



RESEARCH ARTICLE

THE BENEFICIARY ORIENTED APPROACH TO MAKE DEVELOPMENT POLICY INCLUSIVE AND EFFECTIVE: LEARNINGS FROM THE CASES OF MATERNITY LAWS AND SWACHH BHARAT ABHIYAN IN INDIA

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Manuscript Info

Manuscript History

Received: 19 January 2023

Final Accepted: 24 February 2023

Published: March 2023

Abstract

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Introduction:-

Amartya Sen's capabilities approach emphasises that poverty is not the result of a lack of money but of reduced capabilities (Sen 1999). Capacitating the poor by giving them a voice in the development policy process is not only essential for inclusive policy-making and ensuring pro-poor development but also helps to create more efficient and impactful policies.

In this paper, I further the aforementioned argument by asserting the need for a beneficiary oriented approach within development policy to make policies more inclusive, effective, and impactful. Within the study of poverty, definitions matter since just considering different definitions of poverty can produce figures 4 times national numbers (Lucci et al., 2018). Thus within this paper, the beneficiary oriented approach refers to a development policy approach that prioritises the beneficiary over all other stakeholders and policy choices. This is achieved by understanding the grass-roots of the policy challenge and engaging with the beneficiaries of the policy before its implementation. I further identify elitism as a challenge in beneficiary oriented policy-making by critically examining various academic literature and concepts. Thereafter, using the case of maternity benefit laws in India and the Swachh Bharat Abhiyan, I showcase how policies that do not follow a beneficiary oriented approach usually fail or remain inadequate. I also hypothesise how these policies could be differently implemented had a beneficiary oriented approach been followed. Lastly, drawing from the review and the empirical case analysis, I introduce three crucial pillars of beneficiary oriented approach. These pillars are not only solutions to the problems but can act as core elements that contribute to ensuring a holistic beneficiary approach within development policy.

Review Of Relevant Academic Literature And Key Concepts

It is largely a ubiquitous and unanimously agreed idea that inclusivity within the sphere of public policy increases accountability and makes power structures more transparent, diverse, and accessible (Brown 2022; Trust in Government - Inclusive Policy Making, n.d.). While popular support exists for ideas like participatory governance and inclusive planning, these ideas often fail to be properly implemented at the grass-root level partially due to elitism and lack of on-ground understanding (Zaidi 2021). In this section, I aim to highlight the key academic ideas surrounding elitism within public policy; elitism acts as a major barrier to leveraging the beneficiary oriented approach by reducing the scope of engagement with the beneficiaries of a policy. I will further explore academic works that highlight the strength and challenges of leveraging beneficiaries within the policy process to make it more inclusive and efficient.

Elitism and the Power Approaches to Policy Making

The idea of elitism in politics and policy draws its lineage back to the classical Elitism Theory in politics derived by scholars like Gaetano Mosca and Robert Michels (Mosca 1961; Michels 1999). Multiple facets of classical elitism were heavily critiqued during the wave of political realism such as, “every elite or ruling class’ goal is to preserve power and privilege and the rule of the elite is based upon force and fraud”. The concept of elitism further evolved into the idea of democratic elitism flagshipged by Albert Hirschman. He claims universal suffrage as an ‘exercise in hypocrisy’ and suggests that despite universal suffrage, the real power rests with the elite (Hirschman 1991). An alternate view is presented by the Pluralistic Theory which argues that there is an ongoing competition among different groups trying to determine policy. However, the theory overlooks “division of society into elites and masses and emphasises the fragmentation of society and competition between leadership groups” (Dye and Zeigler 2006 13).

The concept of elitism has since evolved to take a more nuanced approach; it is now specifically studied under the power approaches to policy making. As per the ideas of Tej Raj Pokharel, “The elite theory within public policy posits that a small minority, consisting of members of the economic elite and policy planning networks, holds the most power—and this power is independent of democratic elections” (Pokharel 2019 171). One of the dimensions of this idea highlights the effects of elite policy processes on the poor or the marginalised. These effects include; lack of targeted policy action, low impact, economic leakages, resource wastage, etc. An illustration of how elite policy processes have negative grass-roots impact is made by Sahithi Aul in his description of Indian English speaking elites. He says, “Imagine living in a nation where you, a member of the majority, are unable to read the label of the medicine you must give your child, the menu at a local restaurant or even the warning signs of the road; a place where you are unable to comprehend the government document officiating your driver’s licence, tax filing or marriage”. His ideas compellingly underline the systemic discrimination that exists within the Indian society as a result of the elite preferring English over their native language (Aul 2014). Thus, this example clearly highlights elitism and the lack of a beneficiary oriented approach of the policy makers.

Inclusion of beneficiaries, often the marginalised and the poor, within development policy is the most fundamental and crucial aspect of the policy process, ideation, and creation. Recently, the push towards inclusive and adaptable policy making has been massive; this trend can be better observed in development economics and development studies where issues like pro-poor policy making, redevelopment, and participatory budgeting have made new precedents. In the following passages I will highlight how these ideas operate with the aim to include marginalised and oppressed populations into planning, budgeting, and governing processes. I will further discuss the challenges faced in execution of these policies and its results.

Marginalised Populations in Policy Making

Marginalisation occurs over a spectrum and there exist multiple groups and intersections of marginalised population. In this section I primarily focus on women as a marginalised group to introduce the idea of marginalised populations in policy making. Women are victims of structural, social, and political oppression making them a key beneficiary towards development policies such as gender-based reservation and maternity laws. A core element of beneficiary oriented and inclusive policy making is to let women make the policies and rules that affect them. Women reservation in politics is therefore a key tool to ensure that women participate in the policy process.

Raghabendra Chattopadhyay and Esther Duflo’s paper, *Women as Policy Makers: Evidence from a Randomized Policy Experiment in India* highlights significant aspects of this beneficiary oriented approach to public policy (Chattopadhyay and Duflo 2004). The paper studies the policy consequences of mandated representation of women using randomised controlled trials in India. They uncover the important effects of mandated representation of women on policy decisions in local government.

Chattopadhyay and Duflo emphasise that direct manipulation of the identity of the policymaker can have important effects on policy (Chattopadhyay and Duflo 2004, pp. 1411). In particular, it affects policy decisions in ways that seem to better reflect women’s preferences. For instance, “women elected as leaders under the reservation policy invest more in the public goods more closely linked to women’s concerns: drinking water and roads in West Bengal and drinking water in Rajasthan. They invest less in public goods that are more closely linked to men’s concerns: education in West Bengal and roads in Rajasthan” (Chattopadhyay and Duflo 2004, pp. 1440). Therefore, through strong quantitative and empirical evidence their study highlights the importance of women in policy processes to

create policies that uplift women. This further supports my claim of how imperative and efficient a beneficiary oriented approach can be.

Participatory Budgeting as a Tool for Inclusive Policy

Government financing and budgeting is an integral tool to control and influence policy outcomes and impact. Inclusivity in the process of budgeting has the potential to yield beneficiary oriented impact that caters to the needs and aspirations of the most marginalised strata of the society. However, the process of participatory budgeting as a tool of inclusive and beneficiary oriented policy making has several drawbacks in its implementation and logistical operation. It can be understood as a trade-off between inclusive policy making and ease of policy making. Deborah Bräutigam's paper, *The People's Budget? Politics, Participation and Pro-poor Policy* is an academic resource that proactively highlights this trade-offs and other similar trade-offs in participatory budgeting (Bräutigam 2004). In one of her case studies, she uses examples of Ireland's National Economic and Social Council and Porto Alegre's participatory budgeting experience to discuss participatory processes that have focused on economic and fiscal policy. Using empirical case based analysis, she discusses how despite participatory budgeting in Ireland, impressive results have not been yielded. She attributes this to multiple reasons including lack in explicit pro-poor agenda, extra-constitutional influences, and lack of government will on pro-poor social issues (Bräutigam 2004, pp. 657-658).

On the other hand, the case of Porto Alegre suggested that participation by poor citizens in budgetary decision-making can lead to sharp increases in the reach and coverage of essential services, particularly to the poor. This can be seen in the case of Porto Alegre due to the participatory budgeting model based on a beneficiary oriented approach. Her analysis of both these cases in juxtaposition demonstrate that participatory budgeting alone does not guarantee pro-poor outcomes, but when supplemented with a beneficiary oriented approach, it can act as an important tool for inclusive policy making (Bräutigam 2004, pp. 658-659).

The insights from Deborah's paper mentioned above are extremely valuable in assessing the operational and executive aspects of pro-poor and an inclusive approach to policy making. It further raises key questions such as, who participates in participatory budgeting? Who is the beneficiary in a beneficiary oriented approach? What institutional and political framework exists to assist such pro-poor policies? How does the fiscal cycle and revenues work? And is there a system to ensure effective monitoring, auditing and evaluation of such policies?. Answering these questions helps ensure the success of an inclusive policy making process based on a beneficiary oriented approach.

There are multiple untouched facets of the subject at hand like; the role of social movements and media, reallocation and taxation, and inclusive public-private partnership. However, I restrict this section to the aforementioned academic ideas since they adequately cover key insights into the concept. They further uncover fundamental questions, and holistically provide an academic foundation to build upon the core premise of this paper which is; the lack of beneficiary oriented approach in development policy, its risks and mitigation.

The Lack Of Beneficiary Oriented Approach, Its Risks And Mitigations: An Empirical Case Based Assessment

Pro-poor policies when implemented without understanding and consulting the poor does more damage than good because it takes away their capacity to engage in policy processes that affect them. This section delves deeper into the aforementioned theme. I highlight two cases of public policy which lacked a beneficiary oriented approach and left the target population in a worse state than before. Furthermore, I discuss the probable mitigation routes to ensuring a holistic and inclusive beneficiary oriented policy process.

The Maternity Benefit Regulations in India

As previously highlighted, women are one of the marginalised and structurally suppressed groups of the society. One of the key challenges that women face in employment is the support offered to them during their pregnancy and the period that follows.

To mitigate this challenge and protect women, up until 2017, the maternity laws in India allowed a woman employee to take time off work when her child is born. Under the Maternity Benefit Act of 1961, female employees were only entitled to 12 weeks of maternity leave. However, in 2017, the Indian parliament passed a new maternity-leave bill. Under the new Maternity Benefits Act of 2017 the maternity leave period was increased to 26 weeks

(Maternity Benefits Amendment Act 2017, 2017). At a first glance, the policy seems to be progressive, pro-women, and inclusive; the policy is well-intentioned. However, the policy lacks a beneficiary first approach and therefore has created more problems than it intended to solve. The largest problem is applicability; as highlighted by Shruti Rajagopalan; “Most women in India are not in the labour force (70 percent). Moreover, most of the people in the labour force work in the unorganised sector, either for themselves or for firms with fewer than ten workers, to which the law doesn’t apply (84 percent). Even within the organised sector (16 percent), a majority of the employment is informal (58 percent), so the law again will not apply. If we assume that 30 percent of the workers in the organised, formal sector (6.7 percent) are female, then perhaps 2 percent of the labour force are potential beneficiaries of the law.” (Rajagopalan and Tabarrok 2019, pp. 175). This means that the policy only applies to 1 percent of the target population and leaves the other 99 percent unprotected against structural and unfair discrimination based on gender. Another core issue with the policy is that instead of helping women, it acts in a counterproductive manner and reduces their chances of securing formal employment. According to a survey done by TeamLease on the costs and benefits of the new maternity laws, at least 26 percent of the 350 startups and small and medium enterprises (SMEs) that responded said they will prefer hiring a male candidate, given the cost of the six-month maternity leave benefit. About 40 percent of respondents said they will hire women but will consider whether such a cost is worth the candidate (Impact of Maternity Benefits on Business & Employment, 2017).

Therefore, due to the inherently elitist sentiment of the policy, it not only lacks in accessibility and ensuring protection but leaves the beneficiaries in a worse off position than before. Alternatively, if this policy was beneficiary oriented, it would follow a consultative process with women who form the majority such as those in the unorganised sector, in domestic work, in small firms (less than ten workers), and those who are self-employed. This consultative process based on dialogue and study of the beneficiary would ensure access and a truly inclusive policy by informing policy makers of employment conditions of the majority of women. Furthermore, it would mitigate the risks of the policy being counter-productive by understanding if the burden of maternity leaves could be collectively shared by the government, the beneficiary, and the employee.

Open Defecation and The Swachh Bharat Abhiyan

As per Coffey and Spears, “open defecation sickens and kills children, stunts their growth, and lowers their IQ, thus reducing the productivity of the future workforce.” (Coffey and Spears 2017). In India, the problem of open defecation is a central theme within the Swachh Bharat Abhiyan, a policy which was launched by the Indian Prime Minister, Narendra Modi in 2014. It was a seemingly unachievable sanitation policy aimed at giving almost half of India’s 1.3 billion population access to a toilet in just five years by creating 110 million toilets and thus declaring India open defecation free by 2019 (Swachh Bharat Mission Website, n.d.). The government achieved the mark and declared India open defecation free. However, multiple resources, academics, and surveys say that open defecation still persists in India. For instance, A RICE study of households in four northern states in 2014 found 70% of rural people that were surveyed defecated in the open (Gupta et al., 2019). A second survey in late 2018 had that figure at 44%. Another survey programme by WHO and UNICEF released in 2021 stated that at least 15 percent of the total population in India defecates in the open. One percent of the urban and 22 percent of rural population practises open defecation in the country (Aggarwal 2021).

There is no doubt that open defecation has reduced, however, there is also a clear gap within the policy implementation due to which people are still defecating in the open despite the claimed success of the policy. In fact, surveys indicate that 40 percent of households that have a working latrine still have at least one person who regularly defecates in the open (Coffey and Spears 2017). The question still remains, why despite access to toilets do people defecate in the open? A central reason that emerges is the issue of ritual purity and caste. Latrines in or near homes are considered impure and polluting. This issue of purity intersects with the issue of caste; toilet cleaning and waste management is associated with the Dalit caste. In rural areas the idea of open defecation is associated with good health, clean air, and community bonding. In Shruti Rajagopal and Alexander Tabarrok’s analysis, “many women prefer open defecation if only because it gives them a chance to get out of the house and have some freedom of movement.” (Rajagopalan and Tabarrok 2019, pp. 178).

Therefore, it is clear that a major factor in the partial success of this policy can be attributed to the lack of a beneficiary oriented approach. If the policy was beneficiary oriented, it would consult beneficiaries, conduct ethnographic field surveys, and understand the socio-ideological and religious aspects of the problem. In doing so, it could introduce solutions like supplementing latrine construction with a sewage management system to mitigate the problems of caste and purity associated with using Toilets (Rajagopalan, Kindi 2018). Hence, the policy could

mitigate the risks by ensuring the inclusivity of the unique cultural and ideological aspects of the beneficiaries (an intersection of caste, religion, and purity in this case).

Core Elements of The Beneficiary Oriented Approach

The cases above highlight the lack of a beneficiary oriented approach in development policy and its effects on the target population. This section aims to showcase the core elements of a beneficiary oriented approach to assist an inclusive and impactful development policy process and an effective outcome.

Beneficiary as Primary Stakeholder Within development policy there might exist countless stakeholders including; civil society organisations, media houses, international organisations, NGOs, etc. However, the primary stakeholder must always be the beneficiary. This ideological and operational narrative must be at the core of development policy and its practitioners. This is evident from the case of Maternity Laws in India; if the beneficiaries had been the primary stakeholders in the said case, the policy outcomes could have been vastly different. However, it is suspected that the law was made to propagate India as a progressive, and competent international player in gender based issues instead of actually protecting women. This becomes evident in comments made by the then labour minister, who called it “a gift on International Women’s Day” and proudly noted that Indian women will get more maternity leave than what is provided in developed countries such as Japan, Germany, the United Kingdom, and South Korea (‘Women’s Day gift’: Parliament passes bill to raise maternity leave to 26 weeks, 2017) . As pointed out by Rajgopalan and Tabbarok, “India’s maternity-leave law was thus a point of national pride similar to its mission to Mars.” (Rajagopalan and Tabarrok 2019, 176). This case of development policy failure due to the incorrect identification of primary stakeholder furthers my argument of the necessity of having beneficiaries as the primary stakeholder within development policy. Moreover, the case emphasises this ideological and operational narrative to be at the core of the beneficiary oriented approach.

Tools to Ensure the Beneficiary Engagement Once beneficiaries have been identified as the primary stakeholder, it is imperative to utilise the correct tools to ensure optimal beneficiary engagement. This is necessary to get a holistic picture of the beneficiaries’ expectations and their unique cultural, ideological and regional aspects. Tools which can be leveraged to ensure better engagement include; ethnographic field surveys, on-field evaluation, beneficiary interviews, formal beneficiary consultations, and focussed group discussions. These tools are important to ensure beneficiary engagement as each provides specific insights into multiple aspects of the beneficiary. For instance; on-field evaluation helps in understanding specific spatial attributes while ethnographic surveys can highlight key ideological, religious, and cultural insights. Moreover, beneficiary interviews provide a more personal account of the beneficiaries, and formal consultations capacitate the beneficiaries to have a voice in policies which affect them most. In the case of open defecation above, such tools could have helped make the Swachh Bharat Abhiyan more inclusive and successful by understanding the beneficiary’s unique socio-cultural ideas associated with indoor toilets and offering solutions which are considerate of these ideas.

Balancing Policy Trade-offs Ensuring beneficiary inclusion within policy means that policy tradeoffs must be studied and weighed in favour of the beneficiaries’ overall benefit. For instance, in the case of Swachh Bharat Abhiyan had a beneficiary oriented approach been adopted, it could have suggested that along with latrines, waste management systems should also be installed to combat stereotypes based on caste, religion, and purity. Therefore, in this case the trade-off would be between political achievement (of having built 100 Million Latrines) versus policy effectiveness (by building less latrines but with waste management systems). Such trade-offs are multi-faceted and are contingent on different variables relative to the policy case at hand. This element of the beneficiary oriented approach is perhaps normative in nature. A beneficiary first policy must always endeavour to opt for the solution that is the most inclusive and representative of the needs and aspirations of the beneficiaries. These insights are gathered through tools of holistic beneficiary engagement as mentioned above.

The above mentioned elements form the core of a holistic beneficiary oriented approach to development policy. However, it is also limited in its scope. For example, policy trade-offs might not always be as easily discerned as mentioned above. Budget restrictions could also curtail using certain tools for beneficiary engagement or grass-roots realities might sometimes complicate the policy process. Nonetheless, despite its limitations, the benefits outweigh the costs. A beneficiary oriented approach provides a normative ideal to future policy makers and attempts to give a voice to the suppressed. It further makes development policy more inclusive, accessible, and effective.

Conclusion:-

Poverty as a development challenge has gained global attention and has been recognized as a challenge requiring collective global effort. This is evident by the UN Sustainable Development Goals; the first of all the SDGs is the goal of achieving zero poverty. (THE 17 GOALS | Sustainable Development, n.d.). However, global attention alone can't secure the expected outcomes of poverty alleviation projects.

As emphasised in this paper, a beneficiary oriented approach is the need of the hour. This approach must be a central narrative in development policy to ensure policies are truly inclusive, better targeted, and representative of the beneficiaries. The approach can further help reduce economic leakages, adverse impact on beneficiaries, and ultimately mitigate a possible policy failure. The intersectional approach (Cho Et al., 2013) towards pro-poor development is essential. Thus, this paper juxtaposes issues of gender, religion, and caste vis-a-vis the beneficiary oriented approach. Moreover, the cases highlighted in this paper are not exclusive cases but represent the public policy narrative in a lot of countries of 'The Global South'. Usually, the development policy narrative in 'The Global South' prioritises issues like international reputation, political gains, etc., over real issues of development. Instead, the beneficiary oriented approach can help by acting as a reference point to ensure the correct outcome in the trade-off between beneficiary development versus other priorities.

The noteworthy element here is the three pillars of a holistic beneficiary oriented approach which ensure that policy processes prioritise the beneficiaries. The three pillars, Beneficiary as Primary Stakeholder, Tools to ensure beneficiary engagement and Balancing Policy Trade-offs, act as action items and reference points for future policy makers to ensure a more grounded, inclusive, and representative development policy.

Moreover, this paper opens new avenues for future research and for academics to critically examine each pillar separately. Although there are limitations to the beneficiary oriented approach, it provides us with a stepping-stone towards development policies that can be more inclusive, efficient, and impactful.

Word count: 3965 Words

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