union of India (2018) have demonstrated the judiciary's willingness to interpret existing legal frameworks in a manner that upholds fundamental rights and expands social inclusion. By interpreting the SMA's provisions through this lens of inclusivity, the Act's focus on civil unions and the absence of gendered requirements can be seen as encompassing same-sex couples.

This interpretation aligns with the growing international consensus recognizing marriage as a fundamental right extending to same-sex partnerships. Such an interpretation would not only ensure equal treatment under the law but also resonate with the core principles enshrined in the Indian Constitution (PTI, 2020). Articles 14, 15, and 21 guarantee equality before the law, non-discrimination, and the right to personal liberty, respectively. Denying marriage rights to same-sex couples creates an arbitrary classification based on sexual orientation, violating these fundamental rights (Bhatia, 2017).

12. Succession and Rights: How amendments can extend legal protections and rights to same-sex couples

Amending the SMA to encompass same-sex marriage would not merely be a symbolic gesture; it would significantly impact the legal and financial security of same-sex couples. Currently, these couples navigate a complex web of legal ambiguities, lacking access to crucial protections and rights enjoyed by heterosexual married couples. One of the most pressing concerns pertains to inheritance and succession rights. Without marriage recognition, a same-sex partner may be excluded from inheriting property or assets accumulated by their deceased partner. This can lead to financial hardship and emotional distress, particularly for long-term committed couples (Agarwal, 2020). Amending the SMA would ensure that same-sex spouses inherit automatically, similar to heterosexual couples, fostering financial security and stability.

Furthermore, amendments can address issues related to hospital visitation rights, medical decision-making authority, and social security benefits. Often, same-sex partners are denied the right to make medical decisions on behalf of their ailing partner or even face restricted visitation rights in hospitals. Amending the SMA would grant same-sex spouses these crucial rights, ensuring their role in their partner's healthcare is recognized and respected (Marsack & Stephenson, 2018). Tax benefits currently enjoyed by married couples, such as joint tax filing and exemptions, would also become accessible to same-sex couples upon the inclusion of same-sex marriage in the SMA. This would not only bring about greater financial parity but also acknowledge the economic unit formed by a same-sex marriage (Tymkiw, 2023).

13. Economic, Social and Legal Benefits: The positive ripple effects of recognizing same-sex marriages on society and the legal system

Marriage equality can attract skilled same-sex couples to India, potentially boosting the economy through increased investment and talent acquisition (Hamermesh &

Delhommer, 2020). This could also potentially boost the "Pink Economy" in India (Marlow & Trivedi, 2018). Extending marriage recognition to same-sex couples would generate positive externalities impacting both the social and legal spheres. Socially, it fosters a more inclusive environment, dismantling discriminatory stigmas attached to same-sex relationships (Drabble et al., 2021). Research suggests a correlation between marriage equality and a decrease in mental health disparities within the LGBTQIA+ community (Perone, 2015).

Legal recognition affords same-sex couples access to a robust framework of protections and entitlements currently unavailable. This includes hospital visitation rights, inheritance rights, and the ability to jointly adopt children (Herek, 2006). Furthermore, the legal clarity provided by marriage equality reduces uncertainty and litigation surrounding issues like property division and power of attorney in committed same-sex partnerships (Delhommer & Hamermesh, 2021). From a systemic perspective, recognizing same-sex marriage strengthens the legal infrastructure by promoting principles of equality and non-discrimination enshrined in the Indian Constitution. This fosters a more just and equitable society for all citizens.

14. Strengthening Secularism: Reinforcing India's secular fabric by embracing marriage equality

India's commitment to secularism, enshrined in its Constitution, necessitates the fostering of a legal environment that transcends religious affiliations. Denying marriage recognition to same-sex couples creates an incongruence between this core principle and the lived realities of LGBTQIA+ citizens. Amending the SMA to encompass same-sex marriages would be a powerful affirmation of secularism. Currently, the Act facilitates interfaith and inter-community marriages, demonstrating the state's neutrality towards religious doctrines in the realm of matrimony (Singh, 2018). Excluding same-sex couples based on sexual orientation undermines this very neutrality.

It reinforces the notion that marriage is contingent upon religious sanction, potentially privileging certain religious viewpoints over others (Markard, 2016). Recognition of same-sex marriage separates the act of marriage from religious dogma, solidifying its position as a civil contract with legal and social implications. This reinforces the state's role in regulating marriage as a societal institution, ensuring equal access for all citizens irrespective of their faith or sexual orientation (Singh, 2017).

15. Social Inclusion and Progress: The role of legal recognition in fostering social acceptance and progress

Legal recognition of same-sex marriage transcends the realm of legal rights, acting as a powerful catalyst for social inclusion and progress. Marriage equality sends a

clear message that same-sex relationships are deserving of societal respect and validation. This, in turn, can dismantle discriminatory attitudes and foster a more inclusive environment for LGBTQIA+ individuals (Kennedy & Dalla, 2019). Studies have shown a positive correlation between marriage recognition and a decrease in social stigma surrounding same-sex relationships (Badgett, 2011). Furthermore, legal recognition paves the way for broader societal acceptance. When same-sex couples can publicly celebrate their unions and enjoy the legal protections afforded to married couples, it normalizes these relationships and fosters greater understanding within the community. This societal shift can have a profound impact on younger generations, creating a more accepting environment where LGBTQIA+ youth feel empowered to live authentically (Carpenter et al., 2021). Ultimately, marriage equality serves as a crucial marker of progress towards a more inclusive and equitable society, where all individuals have the right to love and be loved.

16. Conclusion

The Special Marriage Act (SMA) of 1954 stands as a testament to India's commitment to secularism and personal liberty. While the Act has been instrumental in facilitating interfaith and inter-community marriages, its failure to recognize same-sex unions underscores the urgent need for reform. As demonstrated, the SMA's inherent flexibility and alignment with constitutional values provide a fertile ground for inclusivity. Recognizing same-sex marriages within the SMA is not just a matter of legal reform; it is a call to uphold the principles of equality, non-discrimination, and personal liberty enshrined in the Indian Constitution.

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Empowering Justice: Charting the Course for AI in Indian Undertrial Management

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Abstract

The legal sphere resolves transgressions and has a sanctified space for human judgment. It is increasingly encountering AI-related aids, and it must be adequately adjusted to function how it has been designed. This paper sees the legal sphere's interaction with undertrial cases as a deep transformational leverage point for a dedicated AI-based intervention. So, the Indian framework i.e. the policies, datasets, and data collection are examined and discussed in the context of COMPAS (Correctional Offender Management Profiling for Alternative Sanctions), which assesses offenders' recidivism, to craft a policy for an Indian AI-powered undertrial management system.

Keywords: Artificial Intelligence, Legal Sphere, COMPAS (Correctional Offender Management Profiling for Alternative Sanctions), Public Policy, DPI (Digital Public Infrastructure)

1. Introduction

Communities form a society or are recognized as being part of a society in terms of shared attitudes and interests. So, what takes care of the interests must be the bedrock of 'the community,' which is justice. This concept in modern times has come to embody fairness and reciprocity, which leads to the endowment of legitimacy to the societal structure, where the value given to human judges and their foresight is vast. A system change is desired here to effectively engage with the rigid structure and narratives surrounding the legal system. Leverage points are places to intervene in a system. Identifying and utilizing a leverage point is necessary because these offer a way to generate system change (Abson, et al, 2016). I argue that AI and related tools can help in administering cases, thus enabling the legal system to do what it is meant to do better. The data reveals around 278 thousand undertrials out

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of a total of 381 thousand prisoners. This means more than two-thirds of the criminals are undertrials, underscoring the worthiness of the issue (Sahoo & Jain, 2015). The paper will discuss mainstreaming measures and accelerating actions. Finally, we will look at policy support for AI in the legal sphere while considering the ethical considerations one must make to operationalize the aforementioned system.

2. An Indian Undertrail Management System

Correctional Offender Management Profiling for Alternative Sanctions is an artificial intelligence program that utilizes deep learning to train the algorithms used by several US courts constantly. It uses a 137-question assessment, requiring direct input from the accused and data from the authorities related to incarceration. This provides the risk score of recidivism on a 10-point scale, where a higher score means a denial of bail and a higher sentence *ceteris paribus* (Yong, 2018). There are around three levels to interpret the need and risk scales with the outcomes wholly, which use the crime-producing issues and sentencing guidelines to start with, environmental issues, skill issues, and criminogenic findings to deepen the analysis—multitudes of criminological theories to underpin the final working.

The problems of importing such an algorithm become apparent immediately. The questionnaire and data collection process poses a challenge for many accused from educationally deprived communities who might need help to capture the gravitas of the questions at hand. The police force is known for requiring more checks and balances and possibly false information. Moreover, the normative data is too few for an algorithm to train in an Indian Context. Furthermore, the norms, groups, and weightage added to categories would have to be reworked entirely in Indian society with overlapping caste, religion, and even tribal systems and practices. It needs to account for the expressivist theory of justice, which views punishment as a conventional device for expressing attitudes of resentment (Feinberg, 1965), and its relevance and validity in an Indian context transfixed upon several media trials. All this substantiates the call for an indigenous India-specific algorithm.

3. Mainstreaming, Ecosystem Creation and Acceleration

The purpose behind mainstreaming a process is to make a transformative change to achieve a remodelled system, here, one with AI. Progress is the goal, and intelligence is the way to progress. The Supreme Court AI Committee has been constituted. As early as 2021, the erstwhile CJI Sharad Bobde recognized AI's aid and assistive capacity and introduced SUPACE (Supreme Court Portal for Assistance in Courts Efficiency). SUPACE is useful in augmenting the effectiveness of the judges in working on cases by making it efficient to extract relevant information, read case files, and draft case documents (Rituraj & Singh, 2021). Such initiatives are a welcome step; however, they are still confined to a minimal space. Nevertheless,

the Supreme Court hopping on the AI bandwagon gives it credibility and opens discourses.

A study used Pune Districts and Sessions Court as a straw in the wind to extrapolate the number of bail applications Indian courts get in a year. The Pune court handled 5337 bail applications in 2020. There are at least 748 District & Sessions courts. The number of bail applications handled by the system in a year is $748 \times 5337 = 39,92,076$, as a ballpark estimate (Srinivasa Rao & Gore, 2023). So, this zone is always a potential bottleneck. State governments have taken the lead in this area where the Uttar Pradesh government has launched an artificial intelligence-powered mobile application 'Trinetra,' which uses facial identification based on a 500 thousand-strong criminal database for gang identification (Ministry of Electronics and Information Technology, 2022), although the opaqueness and the 'black box' problem ensure ambiguity.

However, this has enthused the central government. This was evident in the recently held G20 conferences where the Minister of State for Electronics and Information Technology relayed the government's will to assemble and allow usage of significant forms of the anonymized non-personal dataset collected and harmonized under a 'Data Governance Framework' policy to stimulate the growth of startups working in the AI sector, thus, developing an open AI-positive ecosystem (Anonymous, 2023). A highly relevant foundational tool by the NIC is the National Judicial Data Grid (NJDG) portal, a repository of data pertaining to all court cases, including onboarding the ones at every district and taluka level court. It provides statistics related to the case types, the pendency of cases, the stage of the cases, etc., updated daily (Ministry of Law and Justice, 2023). Thus, there are building blocks in place to build an ecosystem where innovators can create socially desired products.

4. Deployment and Recommendations

There are no laws in India concerning AI regulation. The space is open for deploying the aforementioned Indigenous India-specific undertrial management system. The government has offered access to anonymized non-personal data, and the judiciary has operationalized a comprehensive database like the NJDG, both of which can help provide datasets. The data collection from the undertrials has to be accurate, too. We need representative Indian parameters and a responsive model, which means following the risk-needs-responsivity approach such that interventions should not only manage the risk of recidivism but also help individuals achieve their primary goals (United Nations Office on Drugs and Crime, 2018b). We need a process that ensures data collection is not corrupted. Huikahi selective circle approach from Hawaii reduces the risk of recidivism by creating a circle of the incarcerated individual, their close ones, and prison officials to map out their post-prison life (United Nations Office on Drugs and Crime, 2013). I propose that such an approach be used to aid the incarcerated individuals when filling out the questionnaire. The

prisoner files can be filled out upon admission by social workers, instituting a system of checks and balances that attest to the accuracy of the data.

One of the main issues with COMPAS has been that the algorithm is proprietary, and the individuals are faced with a black box problem with the absence of transparency or explainability. I propose a Digital Private Infrastructure (DPI) approach for the same which creates an efficient and independent ecosystem that makes technological goods public by hosting them on the India stack, an open-source framework (Kriplani, 2023). This means that the proposed program would be decoupled from corporations while garnering resources from the government. I suggest that for deployment, we look at Brazil's strategy, which has fostered innovation by authorizing the courts under its National Council of Justice to develop their own models (Guthrie, 2024). This decentralized approach will ensure more competition and more players while having a centralized judicial oversight committee that makes sure the models pertain to the standards and communicate with each other.

5. Ethical Considerations and Conclusion

The introduction of the proposed India-specific AI is meant to aid the legal system in exercising this acumen more effectively. So, human oversight has to be a mainstay of the new system design to make sure that the interests of innocent defendants find adequate redressal rather than being buried in an unaccountable code. However, the active involvement of legal practitioners also has other broader implications, such as potentially feeding into an automation bias (propensity to privilege recommendations from automated decision-making programs) or bias blind spot (the cognitive bias where one delineates the effect of biases on others' judgment, yet is unable to check the biases on one's judgments). So, even with human oversight, one can sense the possibility of a value lock-in. In this situation, precedents consistently turn the legal status quo into a rigid structure to the detriment of jurisprudential evolution, not at pace with the evolving society. This introduces us to technological due process, where system design itself has to incorporate and evolve mechanisms for accountability and oversight to uphold the essence of the judicial process and its function of respecting and validating rights and liberties (Citron, 2008). The proposed changed system of a solid judicial AI oversight committee overseeing a decentralized system with the added imperative of confidential third-party assessment is the foundation for a step in the right direction in light of the ethical considerations.

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Water Justice and Caste Exclusion: Understanding Mahad Satyagraha and its Contemporary Implications

Monisha Dey¹

Abstract

Water is one of the most basic necessities of humans as well as other living beings, and it's awful to know that it was denied to a section of society based on caste. Mahad Satyagraha was not just about access to water but assertion of their rights as humans. This paper aims to understand the revolutionary Mahad Satyagraha which was able to break the shackles of restrictions that Caste Hindus put on untouchables. Though it was just a step towards liberation but the road of liberation was still in the doldrums. The untouchables were barred from drinking or even touching water. This movement was all about the assertion of the rights of untouchables as humans. Further, this paper deals with the role of Dr Ambedkar in transforming Caste as a political issue which was considered to be a divine structure. This paper also brings out the contemporary incidents of caste conflict and the denial of water to the untouchable even today.

Keywords: Water, untouchables, Mahad satyagraha, Rights.

1. Introduction

Mahad Satyagraha is considered to be a historic event and a revolutionary step towards breaking the barriers of the caste system. Water is a basic need for the survival of every living being, yet a particular group of people were debarred from drinking water from public resources due to their caste identity. To end the long isolation of untouchables by the upper caste Hindus, Ambedkar took a path-breaking step with thousands of other untouchables at Mahad, a town in Konkan. This was a major event as every other religious group and even animals could drink water from the tank but untouchables were not allowed. The origin of it lies in the Bole Resolution, which was a resolution moved by S.K Bole, a social reformer in the Bombay Legislative Council. This resolution was adopted and passed by the Bombay

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government in 1923. With this Mahad Municipality granted rights to untouchables to drink water from Chavadar Tank and also allowed access to other public places like roads, schools, ponds etc. The Bole Resolution was an effective and progressive step as many anti-caste reforms were initiated. This resolution was however unacceptable by the upper caste Hindus and due to this, untouchables did not assert their right. The reason behind the hostility of upper caste Hindus to not allow untouchables to drink water is that they do not consider them equal and do not wish to acknowledge them as human. After this, Kolaba district Depressed Classes holds a Conference at Mahad on 19 and 20 March 1927. Ambedkar was also invited for the Conference and his fiery, confident speech had awakened the depressed class who were present there.

2. A Tale of Assertion

The participation of Ambedkar as a torchbearer of Mahad Satyagraha had a significant role in the formation of caste discrimination as a political issue and not just limited to social issues. This uprising of Dalits for assertion of their rights is historic as before 1927 there was no such huge movement held ever. The learning from this satyagraha is immense for the depressed class. It provided a boost to the Dalits to fight for their existence. The very existence of the caste system and its offspring, the practice of untouchability was challenged for the first time on a large scale.

3. Untouchability and the Contemporary India

It's been more than 90 years since the Mahad satyagraha but the oppression against the untouchables and practice of untouchability continues. Many such caste conflicts, murders, and rapes are carried out systematically by the upper caste Hindus to assert their domination in the name of caste pride. The most essential part of Mahad was the access to water, not much has changed till now. Due to climate change and global warming, the scarcity of water is real and Dalits are facing the worst consequences of water scarcity. It is reported that Dalits are not allowed to touch the water tanker services provided by upper caste in Bundelkhand and this place is hard hit by severe drought (India Water Portal, 2020).

Another recent incident was from Rajasthan in Jaipur, a 9-year-old boy was thrashed and beaten to death by a teacher for drinking water from a pot meant for the Upper caste. The boy was naïve and innocent and had no idea about the pot being used by the upper caste. Similarly, another 46-year-old Dalit man was killed by three men in Rajasthan's Soorsagar for filling water from a handpump at night.

Climate change and its adverse effects have marginalized the Dalits further. In 2016, in the drought-hit village of Vidarbha, Washim district had to dig his own well in order to fulfill the need of water for his family. The struggle of Dalits for a drop of water is still consistent. There is one image where Dalits have made progress,

by defying the clutches of the caste system and the other image where Dalits are still fighting for basic rights.

4. Conclusion

The most essential part of Mahad was the access to water, not much has changed till now. Due to climate change and global warming, the scarcity of water is real and Dalits are facing the worst consequences of water scarcity. It is reported that Dalits are not allowed to touch the water tanker services provided by upper caste in Bundelkhand and this place is hard hit by severe drought (India Water Portal, 2020). They are also not allowed to touch the public wells and functional handpumps, forced to cover large distances for water or left with poor quality of water for their survival. In the era of environmental crisis, people at the margins face the impacts of climate change, especially Dalits. A report by India Today says that the handpumps, and wells are shielded by lathi-wielding men to track down people (implying to Dalits) who steal water.

This puts the question that why a public resource like water needs to be shielded from one particular group just on the basis of caste. What is the role of the state and its apparatus like the police in protecting the Dalits? It is horrific to know how police remain onlookers to an incident in Gujarat where a Dalit activist was thrashed with spears, and lathis and brutally murdered (Janata Weekly). The violent crime against Dalit women is not unusual in India. Rapes, and murders, are frequently reported.

Although the atrocities still continue, one of the most successful outcomes of the Dalit movement is their appearance in the political sphere which provided them with more opportunities. The provision of affirmative action has ensured the representation of depressed classes and tribes. But the goal is still unachieved and more is required to be done. As Ambedkar says “Lost rights are never gained by begging, and by appeals to the conscience of the usurpers, but by relentless struggles”.

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Book Review

Digital Sociology

Deborah Lupton, Taylor and Francis

Shreya Biswas¹

“Digital Sociology” by Deborah Lupton (2015) is an extremely fascinating book of recent times when the presence of digitization and digital technologies is all-pervasive. Since the inception of the day, we all have been hooked on the scroll. The overwhelming presence of social media has shaped our lives in a plethora of ways. Divided into 9 chapters, the book starts with a brief introduction to digital life. Then goes on to the theoretical underpinning of digital society. One gets to learn about the impact of such massive digitization on academics as well. Political activism and public engagement in politics have got a new lease of life after the mushrooming of digital media.

The advent of computers and digital technologies has completely revolutionized various dimensions of our lives in a great number of ways. Now digital devices like smartphones and computers have become an intricate part of our selves. It has resulted in quick accessibility of information and revamped the process of communication in manifold ways. We are now reduced to mere ‘data subjects’ where our daily interactions and activities are recorded and stored by different agencies such as through banking interactions, online shopping sites or government agencies. The recommendation of content that one comes across the social media feed is most likely to be of interest of that particular user. It happens so because social media keeps tabs and records a lot of features about its users.

This book has opened a new horizon for sociological research into the field of computer technologies which was hitherto missing in this field. The first chapter titled, ‘Theorising Digital Society’ deals with the dominant theoretical perspectives within this field. In this age of information, where we are almost bombarded with information the moment we open our digital devices, such ‘digitally mediated information’ (Lupton 2015) has an overwhelming influence on economic productivity as well. The production and distribution of knowledge have undergone significant changes owing to the mega digital platforms which are dominating the digital world currently. Akin to the Foucauldian approach to power, this approach doesn’t believe in the concentration of power in just one source, rather it is dispersed across multiple sources. Another dominant theory is ‘digital technologies and data as socio-material objects’. This focus on the unique interaction between human and non-human actors termed as ‘Internet of Things’. The third one being the ‘Prosumption, neoliberalism and sharing subject’. There are myriad of content creators and users

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across the social media platforms, each using the digital technologies for communicating or simply upgrading themselves by learning new things. The very concept of atomised self completely in charge of one's destiny is further reinforced by this world of digitization.

Sharing subjects is the most crucial aspect of social media and so is the archiving and recording of data. Digital surveillance is the hallmark of social media where all our interactions and activities in this space are monitored and kept under strict vigil. The data shared by millions of users is being recorded and monitored by a variety of agencies. This is closely akin to Foucault's concept of panopticon as depicted in his book, "Discipline and Punish" (1995).

The second chapter deals with 'Reconceptualising research in the digital era'. The traditional, conventional methods of research are now relegated to the background. Besides its multiple advantages, the author has mentioned its inherent limitations as well. The next chapter is about 'The digitised academic' or the profound impact of massive digitization on education. Digitization has opened up new horizons for academicians where they can easily share their research findings with fellow scholars and connect with the ones doing research on similar fields. There are tons of resources made accessible nowadays across platforms which now can be used for academic and research purposes. But this has a façade as well. Sometimes the online personas of the academicians are deceptive and are mostly controlled by others and have rare resemblance with the original ones. Digital technologies have ushered in new forms of publishing but each one of those comes with their pros and cons as well.

The following chapter on 'A Critical Sociology of Big Data' elucidates the meaning of big data and the current obsession of replacing the traditional ones with this new type of data. The use of big data has some serious ethical and political implications which have been discussed at length.

The chapter on 'The diversity of digital technology use' shows the persisting divide between the ones who have access to technology while some who don't. Even individuals across social groups vary significantly in terms of their perception with regard to the use of digital media.

The chapter on 'Digital Politics and Citizen Digital Public Engagement' talks about the increased surveillance enforced by law enforcement agencies across social media. Digital activism is on the rise owing to the use of technologies. A critical analysis is given at the fag end of the chapter where the author have tried to analyse if at all this increased activism is effective in the truest sense of the term or not.

In the last chapter, the very concept of self is analysed which has undergone a lot of changes and redefined in terms of its intricate relationship with digital media. The author brings in the concept of a cyborg.

Social media and digital technologies are like a double-edged sword. Just like its plethora of advantages, it has numerous deadly traps as well. The author has skilfully elaborated on the sociological aspect of digital media. But he hasn't much covered the alternative to it. The way we all are getting dependent and addicted to

the media is uncanny and sociologists must find a way to reverse this condition else the time is not far when humans would be turned into mere humanoids.

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- The manuscript should contain a clear title and an abstract of 200-300 words, with 3-5 Keywords.
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- Use single quotation marks, except where a quotation is “within” a quotation. Long quotations should be indented without quotation marks.

Spelling and Language

Use American English spellings. For example, ‘organization’, instead of Organisation.

Abbreviations

Do not use full stops in abbreviations such as MP, MPP, NDP, PQ, USA, and OECD. In the first mention, the name should be spelt out in full, followed by the abbreviation in brackets used in subsequent references.

Numerals

Spell out one to nine. From 10 up, use numerals. Use % rather than per cent or cent (for example, 10%). Do not use figures in excessive decimal places. At most two decimal places should be reported, with occasional exceptions to this rule, e.g., a regression coefficient of less than 0.005. Millions and thousands should be used instead of crores and lakhs.

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Write out a series of years in full, for example, 1980-1993 (not 1980-93); refer to a decade without an apostrophe, for example, the 1990s (not the 1990’s); for specific dates, cite the

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For In-Text Citations

When citing sources, it is essential to adhere to the established APA conventions. Specifically, the author's last name and year of publication must be included in the text, as exemplified by (Chakrabarty, 1998). Additionally, a comprehensive reference for each source must be provided at the end of the paper.

When referring to an idea, work or just paraphrasing, it is sufficient to include the author's last name and year. However, if you are quoting or borrowing from the work directly, it is necessary to include the page number(s) at the end of the citation. For a single page, use "p." and for multiple pages, use "pp." with an en dash for page ranges. For instance, you may write (Chakrabarty, 1998, p. 199) or (Chakrabarty, 1998, pp. 199-201).

- Always capitalise proper nouns, including author names and initials: M. Chakrabarty.
- One can initiate a quotation by using a signal phrase that comprises the author's last name, followed by the date of publication enclosed in parentheses. Example: According to Banerjee (2012), "Poverty is not just lack of money; it is not having the capability to realise one's full potential as a human being" (p. 139).
- If the author's name is not mentioned in the sentence, then the last name of the author, along with the year of publication and page number, must be enclosed in parentheses after the quotation. For example: He stated, "Poverty is not just lack of money; it is not having the capability to realize one's full potential as a human being" (Banerjee, 2012, p. 139).
- When citing direct quotations from sources without page numbers, a logical identifying element such as a paragraph, chapter number, section number, or table number should be used instead.

Author(s): In the in-text citation provide the surname of the author but do not include suffixes such as "Jr.".

- **Single Author:** As Banerjee (2016) mentions... or (Banerjee, 2016).
- **Two Authors:** Use the word "and" between the authors' names within the text and use the ampersand in parentheses. Example: Research by Banerjee and Duflo (2018) supports... or (Banerjee & Duflo, 2018).
- **Three or more authors:** In every citation, you should list only the name of the first author followed by "et al." Example: Banerjee et al. (2016) mentions... or (Banerjee et al., 2016).
- If you are referencing multiple works that have similar groups of authors and the shortened "et al" citation form of each source would be identical, you must avoid ambiguity by writing out more names. This is necessary to ensure that each work is correctly identified and attributed. If you have cited works that share the same authors, be sure to provide enough information to differentiate them from one

another. For example: If you cited works with these authors: Banerjee, Sen, Roy, Chakrabarti, and Kumar (2020). They would be cited in-text as follows to avoid ambiguity: (Banerjee, Sen, Roy, et al., 2020).

- When your parenthetical citation includes two or more works, order them the same way they appear in the reference list (viz., alphabetically), separated by a semi-colon. Example: (Banerjee, 2012; Duflo, 2017).
- If you are citing multiple works by the same author in the same parenthetical citation, you should only give the author's name once and follow it with dates. Sequence: No date citations go first, then years, then in-press (forthcoming articles accepted for publication) citations. Example: (Banerjee, n.d., 2008, 2012, in press).
- For Authors with the same last name, use first the initials of the names followed by last name.
- If you have multiple sources written by the same author and published in the same year, differentiate them using lowercase letters (a, b, c) after the year in the reference list. Similarly, use the same lowercase letters with the year in the in-text citation to differentiate between the sources. Example: Research by Banerjee (2019a) revealed strong correlations. However, a parallel study (Banerjee, 2019b) resulted in inconclusive findings.

For Organization as an Author:

- If the source is an organization or government agency, include the organization in the signal phrase or the parenthetical citation when you first cite the source, similar to citing a person. For example: According to Impact and Policy Research Institute (2020),.....
- If the organization is commonly known by an abbreviation, include the abbreviation in brackets upon first reference and then use it in later citations.

For example:

First citation: (Impact and Policy Research Institute [IMPRI], 2000)

Second & subsequent citation: (IMPRI, 2000)

For indirect sources: When referencing a source that was cited in another source, it is important to name the source in your signal phrase. In your reference list, list the secondary source and include it in parentheses. If you know the year of the source, include it in the citation as well. This ensures proper attribution and citation of sources in your work.

Reference List Format & Style

- The reference list should follow the hanging indent.
- All authors' names should be inverted (i.e., last names should be provided first).
- Authors' first and middle names should be written as initials.

- Authors' first and middle names should be written as initials. Separate each author's initials from the next author in the list with a comma. Use an ampersand (&) before the last author's name. If there are 21 or more authors, use an ellipsis (but no ampersand) after the 19th author, and then add the final author's name.
- The alphabetical order of the reference list should be based on the last name of the first author of each work.
- When listing articles by the same author or authors listed in the same order, arrange them chronologically from earliest to most recent.

For Journal Articles:

Author, A. A., Author, B. B., & Author, C. C. (Year). Title of article. Title of Periodical, volume number(issue number), pages. <https://doi.org/xx.xxx/yyyy>

- The title of the journal should be italicized and presented in full.
- Capitalize all major words in the titles of journals.
- Capitalize the first word of the titles and subtitles of journal articles, as well as the first word after a colon or a dash in the title, and any proper nouns. Do not italicize or underline the article title or enclose the article title in quotes.
- Imperative to use DOI wherever available. Use URL when DOI is not available.

For Books:

Author, A. A. (Year of publication). *Title of work: Capital letter also for subtitle*. Publisher Name. DOI (if available)

Editor, E. E. (Ed.). (Year of publication). Title of work: Capital letter also for subtitle. Publisher. DOI (if available)

For Edited Book with Author(s):

Author, A. A. (Year of publication). Title of work: Capital letter also for subtitle (E. Editor, Ed.). Publisher. DOI (if available)

For Translation:

Author, A. A. (Year of publication). Title of work: Capital letter also for subtitle (T. Translator, Trans.). Publisher. (Original work published YEAR) DOI (if available)

For Different Editions:

Author, A. A. (Year of publication). Title of work: Capital letter also for subtitle (# edition). Publisher. DOI (if available)

Example: Mueller, R. 1990. *Ethics and Dilemmas in Politics* (2nd ed.). Oxford University Press, pp 20-22.

For Book Chapter:

Author, A. A., & Author, B. B. (Year of publication). Title of chapter. In E. E. Editor & F. F. Editor (Eds.), Title of work: Capital letter also for subtitle (pp. pages of chapter). Publisher. DOI (if available)

For more examples of handling works by author(s), refer to the guidelines below.

For Multivolume Work:

Author, A. A. (Year of publication). Title of work: Capital letter also for subtitle (Vol. #). Publisher. DOI (if available).

For more examples of handling works by author(s), refer to the guidelines below.

Work by Single Author

Patel, V. (2022). *An Intersectional Gendered Discourse on Empowerment During Pre and Post COVID-19 Pandemic*. IMPRI Books.

Work by Two Authors

List authors by last name and initials, separated by commas and using the ampersand instead of “and”.

Sharma, S & Tripathi, S (2022). Indo-Pacific economic framework: Old Wine in New Bottle? *Impact and Policy Research Review*, 2(1), 70-74.

Work by Three to Twenty Authors

Use ampersand (&) instead of “and” before the last author’s name.

Patel, V., Mehta, S., & Tripathi, S. (2023). *Advocating a Feminist Foreign Policy for India*. IMPRI Books.

Group or Organization as author

When citing a publication where multiple authors are involved, including corporations, government agencies or organizations, treat the publishing organization as an author and format the rest of the citation as usual. In your reference list, make sure to include the full name of the group author, but you may use abbreviations in your text. Example:

Ministry of New and Renewable Energy. (2024). *World Energy Congress 2024: IREDA CMD highlights the need for Innovative Financing Solutions for New and Emerging Renewable Energy Technologies*. Press Information Bureau. <https://pib.gov.in/PressReleseDetail.aspx?PRID=2018898>

For Unknown Author

If a work does not have an author, place the title of the work at the beginning of the references and then add the date of publication. The word “Anonymous” should only be used if the author has specifically signed the work as “Anonymous.”

For Two or more works by the same Author

- Entries should be listed by the author's name and year (earliest first), with references lacking dates (n.d.) placed before referenced dated entries.es with dates.
- If an author appears both alone and as the first author of a group in different citations, list the single-author reference first.
- For two or more works by the same author in the same year: Assign letter suffixes to the year.

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