
UNIT 13 POLICY FORMULATION AND DEVELOPMENT

Structure

- 13.1 Introduction
- 13.2 Objectives
- 13.3 What is Policy Formulation?
- 13.4 Techniques Involved in Policy Formulation
- 13.5 Approaches/Models of Policy Formulation and Development
 - 13.5.1 Rational Model
 - 13.5.2 Incremental Model
 - 13.5.3 Group Theory Model
 - 13.5.4 Elite Theory Model
 - 13.5.5 Institutional Model
 - 13.5.6 Game Theory Model
 - 13.5.7 Systems Model
- 13.6 Agencies Involved in Policy Formulation
- 13.7 Policy Formulation and Development Process in India
- 13.8 Challenges in Formulating Gender-sensitive policies
- 13.9 Gender Discourses in Policy
- 13.10 The Identity of Women: The Indian State and Its Planning Experience
- 13.11 The Indian State and Provisions for Gender Equality
- 13.12 Summing Up
- 13.13 Glossary
- 13.14 Answers to Check Your Progress Exercises
- 13.15 References
- 13.14 Questions for Reflection and Practice

13.1 INTRODUCTION

In the previous Unit 12, you were introduced to the concept of gender-sensitive policy planning and the key approaches and sources involved in gender-sensitive policy planning in India. As you learned, there are various stages involved in the process of gender-sensitive policy planning. This Unit tries to give you an idea about an important stage of policy planning, that is, policy formulation. It also explains the techniques and models of policy formulation. An attempt is made to give you an overview of the process of policy formulation in India and the agencies involved in policy formulation. Thus the Unit gives you a thorough understanding of policy formulation and development in the context of gender concerns.

13.2 OBJECTIVES

After studying this Unit, you should be able to:

- examine the techniques of policy formulation;
- explain the models of policy formulation and development;

- analyze the agencies involved in policy formulation; and
- evaluate the challenges involved in policy formulation.

13.3 WHAT IS POLICY FORMULATION?

In India, gender equity has been stressed upon as an objective of government policy, after the need to do so was highlighted by the Committee on the Status of Women in India. The right to gender equality has been enshrined in the Constitution of India. It is within this framework that policy makers are obliged to consider the gendered implications of public policy. In spite of such effort, gender inequity is still visible in every sphere. Women continue to be treated as second-class citizens, within the realm of the home, their places of work, their communities, the economy and so forth. The progressive developments within political life have not yet secured the maximum participation of women. At the level of public policy formulation, many strategic and practical gender needs are yet to be addressed. However, there seems to be a ray of hope with the recognition of the importance of gender concerns in recent years in the arena of policy making. The following discussion will help you to understand policy and policy formulation.

Policy refers to a broad statement that reflects future goals and aspirations and provides guidelines for carrying out those goals. Hill (1993: p.47) defines 'policy' as 'the product of political influence, determining and setting limits to what the state does'. To be more precise, when a government takes a decision or chooses a course of action in order to solve a social problem and adopts a specific strategy for its planning and implementation, it is known as public policy (Anderson 1975). Political scientists argue that policy formulation is best explained by describing it as a process and not as a 'one time affair'. Public policies also do not evolve with the activities of top level executives alone. It also involves the active participation of non-political groups, private players, civil society organizations and so on. Thus the process of policy formulation involves negotiation, bargaining and accommodation of many different interests, which eventually becomes a policy with the process of legitimizing.

Gender-aware Policy Making/Formulation

Policy formulation is quite a critical phase of the policy process. The success or failure of a policy depends mainly upon the policy designs and policy formulation processes.

Policy formulation involves the process of identifying and crafting a set of policy alternatives to address a problem and narrow down the alternatives to arrive at a final policy decision. According to Cochran and Malone, policy formulation takes up the "what" questions: "What is the plan for dealing with the problem? What are the goals and priorities? What options are available to achieve those goals? What are the costs and benefits of each of the options? What externalities, positive or negative, are associated with each alternative?"

As Dye puts it, policy formulation takes place in government bureaucracies, in interest group offices, in legislative committee rooms, in meetings of special commissions, in think tanks with details often formulated by staff.

Thus, taking the earlier mentioned aspects of policy formulation regarding gender concerns, gender-sensitive policy formulation is about designing or framing a set of policy alternatives to address the problems and concerns of women. In the process of policy formulation, plans for dealing with a problem is made in the context of gender and the objectives, goals and priorities of women are framed and the ways and means of achieving the policy for the advantage of women is also formulated.

13.4 TECHNIQUES INVOLVED IN POLICY FORMULATION

Various techniques are involved in reaching sound and rational policy decisions and in converting policy proposals into policy. A variety of techniques and tools are used for improving and enhancing the policy formulation process. Some of the techniques include:

- Cost-benefit Analysis;
- Economic Forecasting;
- Operations Research and Systems Analysis; and
- PPBS Approach.

i) Cost-benefit Analysis

Cost-benefit analysis is a very useful technique which is used in the fields of economics, mathematics, statistics, operations research, etc. This technique is of great help to the policy makers while framing gender-specific policies and offers advice on the formulation and development of public policy. The costs of a policy or programme are calculated and set against the benefits it can offer to women. Thus the potential benefit of the policy is calculated. This technique helps the policy maker to opt for a policy or programme which offers the maximum net benefit to women. However, critics argue that everything cannot be quantified. While framing policies for promoting gender equity and equality, values are involved more than calculations. It would be difficult to make calculations for a subject of value.

ii) Economic Forecasting

Forecasting models were developed by the Organization for Economic Cooperation and Development (OECD) in the 1960s and 1970s in order to forecast trends. Most governments have a model of the national economy which is used to show the impact of policy changes on the economy. Such models have a strategic role to play in formulating economic policies. With the information and knowledge that is available, this model brings out various assumptions and suggests alternatives to try out. For example, if the government likes to know 'what would be the effect if the income of women increases by 2 per cent?' such a forecasting model would be helpful to the government in choosing the policy alternative. The forecast might come up with various assumptions like it would contribute to economic welfare, growth of the individual or improved standard of living, etc. Thus, forecasting helps in justifying policy and expenditure plans and is also useful to explore various policy alternatives. However, it should also be noted that forecasting may not be accurate at all times.

iii) Operations Research and Systems Analysis

Operations Research (OR), Systems Analysis and Decision Analysis are other important techniques in policy formulation. These techniques according to Dror, share the following characteristics:

- A bias for action and improvement;
- The values of 'rationality' and 'efficiency';
- Utilization of quantitative models; and
- Holistic view and examination of all relevant variables.

The purpose of the OR approach is to help policy makers to determine policy and actions in a scientific manner. These techniques help a policy maker to choose a course of action by investigating the problem and selecting the alternatives in the light of their consequences. They have a wide application in government, especially in health, social services, law enforcement, etc.

iv) **PPBS Approach**

The Planning-Programming-Budgeting System (PPBS) was first adopted in the US in the 1960s both for increasing administrative performance and for improving the policy making process in the military field. The technique of PPBS was promoted as a means for improving policy making and performance throughout the national government mechanisms. This was helpful in designing the budgeting and policy making. The overall purpose of PPBS was to create rationality in the budgeting process, by requiring administrators to plan long range organizational goals and establish programmes to attain the goals. With the use of PPBS, the budgeting process is evaluated at every step. PPBS enables a thorough examination of goals related to a policy or programme. Then, analysis of alternatives is made to find the most effective way of achieving programme/policy objectives at least cost. Thus, PPBS tries to review the outcome of the policy/programme at every stage. For example, the stipulated objectives of the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA) towards women and its contribution favouring women can be reviewed from time to time through PPBS.

Each of the earlier mentioned techniques has its own merits and drawbacks. Use of appropriate techniques helps in formulating effective policies. Especially while formulating gender-sensitive policies, it is always good to use more than one method and draw inferences. This would help the policy makers to formulate the right policy.

Check Your Progress Exercise 1

Note: i) Use this space given below to answer the question.

ii) Compare your answer with the one given at the end of this Unit.

1) What is the PPBS approach?

.....
.....
.....
.....

13.5 APPROACHES/MODELS OF POLICY FORMULATION AND DEVELOPMENT

There are various models or approaches to the process of policy formulation and development. Before focusing on the approaches or models of policy formulation, it is critical to understand what an ‘approach’ is and what a ‘model’ is. While an approach is a broad framework to understand a theme or a subject, a model is a well constructed concept. Various approaches and models have been developed by policy scientists in order to simplify the policy formulation process. Approaches/Models are thus helpful to clarify our thoughts about policy formulation and to develop the relevant knowledge of policies. Some of the approaches/models of policy formulation include the following: Rational, Incremental, Group Theory, Institutional, Game Theory and Systems models. We discuss them in the following sub-section.

13.5.1 Rational Model

The Rational Model of Policy Making is also called the Decision Making Model. Under this model, the rationality principle emphasizes that policy formulation is making a choice among policy alternatives on rational grounds. Rational policy making is “to choose the one best option”. This model argues that in order to formulate effective policies, policy makers should be rational and the model suggests five steps to be followed in policy making, as put forward by Dror. A policy is said to be rational only when these steps are followed while formulating the policies. The steps prescribed by Dror include:

- Identification of society’s value preferences and their relative weights;
- Finding of policy alternatives that are available;
- Evaluation of the consequences of each policy alternative;
- Calculation of the ratio of benefits to costs for each policy alternative; and
- Selection of the most efficient policy alternative.

Herbert Simon, whose name is associated with this rational model, talks of three kinds of activities included in policy making processes: intelligence activity, design activity and choice activity. The intelligence activity searches the situation calling for a decision. The design activity identifies, develops and analyzes possible courses of action. The chosen activity deals with selecting a particular course of action from those available.

13.5.2 Incremental Model

The Incremental Model to Policy Formulation was put forward by Charles Lindblom, in his book ‘*Policy Making Process*’. Of all the models, the Incremental Model is popular because of the fact that it fits well with what actually goes on in government. Policies generally have societal character, since they determine the fate of people. For this reason any policy should not be formulated on a larger scale without understanding its repercussions. Hence, Lindblom has proposed the Incremental Model of Policy Making. According to Lindblom, no policy maker or government would like to formulate a new policy. If at all the policy maker wants to formulate a new policy, she/he would not do it on a larger scale. So policies are introduced on a smaller scale in the beginning and then they are expanded gradually. Under this model, Lindblom states that the policies are expanded slowly and steadily, after knowing the workability and feasibility of the policy. For example, the National Education Policy of 1986 and its Plan of Action, 1992 gave utmost priority to the elementary education of girls and focused on the removal of women’s illiteracy and obstacles inhibiting their access to education. Based on such objectives, the programme of Sarva Shiksha Abhiyan (SSA) was launched and its objective was to bridge the gender gaps in elementary education and focus was laid on the educational needs of girl children. As an incremental measure, under the SSA, another programme called National Programme for Education of Girls at Elementary Level (NPEGEL) was initiated and it facilitates the education of underprivileged and disadvantaged girls. In order to facilitate the education of girls further, another component was added under SSA, called Kasturba Gandhi Balika Vidyalaya, which provides residential facilities to girl children to pursue their upper primary education.

The Incremental Model is widely used in a democracy. However, the incrementalism has been criticized on the ground that the problems being encountered by the governments are so crucial and critical in nature that the changes brought in the policies through incrementalism are not sufficient enough to cope with existing realities. Dror criticizes this model, stating that ‘the most harmful effect of the

incremental change argument is that it paralyzes efforts and thus tends to be a self-fulfilling prophecy’.

13.5.3 Group Theory Model

The Group Theory Model was put forward by a Japanese sociologist, Gaetano Mossaco. Group theory is an approach which seeks to maintain equilibrium in the society, balancing the interests of various groups. According to this theory, public policy is a product of group struggle. Individuals having common interests and demands join hands together and form formal or informal groups, in order to influence the policies of the government to suit their needs. On the basis of the equilibrium reached in the struggle of various groups in the policy process, public policies are formulated. Policy formulators succumb to the pressures of the dominant groups through bargaining, negotiating and compromising. Thus, in the process of group struggle, the demands and desires of the pressure groups enter the government arena and policy is formulated.

For example, to explain group theory, we can just look at the example of the policy documents of the government. Till the Fifth Five Year Plan (1974-78), the issue of gender concerns only formed part of the welfare programmes. Initially, the framework of the Sixth Plan was drafted on lines similar to the earlier plans, which discussed gender concerns only as part of social services. A small beginning was made when the women’s movement strengthened by a wider information base and insights joined the growing number of gender experts and demographers in the struggle for gender-sensitive policy. A memorandum was jointly submitted by seven women’s organizations in 1980 and support from women parliament members persuaded the Planning Commission to incorporate for the first time in Indian planning history, a chapter on women and development. Civil society organizations, in particular, women’s organizations, gender studies experts and concerned citizens, conducted wide campaigns and lobbied with members of Parliament, state governments and with sections of policy makers during 1977-79. The campaigns and struggles of various pressure groups highlighted the need for change in the traditional welfare approach to planning for women. It was after such interventions of pressure groups that in the Sixth Plan (1981-85) there was a separate chapter on ‘Women and Development’.

13.5.4 Elite Theory Model

According to this model, public policies are formulated as per the preferences and values of the elites. This model postulates that a society is divided into a few segments – those who have the power and those who do not have it. Policy in this social set up is not determined by the people or the masses. The ruling elite i.e. the political executive decides the policy and this is finally carried out by the bureaucrats who form part of the next segment of the elites. Thus, according to this model, the policies tend to flow from the top and do not move up from the bottom. Every society has elites competing with each other for power which ultimately paves the way to formulating public policy.

Thus, the elite theory explains that competition to influence policy is between elites in power and other elites attempting to come to power. The common masses on whose demands the public policies are formulated have limited or no influence in determining the public policies. Instead, policies are formulated by the ruling elite and the governing elite. The bureaucrats carry those into effect. Though in a democracy the elite theory is not directly implemented, its influence is found in an indirect manner. For example, a slight comparison can be made to the Reservation Bill. Though it has been the will of the people to empower women by way of political reservation, it has not taken final shape yet. The Women’s Reservation Bill was introduced in parliament in 1996. It has still not been passed because of the competitive conflict between interest groups.

13.5.5 Institutional Model

Public policy is an institutional activity since it is formulated through cooperative effort. Policy formulation is not an individual effort. Many people or many agencies join together and formulate a policy by following a set of rules and procedures. The institutions not only constitute crucial and significant nodal points for policy formulation, but also determine the formulation or adoption of policies, their possible content and directions. The structures of the institutions and their arrangements and interactions have a significant impact on public policies.

This model argues that policy formulation is the outcome of the internal agenda of government institutions rather than the result of external pressures and influences. This model states that in policy formulation, power is exercised by different individuals and groups such as the Prime Minister, Members of Parliament, bureaucrats, leaders of interest groups. In this model, policies do not take the shape of a public policy unless they are adopted and implemented by government institutions. Thus, government institutions give public policy three distinctive characteristics as follows:

- Firstly, the government gives legal authority to policy, as it gets the approval of the law making body.
- Secondly, a policy gets universal character, as it can be applied to the entire society.
- Thirdly, public policy is backed by coercive power, since it is formulated by the government. The government can thus impose legal sanctions on violators of its policies.

Thus, according to the Institutional Model, the structure and pattern of the government alone decides the quality of a public policy and it has a direct bearing on the policies.

13.5.6 Game Theory Model

Game theory talks about strategic decisions that players make in a competition, where each participant or player seeks to maximize gains and minimize losses. In a competition, one person's gain becomes another person's loss. On similar lines, the Games Theory Model is applied for policy formulation as well. A public policy may not provide advantages to all sections of the people. Formulation of a particular policy may be gainful to one section of the society, whereas to another section it might be a loss. For example, formulation of gender-sensitive policies may require men to give up certain privileges and take on certain responsibilities in order to achieve greater equity in development outcomes. Such policies are beneficial to women while men may become losers in such policies.

13.5.7 Systems Model

The Systems Model put forward by Easton, views the Policy Process as a political system that responds to the demands of the environment. According to this model, a policy is the response of the political system to the changing demands and desires of the people. The political system consists of various interrelated institutions and activities in a society that comes up with policy decisions in the society. The environment provides inputs to the decision process in the form of demands and supports. Demands are claims of individuals or groups to satisfy their needs. Support is rendered when individuals or groups accept the decisions and actions of the political system that are made in response to demands. The inputs into the policy process are provided by outside interests particularly from pressure groups, consumer groups and interest groups. Such environmental inputs into the political system are converted into outputs or policies. There is a concept of feedback in

this model, which serves as a tool to know the advantages and disadvantages of the policy output. The errors in the policy thus get rectified through feedback. The Systems Model views the policy process in terms of conversion from inputs into policy outputs and then to outcomes. Thus, the policy making process has been regarded as a 'black box' which converts the demands of society into policies.

Check Your Progress Exercise 2

Note: i) Use this space given below to answer the question.

ii) Compare your answer with the one given at the end of this Unit.

1) Who proposed the System Model? How can it be helpful in policy formulation?

.....

13.6 AGENCIES INVOLVED IN POLICY FORMULATION

Policy formulation usually occurs in government bureaucracy, offices of interest groups, meetings of special commissions and policy planning organizations. Formulation of policies that promote gender equality is greatly enhanced by the active participation of various agencies from both formal and informal channels. The formal channels include the legislative, executive and political wings of the government. The informal channels of policy formulation include the political parties, civil society organizations, community-based groups, private-for-profit firms, trade unions etc. It is difficult for any policy formulator to make policy in isolation. Hence, for effective formulation of policies, cooperation of various players is essential and interaction between the formal and informal channels provides the basis for a more informed policy dialogue on gender issues.

Various agencies are involved in formulation and development of a policy. In India, the agencies that play the role of public policy making are: Cabinet; legislature; opposition political parties; pressure groups and NGOs; bureaucrats; and citizens. Before we study more about the agencies involved in policy formulation, it is important to understand the Constitutional and institutional framework from which the authority and power to formulate policies is derived.

Constitutional Framework for Policy Formulation

Constitutionally India has been described as a Union of States, organized on federal lines, with jurisdiction of powers between the Centre and the States and an independent judiciary to determine the constitutionality of actions of the legislature and the executive. Thus, the rules for policy formulation and development in government at the Centre or the States are found partly in the Constitution. Constitutional rules specify how those in authority use their official positions in formulating policies. Thus, the policy formulation process in India is shaped within the framework of the constitutional system. The Preamble of the Indian Constitution declares India as a Democratic Republic which means that the government is said to be of the people, by the people and for the people. Thus, the sovereignty of the people makes it clear that the final authority which determines the policies for the country lies with the people. That is, the policy should reflect the will of the people.

Parliamentary System

The Indian system of government is a parliamentary type of government both at the Centre and the States, in which the government consists of the political executive, the Council of Ministers and the administrative executive, the civil servants. This system is believed to be efficient and effective in all matters of legislation, policy formulation and so on. As far as policy formulation is concerned, the role of the administrative executive is to assist the ministers. The ministers are responsible and answerable to the parliament and legislature, regarding policy matters. Thus, if the policies formulated by the government become unacceptable, the council of ministers becomes responsible to it and must even resign in case it loses the confidence of the legislature.

Federalism

Though it has unitary features, the Indian constitutional system is basically federal in nature. A conscious effort has been made to define and demarcate clearly the areas of policy formulation between the central and state governments by listing the subjects in the central list, state list and concurrent list. Usually the central government enjoys great powers for the formulation of policies in the developmental sectors of the economy. However, implementation of policies involves both the central and state governments and the two have jointly to share responsibilities for results. In a federal set up, Inter-Governmental Relations (IGR) gain a wider significance in policy formulation.

Now that you are aware of the constitutional framework responsible for policy formulation, let us focus on the agencies involved in policy formulation. The following are the government organs that shape the policy formulation process.

Legislature

The Parliament is the supreme policy making body and the legislature reigns supreme. Even the Prime Minister is dependent on the support of the legislature to remain in office. The Parliament in India makes the laws and policies and legitimizes the decisions of the government. Parliament serves as a forum for public debate on issues of public policies.

The legislative power resides in the elected members of parliament. Within the powers devolved to them by the Constitution, the parliament is the final determinant of a policy. Hence it has been demanded by civil society groups and others that there should be reservation of seats for women in the parliament. Since parliament acts as a final determinant for a national or state policy, if more women are represented, it will give them the voice to come up with gender-sensitive policies.

At the same time, parliament is also described merely as a rubber stamp. This is because in terms of policy matters, the legislature can only influence and does not have direct power, can only advice and not command policy matters, can just criticize and not obstruct a policy.

The legislature can thus scrutinize the policy proposals put forward by the Prime Minister and cabinet members but cannot take the initiative on its own. However, the role of parliament in India in policy formulation can be more correctly understood if parliament is considered to be a constitutional, procedural device for legitimizing the decisions of the government, rather than as an independent decision or policy formulation unit. As such, it should be understood that power does not reside in the Parliament, but in groups of individuals in Parliament. Hence if more number of women enter Parliament, they as a group can influence policy decisions in favour of women.

Further, it should be understood that it is not the strength or weakness of Parliament which is crucial to the policy making process, but the creation of alliances before hand between different parliamentary groups or committees to influence policy decisions.

It is not possible for members of Parliament to be experts on every policy issue that has been taken up by the Parliament. Hence there is a requirement to decentralize powers to various committees. Thus the creation of various committees can provide necessary expertise in taking various policy decisions. Parliamentary committees are crucial in determining the fate of legislation. Legislatures play a smaller role in the policy formulation process.

Executive

In a parliamentary system of government, the executive plays a major role in policy formulation because of the greater concentration of power in the government. The executive mainly consists of:

i) Cabinet

The Cabinet is the supreme executive authority, being the inner body of the Council of Ministers. It is the task of the executive to decide the policies which are to be submitted to the Parliament. The real executive is the Council of Ministers consisting of the Prime Minister, cabinet minister, ministers of state and the deputy ministers. All policy related functions are performed by the cabinet functioning on the principle of unity. The Cabinet is the top policy formulation body in the government. Only major proposals are taken to it for its decision; other matters of less significance are disposed off by the minister concerned. The Cabinet is serviced in its policy role by the Cabinet Secretariat headed by the cabinet secretary. The role of the cabinet secretary is of crucial importance in the policy formulation process. The choice of policies is determined by the Cabinet and the network of Cabinet Committees and Cabinet Secretariat.

Cabinet Committees

The real business of collective decision-making in the Central Government takes place in Cabinet Committees rather than the entire cabinet. Various cabinet committees are formed to facilitate decision making in the matters of policy concerns. Occasionally adhoc committees are also set up for a specific purpose. Some of the Cabinet Committees include: Political Affairs Committee, Economic Affairs Committee, Committee on Parliamentary Affairs, Appointments Committee, etc.

ii) Prime Minister and his Council of Ministers

The Prime Minister (PM) is the head of the government and responsible for the entire functions of the government. Khera opines that the Prime Minister “represents the whole of the executive government in a way that no single member of the Council of Ministers or even the whole of the Council of Ministers can”. The PM enjoys a special position in the realm of policy formulation. While the Prime Minister can exert exceptional influence over policy decisions through the assistance of the cabinet secretariat, it is now widely accepted that a Prime Minister has to obtain the support of his/her colleagues for his decisions. The Prime Minister is assisted by a set of staff employed in his/her office. Thus the PM’s Office assists him/her in taking important decisions regarding a public policy.

iii) National Development Council (NDC), and Planning Commission and Secretariat

Each of these will be discussed in the following paragraphs.

National Development Council (NDC)

The Parliament enjoys supremacy. Next to parliament the NDC is the highest body

responsible for policy matters in planning. Regarding NDC, H.M.Patel observes that, "It is indeed a policy making body and its recommendations may be regarded as policy decisions and not merely as advisory suggestions."

Planning Commission

The Planning Commission was constituted in March 1950 by a resolution of the Government of India and works under the overall guidance of the National Development Council. The Planning Commission is headed by the Prime Minister as its Chairperson and in his or her capacity as the chairperson, participates and gives decisions to the Commission on all major issues of policy. The Commission plays an integrative role in the development of a holistic approach to policy formulation in critical areas of human and economic development. It also plays a facilitating role in policy matters between the state governments and Union ministries. The Planning Commission works through scores of divisions and advisory bodies. There are mainly three divisions, which help the Planning Commission in the formulation, monitoring and evaluation of the plans, policies, programmes and projects, viz. Subject divisions, General Divisions and Perspective Planning Division. The Subject Divisions comprise seventeen divisions, which look after specific subjects such as agriculture, education, health, etc. There is a specific subject division on women. The General Divisions consist of eleven general divisions like Development Policy Division, Perspective Planning Division, etc. which are concerned with aspects of the entire economy. The Perspective Planning Division assists the Planning Commission in planning and policy issues, which span across multiple sectors of the economy such as agriculture, infrastructure, social services, etc.

Secretariats – Departments and Ministries

The Secretariats of the departments and ministries assist the government in the discharge of its parliamentary responsibilities. The business of the Government of India is transacted in the ministries/departments. Each of the ministries is assigned to a minister and each department to a secretary so as to assist the minister on policy matters and general administration. Policies and programmes of the government originate from the Central Secretariat. The administrative head of the ministries and departments are known as secretaries and the political heads are the ministers. The secretary assists the minister in the formulation of public policies. The secretary to the Government of India is the highest policy official in the field of which he or she is in-charge. In order to facilitate the process of policy formulation, 'Policy Planning Units' are set up in key departments and ministries. This Unit provides the inputs for effective policy formulation among the various programme elements of a department/ministry.

iv) Civil Servants/Bureaucrats – to assist the Cabinet in the discharge of its functions

In theory, civil servants are employed to serve ministers by carrying out their decisions. That is, the Ministers decide on policies and the civil servants take necessary executive action to implement them. But, in practice, the civil servants exercise much more power in the formulation of public policies. Usually, the policies formulated by a legislature are expressed in the form of acts and laws. In order to give more precise expression to these laws and acts, the administrative arm, that is, the civil servants or bureaucrats play an important role in policy formulation. The civil servants have wide knowledge which they have derived from their educational qualifications and their direct experience of the operation of public policies. This enables them to think about various factors while formulating policies viz. financial and administrative difficulties of policy proposals, repercussions likely to emerge from the policy, methods of dealing with policy problems etc. This helps in formulating realistic plans. One of the reports of the

United Nations states that 'the administrators' role in the policy making process is to clarify the choices open to politicians and to anticipate their consequences'.

Judiciary

Generally speaking, the judiciary does not interfere with the policy matters of the legislature or the executive, unless the policy is either against the Constitution or some statute or is actuated by *malafides*. However, of late, the judiciary, notably the Supreme Court has been greatly influencing the contents of public policies through the exercise of the power of judicial review of legislation. The Judiciary in India plays a constructive role in shaping and influencing public policies in two ways: by its power of judicial review and by judicial decisions. The judiciary in democratic systems has played a major role in the formation of social and economic policies. Much of the laws related to gender concerns have been developed in the courts. For example, the rights of the female employees not to be sexually harassed at the place of work as in the case of *Vishakha vs. State of Rajasthan* (1997) became established as a court – made policy. Apart from this example, there are other instances to show the role of the judiciary in policy formulation, viz. equal protection of law, property ownership, employer-employee relationships, position of women in society, etc. Thus, judges pronounce judgements on various issues like social and economic issues, gender concerns, etc. which have wider policy implications. In this context, Anderson rightly observes: "Not only are the courts getting involved, but they are playing a more positive role in policy formulation, specifying not only what government cannot do, but also what it must do to meet legal or constitutional obligations."

Informal Channels of Policy Formulation

Some of the informal channels of policy formulation include individual citizens; the media; political parties and civil society organizations.

i) Individual Citizens

In a democratic form of government, people are said to be the masters of their own destinies and public opinion plays a major role in the policy formulation process. The needs of the citizen enter the government by way of policy demands and are further shaped by the policy agenda of the political parties. Thus, in a democracy, people initiate the process of legislation and policy-making by voting for candidates whose opinions and values they know. Yet, in practice, participation of people in policy formulation is negligible. The individual citizen is hardly a significant political force. However, it should also be noted that no government, however dictatorial, can afford to go against the wishes and customs of the people. Therefore, the interest of citizens matters a lot. As observed by Parsons, "the citizen should be seen as someone who can be involved in making a productive input to public policy." Parsons further notes that "the lay voice should be taken seriously and that the enhancement of that voice should be a matter of concern for both policy analysts and policy makers."

ii) The Media

The role of media in the policy formulation process is an important factor. The media bridge the information gap between the citizen and the government. They communicate information to the citizens about the decisions the governments have taken and thereby media help shape their reactions to each other's decisions. At the same time, it is also important to determine whether they are politically biased in their presentation of information related to policy issues. If they are biased they are said to distort the very concept of democracy. If a citizen is to make rational decisions about a public policy the media should have a high standard of reliability. It should be unbiased in bringing issues of concern to the attention of the public as well as the concerned authorities. Thus, public opinion expressed through the mass media is central to policy formulation.

iii) **Political Parties**

Edmund Burke defines 'a political party' as "a body of men united for promoting the national interest on some particular principles on which they are all agreed". Political parties are regarded as important agents for establishing popular control over the government and public policies. They play an important role in reflecting the issues at stake and in setting goals for the society.

iv) **Civil Society Organizations (CSO)**

Civil Society organizations are organizations with formal structure whose members share a common interest. They strive to influence the decisions of the government without attempting to occupy political offices. CSOs range from large charity and voluntary organizations to community-based self help groups etc. CSOs also include NGOs, research institutes, religious organizations, professional organizations, lobbying and advocacy groups, etc. CSOs concerned with gender issues have had a particularly important role in designing and implementing gender programmes at the local level and advocating policy change at the national level.

Acting alone, the individual citizen is rarely a significant force. In this context, group action by way of CSOs serves as an effective method compared to individual action for citizens to influence public policies. Unless a large numbers of citizens are organized for some common purpose or interest, the chances of transmitting their messages and policy issues will become bleak. CSOs have a vital input in the policy-making process. CSOs are important institutions in enhancing the effect of public opinion. CSOs serve as links between individual citizens and policy makers. They aid citizens in communicating their hopes to public officials by offering personnel and expertise in substantive matters of policy making. To policy makers, the associations offer expertise and political support. The organizations also articulate the interests and demands of the society, seek support for these demands among other groups by advocacy and bargaining and strive to transform these demands into public policies. For example, women's organizations such as All India Women's Conference, Mahila Milan, Self-Employed Women's Association in India (SEWA), etc. have already influenced the enactment of a number of statutes such as Anti-Dowry Act, Anti-Sati Act, Suppression of Immoral Traffic Act, etc. In spite of various positive attributes, it should also be understood that civil society organizations, if not well organized, can affect the functioning of democracy. Schmitter critiques: 'CSOs may build into the policy processes a systematically biased distribution of influence.'

The government institutions also collaborate with a range of private players. Choices made by private sector agents – whether households, firms or trade unions – are profoundly important for the persistence or reduction of gender inequalities.

13.7 POLICY FORMULATION AND DEVELOPMENT PROCESS IN INDIA

The process of policy formulation and development is not a simple process, but a complex and continuously changing process which is conditioned by a multitude of factors.

Two processes are involved in the formulation of policies, viz. Legislative and Administrative Policy Formulation. Legislative policy making is dominated by the perspectives of elected representatives. On the other hand, administrative policy making is dominated by ideas, norms and choices of non-elected government employees.

Attributes of a Good Policy Formulation Process

According to Moore (1998), a good policy formulation process is one, “which is committed to producing a high quality decision – not any particular decision”. Such a decision should be made with a high degree of legitimacy, power and accuracy. Hence, in order to produce such a high quality decision, the policy formulation process should hold onto certain characteristic features while formulating the policies.

In the first place, a good policy formulation process would involve due consideration of the up-to-date knowledge of the subject matter and relevant data pertaining to it. Especially while formulating gender-sensitive policies, up-to-date knowledge of subject matter is pertinent. For this purpose, surveys and other methods of collecting statistical data can be designed to ensure that gender disaggregated data are properly collected and analyzed.

A policy formulation process can be successful if the process seeks to expand the search for policy alternatives. This process helps in making the policy more effective. A good policy formulation process should also try to incorporate the views of beneficiaries, i.e. the women, in case of gender-sensitive policies. Views of beneficiaries can be obtained by way of qualitative research methods such as direct observation, individual or group interviews, case studies, etc. This ensures that the views of all groups are adequately represented while formulating policies.

The agencies involved in policy formulation in addressing a problem may propose various alternatives to address the issue. But the critical challenge involved in this process for policy makers is to arrive at an appropriate alternative that would help in achieving the desired outcome.

Usually, the policies that are formulated for the benefit of one section/sector of the society may have a significant impact on other sections/sectors of the society. For example, reservation policy to facilitate the employment opportunity of women may affect the opportunities of men. While formulating policies, policy makers should have a thorough knowledge of the policy impacts. They should arrive at policy decisions after consideration of the effects of the alternative choices on different sectors.

A good policy formulation process should also make thorough analysis and assessment of the ‘winners’ and ‘losers’ from a given policy. Strategy should also be evolved to deal with the opposition that can be raised by ‘losers’ and explain the rightness in the policy.

Another attribute of a good policy making process is that the policy making process should concentrate on legitimizing the policy that has been formulated. Policy legitimizing is a process under which formulated policies are endorsed and accepted by legitimate authorities. Only if a policy is legitimized, it is more likely to be successfully implemented.

13.8 CHALLENGES IN FORMULATING GENDER-SENSITIVE POLICIES

Some of the critical challenges in formulating gender-sensitive policies include:

- Lack of gender-sensitization among policy makers;
- Lack of adequate expertise and skills;
- Emphasis on short-term benefits;
- Non-involvement of enlightened groups;

- Inadequacy in financial resources; and
- Lack of political and popular support.

Let us discuss each of these challenges.

Lack of gender-sensitization among policy makers: Lack of gender sensitization among policy makers acts as a major constraint in formulating gender-sensitive policy. Hence there is a need to sensitize policy makers on gender issues. Thus, formal training should be given to policy makers so that they are equipped with practical tools.

Lack of adequate expertise and skills: Sometimes the people engaged in policy formulation may not have the adequate expertise and required skills, especially when it comes to gender concerns in policy formulation. This would negatively impact their ability to plan for the needs and concerns of women. As a consequence this could act as a major constraint in formulating gender-sensitive policies.

Emphasis on short-term benefits: Another constraint is that while formulating policies, emphasis is placed on the short-term goals. As seen earlier, the injustice done to women over a considerable period of time cannot be corrected by policies which intend to serve for a short period of time. Policy formulation, therefore, should consider the benefits for women in the long run to counter discriminatory practices.

Lack of political and popular support: At times, there is lack of popular support for a policy that intends to favour women. For example, the Women's Reservation Bill has been placed before parliament but not yet become law.

Reservation of Parliamentary Seats for Women

Attempts to introduce the Women's Reservation Bill have failed. Both the main national political parties claim to be in support of the objective. Surprisingly, alternatives to some of the specific policy provisions of the Bill or the fundamental philosophical questions of the desirability or otherwise of reservation for women, do not seem to have been adequately explored or debated either before or after the first attempt at its introduction or in the interregnum before the attempts.

Non-Involvement of Enlightened Groups

A policy can be formulated in an effective way only if the people involved in the process are competent enough and have a thorough knowledge about the needs and requirements of women. In other words, involvement of enlightened groups is essential. Another major constraint is that policy makers who are responsible for formulating public policy to meet gender equity goals are not technically skilled in the methodological skills entailed in gender planning.

Inadequacy of Financial Resources

Policy formulation has to be adequately backed by sufficient financial resources. Effective and meaningful implementation can be constrained if adequate financial provisions are not available.

13.9 GENDER, DISCOURSES AND POLICY

This section draws from Rachel Simon – Kumar's extensive review of political rhetoric and gender policy in India published in 2007. Public policy, like any other political discourse, bases itself on ideological presuppositions. Policy analysis in a conventional sense tends to idealize the policy making process as a rational process

in which policy analysts attempt to solve problems systematically. As represented the process of policy analysis is depicted as programming through a phase of problem definition, analysis of alternative solutions, the adoption of a solution and its implementation and evaluation. Empirical evidence is considered and accessed to select the most relevant option to solve public needs. This image of policy analysis has come under considerable criticism because it misrepresents policy making as an 'orderly sequence of stages as if on an assembly line' (Stone 1988:7). Many policy theorists have suggested that it would be more practical to view policy making as 'a site where various political, social, ideological and value judgments influence the shape and design of policy'. Rather than adhere to set stages, policy, in practice, arises from political conflict; it is a 'struggle over ideas' where concepts, definitions and criteria are susceptible to continuous scrutiny and compromise (Stone 1988:7).

Public policy reflects the 'volatile world of public sphere politics'. According to Simon - Kumar (2007) the 'public spaces where politics is deliberated are sites where contending social discourses prevail and where social meanings are constantly contested. These spheres of struggle are seldom fair or equal; for the most part, it is the voices and interests of the powerful or dominant discourses that are visibly represented. Discourses of marginal or oppositional groups are, at best, the "challengers" to dominant discourses'. We need to understand that dominant discourses become institutionalized. Where does this take place? Institutionalization takes place in key discursive sites e.g. parliament, academia courts and mass media. These dominant discourses, in fact, become reference norms that exclude some discourses and include others, such as parliament, academia, courts and the mass media. As a result, it is important to recognize that policy is not about identifying and satisfying needs of various groups of people, but equally about issues such as who has deemed certain concerns as needs and how these are interpreted (Fraser 1989). Nancy Fraser postulated the theory of 'needs interpretation' bringing a critical perspective to the way discourses around social needs were articulated in the late twentieth century welfare states and aims to show how these needs found their way into policy frameworks. Simon - Kumar (2007) elucidated three aspects of this model that are particularly useful for examining the processes by which certain gender discourses gain importance in political life, namely: (1) the concept of runaway needs, (2) the three moments of needs interpretation and (3) the major forms of needs-talk (i.e. the way needs are debated and constructed), discourses and their functions. To gain an understanding of these three components, let us first elaborate Fraser's (1989) conceptualization of the discursive structures in society.

According to Fraser, the welfare state in the late twentieth century was constituted by various social groups. Each of these groups articulated needs they considered crucial for their well-being. They made claims on the state to meet these needs. Fraser says, the focus should be on how needs are interpreted rather than only focusing on implementation of programmes to satisfy what have already been interpreted as needs. Among the reasons Fraser (1989) gives for this shift of focus is that needs are not determined or satisfied in isolation from social and political processes in society. Fraser draws on Foucault's notion that discourses construct individuals as subjects and emphasizes the importance of giving due attention to the role of institutions and authorities that determine which groups' claims are articulated in the public arena. She points out that mainstream political theorists by focusing on satisfaction of established needs "...assume that it is unproblematic who interprets the needs in question and from what perspective and in the light of what interests; they thus occlude the fact that who gets to establish authoritative definitions of people's needs is itself a political stake" (Fraser 1989:162). Fraser also connects the establishment of needs discourses to political, economic and domestic dimensions. Fraser positions the domain of the political as "public-official" in opposition to the "private" spheres of the economic and domestic.

In Fraser's model, an issue that has not become a matter for political debate or action is entrenched within the personal sphere – either within domestic or economic institutions. Women's issues usually tend to be contained within the domestic sphere. However, the boundaries between the political and personal are not rigid but 'porous'. Personal becomes political. Furthermore, Fraser identifies three kinds of discourses that influence needs-talk: *oppositional discourses*, representing the voice of subordinate groups or discourses from "below", such as feminist movements; and *re-privatization discourses* and *expert-needs discourses* from "above" – that represent the discourses of the institutionalized problem solving structures in society. The discourses from 'above' challenge the legitimacy of the need articulated from 'below' or a "runaway need". As Simon - Kumar puts, it re-privatization discourses, representing the reactionary forces in society or the forces of economic gain, are in continuous conflict with oppositional claims to political legitimacy. Expert-needs discourses depoliticize oppositional needs by trying to institutionalize and 'normalize' them through the state's bureaucratic apparatus. Expert-needs discourses are the vehicle for translating "sufficiently politicized runaway needs into objects of potential state intervention (1989:174). Both the re-privatization and expert-needs discourses serve to depoliticize runaway needs that are articulated by oppositional groups. However, the struggle to establish a needs-discourse or endow an issue with political status, according to Fraser, is only the first of three interrelated *moments in needs interpretation*. A second stage in the needs struggle is definitely the means to satisfy the need or the interpretation of the need. The third moment is the struggle to satisfy the need or the process of allocating the resources and making provision for the satisfaction of the need.

It is important to know how oppositional discourses translate into policy in contexts where values and ideologies are overwhelmingly male/mainstream. Fraser (1989), for instance, argued that institutionalization of oppositional feminist discourse tends to two possibilities: a pressure to reprivatize politicized issues or conversely, appropriate them into the existing structures of bureaucracy, nullifying their political impact. In either case, the consequences for women are not in their interests. In the latter, in particular, the institutionalization of policy in specific contexts has a negative outcome – women's issues can become 'depoliticized'. Alternatively, gender-sensitive recommendations are likely to become add-ons to an ongoing policy legacy (Beall 1997; Harding 1995). There could also be several orientations to policy, which may operate within the various levels of state, from global to local levels. In this form of policy accrual, women's issues may not be addressed consistently and could be compromised. Women's needs could well be marginalized.

13.10 THE IDENTITY OF WOMEN: THE INDIAN STATE AND ITS PLANNING EXPERIENCE

This section draws from Rachel Simon - Kumar's extensive review of political rhetoric and gender policy in india published in 2007. Since the 1970s, the international literature on women in development had put the spotlight on women's productive roles which was reflected in the Indian Plan documents. Until the end of the Fifth Five-Year Plan (1951/56-1974/1978), women were categorized along with the disabled, aged and destitute within a "welfare" approach. From the Sixth Plan (1980-85), there was a shift in approach as women were positioned as targets of a "development" approach. The planning process was targeted at ensuring that women were beneficiaries of development (health, education and employment) so that they could be partners and participants in the development process (Centre for Development and Human Rights 2003). The Ninth Plan (1997-2002) revised women's role in development as the State embarked on an "empowerment" approach. The aim of the Plan was to "create an enabling environment where women could freely exercise their rights both within and outside the home, as

equal partners along with men” (Centre for Development and Human Rights 2004:139).

Yet, in portraying women as productive beings, development policy discourses of the Indian State present multiple images of women’s identity – these images can limit or enhance women’s capacity to represent themselves as useful citizens of the development state (Simon - Kumar 2007). For instance, there are times when the identities of women are located outside of the dominant developmental discourse and are either marginalized or excluded. At other times, their subjectivities are represented as integrally tied in with the main/malestream of development discourses.

The State is a strategic player in constructing identity. Where constructions of women challenge the dominant discourses of development, they are marginalized as irrelevant (Simon - Kumar 2007). How relevant is an analysis of the construction of identity to the kinds of rights that women can access? The aim of any developmental state, in principle, is to foster a society where all its citizens have equal access to civil, political and social rights. The reality, however, is that the idea of ‘rights’ sits uneasily within the larger framework of development ideals. Jayal (1994) points out that attaining political ‘rights’ is not directly a consequence or even a factor in developmental change in India. She points out that the history of developmental intervention in welfare activities in India cannot be seen as akin to the social programmes of a welfare state. The welfare state is motivated by a conceptualization of rights (both liberal and social rights), which is absent in the case of India. The aim of development intervention was not to maximize welfare or enhance the rights of a collective, but to provide a foundation for the project of modernization and growth. The outcome of developmental change is directed more towards improving the status of the people so as to ensure some level of parity within the population (especially in health, education, poverty alleviation and so on). As Jayal (1994) points out:

The primary purpose of interventionism and indeed its inspiring and guiding force, was developmentalist. This was not a state that self-consciously and deliberately took on the responsibility of providing for its citizens in clearly defined areas which bore some relationship to the idea of needs, especially basic needs (p. 20).

Therefore, development welfare is not expressed in the language of rights; there are implications that follow this ‘oversight’. There is no obligation for the state to provide for development and likewise, citizens have no foundation other than grounds of morality, to claim for development. The state in a sense becomes a paternal benefactor and casts its relationship between citizen and state as one of “giver and receiver, benefactor and beneficiary” (Jayal 1994:23). This exempts the state from direct involvement or liability and makes no reference to access to the state – it is nowhere suggested that development will increase claims to rights for its citizens. However, the state does, through constitutional obligation and a desire for development, undertake the task of providing welfare interventions. Welfare was cast as an economic component of development and was privileged over its social and political aspects (Jayal 1994:21). Women’s development and the solution to their subordination, was also cast in terms of improving women’s contribution to the economy – whether by improving women’s access to education and health or removal of inherent barriers within the labour market. Issues of political rewards are, therefore, outside the debate of development; gaining access to the state, say through visibility of a specific group, is incidental to the intention of the state’s intervention in development.

This is where construction of identities becomes critical. As Jayal (1994) argues, in market development the resources available for social entitlements are limited

and the state subsidizes a reduced 'menu' of services. One consequence of such rethinking is that development welfare will increasingly assume a competitive dimension and resources will be distributed among various groups either on the basis of identity politics or on how the state defines development imperatives. It is in the latter that women's interests and access to the state become significant.

Ostensibly, at least, the debates in development surrounding women's identity appear to be moving from a focus on the economy/productive space to the state/political space. Scholarship has emphasized the state as provider of political rights. It has been suggested that identity formation for women in the developing world is primarily about constructions in the public sphere, especially the nexus between the economic and political (the state and the market). From international levels to the grassroots, development ideology is replete with reference to economic production and the market. This is certainly the dominant discourse when defining women's citizenship in a development state: women are projected as either reproductive or productive beings, agents in economic development or passive recipients of development aid. However, merely being labeled 'reproductive' or 'productive' is not the point; what is of significance is what it means to be either reproductive or productive and whether these contribute to a position in the 'contract/charity' polarity. To understand 'meanings' in this way, we must necessarily step outside constraining frames that limit women as caught within a relationship between economics and politics. Instead, it is important to examine how the discourses from judicial, cultural, scientific, political and bureaucratic arenas bear upon the state's constructions of women in development as well.

13.11 THE INDIAN STATE AND PROVISIONS FOR GENDER EQUALITY

This section draws from Rachel Simon - Kumar's extensive review of political rhetoric and gender policy in India published in 2007. Constitutionally, the state recognizes the equality of women in its Fundamental Rights and acknowledges in its Directive Principles that women are a vulnerable group that requires special rights. Article 14 of the Fundamental Rights provides for the 'equality before the law or the equal protection of the laws' for men and women. Article 15 prohibits, inter alia, discrimination against any citizen on the grounds of sex. Article 15(3) empowers the State to make special provisions in favour of women. In the Directive Principles, Article 39 directs the state to direct its policy towards ensuring that (a) men and women equally have the right to an adequate means of livelihood and (b) there is equal pay for equal work for men and women. Article 42 of the Directive Principles requires that the State make provisions for ensuring just and humane conditions of work and for maternity relief. Translating those ideals of equality and protection into the practice of political and social rights, however, has been an arduous struggle.

The Indian state has recognized women's differential status in society and acted to challenge their social and political exclusion. Specific legislative and institutional mechanisms set up by the government seek to ensure the advancement of gender equality in India. The Department of Women and Child Development was created as a core ministerial portfolio with a Minister of Cabinet rank reporting directly to Parliament. The Department was upgraded to a full-fledged Ministry in 2006. The Government's Five Year Plans have an organic perspective of women's roles in economic development. The Ninth Plan (1997-2002), for example, emphasizes women's empowerment and rights. In 1990, the National Commission for Women Act was adopted and the National Commission for Women was set up to advise government on policy matters relating to women. State-level Women's Commissions have been established as well. In 2001, the National Policy for the Empowerment

of Women was adopted to eliminate all forms of discrimination against women and to empower women socially and economically. The policy directs Central and State Ministries to set time-bound action plans to address women's empowerment (Centre for Reproductive Rights 2004).

In addition, the Panchayati Raj Bill has special provisions for encouraging women's participation in the political process. The Panchayati Raj Bill is an example of 'political creativity' of the Indian Government (Nussbaum 2002). In the first local-level elections under the Panchayati Raj, over one million women stood for elections; around one million were elected to posts reserved for women (Kabir 2003; Shahid 2003). Initial evaluations show that women elected to local government bring a unique style of government and focus on issues that tend to be overlooked by their male counterparts (Kabir 2003; Shahid 2003). Similar legislation is being pursued for national bodies (The Women's Reservation Bill) but this is still under debate in parliament following opposition to the Bill from several political parties.

In the case of community-based laws, the rights of Christian women were strengthened in the Supreme Court Mary Roy case in the early 1980s, which conferred equal rights to property for both male and female offspring in the Christian community. In employment-related issues, in 1999, the state set out stringent regulations regarding sexual harassment in the workplace. The state also established a proposal to ensure maternity benefits for women labourers who are daily wage earners in the informal sector of the economy. The Indian Courts also rallied for the cause of women in the Quinacrine Controversy in 1998. Doctors in private practice were sterilizing women using Quinacrine pellets without proper authorization or consent. The Supreme Court banned the use of Quinacrine as a method of sterilization. However, when it came to the sale of injectable contraceptives (such as Net-En and Depo-Provera), the Government did not respond favourably to women's groups that asked for these contraceptives to be banned despite sufficient evidence that abuse of the injectables was likely in the context of India. The Government, however, withdrew its original plan to distribute injectables through its Reproductive and Child Health programme.

Understandably, feminist scholars are divided in their opinion regarding the role of the modern Indian state in the lives of millions of women. Some point out that the state responds in ambivalent ways to the vulnerable conditions in which women live in Indian society, while other scholars present a unidimensional characterization of the Indian state. Rai (1996, 1996), for instance, feels that the Indian state plays no significant role in women's lives. Unlike in many western contexts where the state provides social services of which women are prime recipients, the state in India provides little or no such access for its women. Despite its claims to being interested in social justice, the Indian state's engagement with welfare activities, particularly for women, are restricted by inadequate resources (Rai 1996:13). There is also the issue that, at a much deeper level, limits are put upon the claims that citizens, including women, can make on the state (Jayal 1994). In fact, Rai (1996) argues that, with respect to what it offers women, India is a 'weak' state. She points out that when the state does intervene in women's lives, it is usually in oppressive and brutal ways. Similarly, Misra (1997) contends that India's liberal democratic polity has played an ambivalent role in women's lives. Political and civil liberties have allowed for the development of an articulate and visible feminist movement, while state action and inaction in individual cases has been less than reflective of an interest in women's well-being. Likewise, long-term structural changes have benefited certain sections of women while pauperizing others.

In a more rigid view of the Indian state, Agarwal (1988:14) points out that India, like other South Asian states, perpetuates patriarchal relations with two express intents – to domesticate women and control their sexuality. Kasturi (1996), too,

demonstrates in the context of India that the “evolution of a political understanding of the process of development...[indicated]...that the development process has actually strengthened patriarchal structures in India” (p.100). Hasan (1994, 2002) points out that contemporary politics in India with its focus on community identities, religious traditions and cultural practices have made women a prime site around which political claims are contested – a politics in which the state is a complicit actor. As Hasan (2002:270) points out, “the actions of the Indian state suggest that it is interventionist and protectionist in the material sphere, while it remains non-interventionist in the community domain, with the exception of intervention to reform Hindu laws in the 1950s”. Rai (1996) and Basu (1998) argue that the state is an inconsistent actor-on many occasions, the state and traditional patriarchy are in binary opposition while in other circumstances, the state is the patriarchy that oppresses women. Mary John’s (1996:3075) description of the Indian state takes into account its class constructions; she argues that the state is class and caste-conscious-the “state responding to spokespersons of the women’s movement invariably middle class and upper caste who are familiar with its structures”. According to John (1996), the story is quite different when it comes to implementing policies or laws in favour of a woman of lower class and caste, especially when it involves opposing those with whom the state identifies. Thus feminist evaluations of the functioning of the Indian state have highlighted its contradictory nature and its tendency to operate in ambiguous ways.

Check Your Progress Exercise 3

- Note:** i) Use this space given below to answers the questions.
ii) Compare your answers with the one given at the end of this Unit.

1) What is the role of Parliament in policy formulation in India?

.....
.....
.....
.....

2) Which are the informal channels in policy formulation?

.....
.....
.....
.....

13.12 SUMMING UP

In this Unit we have discussed the technique of policy formulation. There are various techniques involved in reaching sound and rational policy decisions and in converting policy proposals into policy. A variety of techniques and tools are used for improving and enhancing the policy formulation process. Some of the techniques discussed in this Unit are cost-benefit analysis, economic forecasting, operations research and systems analysis and PPBS approach. Apart from the techniques, different models of policy formulation are also explained like Rational, Incremental, Group Theory, Institutional, Game Theory and System Models. Various

agencies are involved in policy making like Planning Commission, National Development Council and Legislatures. These agencies were discussed in detail in this Unit. Lastly challenges involved in gender-sensitive policy making were discussed.

The Unit described some of the critical challenges in formulating gender-sensitive policies including lack of gender sensitization among policy makers; lack of adequate expertise and skills; emphasis on short-term benefits; non-involvement of enlightened groups; inadequacy in financial resources; and lack of political and popular support.

Public policy is a site of contestation. Discourses of marginal or oppositional groups are, at best, the ‘challengers’ to dominant discourses. It is important to know how ‘oppositional discourses translate into policy in contexts where values and ideologies are overwhelmingly male/mainstream’. Nancy Fraser argued that institutionatization of oppositional feminist discourse tends to two possibilities: a pressure to reprivatize politicized issues or conversely, appropriate them into the existing structures of bureaucracy, nullifying their political impact. In either case, the consequences for women are not in their interests. When appropriated into existing structures of bureaucracy, women’s issues can become ‘depoliticized’. On the other hand, gender-sensitive recommendations may become mere ‘add-ons’ to existing policies. Depoliticized issues may be confined to the domestic sphere and not enter the public policy space.

The Indian State shifted its approach from welfare to position women as targets of a development approach in the Sixth Five Year Plan. The Ninth Plan revised women’s role in development as the State embarked on an ‘empowerment’ approach. According to some authors the State emphasizes improving women’s contribution to the economy – whether by improving women’s access to education and health or removal of inherent barriers within the labour market. Welfare was cast as an economic component of development and was privileged over its social and political aspects.

Constitutionally, the State recognizes the equality of women in its Fundamental Rights and acknowledges in its Directive Principles that women are a vulnerable group that requires special attention. The Indian State has recognized women's differential status in society and acted to challenge their social and political exclusion. Specific legislative and institutional mechanisms set up by the government seek to ensure the advancement of gender equality in India.

13.13 GLOSSARY

- Additional Resource** : It means resources are raised through additional efforts such as levying new taxes and/or raising the rates of existing taxes
- Mobilization**
- Indicative Planning** : A term used in the Eighth Plan. In line with the changed international and domestic circumstances, the role of the Planning Commission was redefined from a highly centralized planning system to gradually moving towards indicative planning.
- National Development Council (NDC)** : It is the apex body in India for economic matters. It takes all final decisions as regards the size, contents, objectives and strategies of the plan. The Planning Commission functions as an advisory body to NDC. The NDC was set up in August 1952 with the following objectives: (a) to review the

working of the National Plan from time to time, (b) to consider important questions of social and economic policy affecting national development, (c) to recommend measures for the achievement of the aims and targets of the national plan.

13.15 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The Planning-Programming-Budgeting System (PPBS) was first adopted in the US in 1960s both for increasing administrative performances and for improving the policy making process in the military field. The technique of PPBS was promoted as a means for improving policy making and performance throughout the national government. This was helpful in designing the budgeting and policy making. The overall purpose of PPBS was to create rationality in the budgeting process, by requiring administrators to plan long range organizational goals and establish programmes to attain the goals. With the use of PPBS, the budgeting process is evaluated at every step. PPBS enables thorough examination of goals related to a policy or programme. Then analysis of alternatives is made to find the most effective way of achieving programme/policy objectives at least cost. Thus PPBS tries to review the outcome of the policy/programme at every stage. For example, the stipulated objectives of the Mahatma Gandhi National Rural Employment Guarantee Scheme (MNREGA) relating to participation of women and its contribution to focusing on women's concerns in the light of the objectives, can be reviewed from time to time, through PPBS.

Check Your Progress Exercise 2

- 1) The System Model put forward by Easton, views the policy process as a political system that responds to the demands of the environment. According to this Model, a policy is the response of the political system to the changing demands and desires of the people. The political system consists of various interrelated institutions and activities in a society that comes up with policy decisions in the society. The environment provides inputs to the decision process in the form of demands and supports. Demands are claims of individuals or groups to satisfy their needs. Support is rendered when individuals or groups accept the decisions and actions of the political system that are made in response to demands. The inputs into the policy process are provided by outside interests particularly from pressure groups, consumer groups and interest groups. Such environmental inputs into the political system are converted into outputs or policies. There is a concept of feedback in this model, which serves as a tool to know the advantages and disadvantages of the policy output. The errors in the policy thus get rectified through feedback. The Systems Model views the policy process in terms of conversion from inputs into policy outputs and then to outcomes. Thus, the policy making process has been regarded as a 'black box' which converts the demands of the society into policies.

Check Your Progress Exercise 3

- 1) The Indian system of government is a parliamentary type of government both at the Centre and the States, in which the government consists of the political executive, the Council of Ministers and the administrative executive, the civil servants. This system is believed to be efficient and effective in all matters of

legislation, policy formulation and so on. As far as policy formulation is concerned, the role of the administrative executive is to assist the ministers. The ministers are responsible and answerable to the parliament and legislature, regarding policy matters. Thus, if the policies formulated by the government become unacceptable, the council of ministers becomes responsible to it and must even resign in case it loses the confidence of the legislature.

2) Media, Individual Citizens, Political Parties and Civil Society Organizations.

13.16 REFERENCES

Agarwal, O.P and Somanathan, T.V. 2005. Public Policy Making in India: Issues and Remedies, available at <http://floatingsun.net/udai/files/Agarwal-Somanathan.pdf>

Anderson, James E.. 1975. *Public Policy-Making*, Praeger, New York.

Harmon, Michael Mont, 'Administrative Policy Formulation and the Public Interest', *Public Administration Review*, Vol. 29, No. 5 (Sep. - Oct., 1969), pp. 483-491.

Moody, Steven, M. and Herbert, Adam, W. 'Beyond Implementation: Developing an Institutional Theory of Administrative Policy Making' *Public Administration Review*, Vol. 49, No. 2, Special Issue: Minnowbrook II. Changing Epochs of Public Administration (Mar. – Apr., 1989), pp. 137-143.

Osman, Ferdous Arfina, 'Public Policy Making: Theories and their Implications in Developing Countries', *Asian Affairs*, 2002. Available at <http://www.cdrb.org/journal/2002/3/3.pdf>.

Parsons, Wayne. 1995. *Public Policy*, Edward Elgar, Cheltenham, UK.

RTPI. 2003. Gender Equality and Plan making: The Gender Mainstreaming Toolkit, Royal Town Planning Institute, London.

Watson, Joy. 'So What does Gender Planning Mean to Policy Makers', *Agenda*, No. 40, Citizenship, 1999, pp.32-37.

Rai, S. (1996b) "Women and the State in the Third World: Some Issues for Debate", in S. Rai and G. Lievesley (eds) *Women and the State: International Perspectives*, Taylor and Francis: London, pp.5-23.

Jayal, N.G. (1994) "The Gentle Leviathan: Welfare and the Indian state", *Social Scientist*, Vol. 22, No.9-12, pp.18-26.

Agarwal, B. (1988) "Patriarchy and the 'Modernizing State': An Introduction", in B. Agarwal (ed.) *Structures of Patriarchy: The State, the Community and the Household*, Zed Books: London and Kali for Women: New Delhi, pp.1-28.

Kasturi, L. (1996) "Development, Patriarch and Politics: Indian Women in the Political Process" in V.M. Moghadam (ed.) *Patriarchy and Development: Women's Positions at the End of the 2th Century*, Clarendon Press: Oxford, pp. 99-144.

Hasan, Z. (1994) "Introduction: Contextualizing Gender and Identity in Contemporary India" in Z. Hasan (ed.) *Forging Identities: Gender, Communities and the State*, Kali for Women: New Delhi, pp. vii-xxiii.

Sapru, R K. 2010. *Public Policy: Art and Craft of Policy Analysis*, PHI Learning Private Limited, New Delhi.

Sidney, Mara S. 2007. *Policy Formulation: Design and Tools* in Fischer, Frank, Miller, Gerald, J and Sidney, Mara S. eds. 2007. *Handbook of Public Policy Analysis: Theory, Politics and Methods*, New York: CRC Press.

Stone, D. (1988) *Policy Paradox and Political Reason*, HarperCollins: USA.

Fraser, N. (1989a) *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory*, Polity Press: Oxford.

Fraser, N. (1989b) "Talking about Needs: Interpretive Contests as Political Conflicts in Welfare State Societies" in C.R. Sunstein (ed.) *Feminism and Political Theory*, The University of Chicago Press: Chicago and London, pp. 159-181.

Beall, J. (1997) "In Sickness and in Health: Gender Issues in Health Policy and their Implications for Development in the 1990s" in I. Baud and I. Smyth (eds.) *Searching for Security: Women's Responses to Economic Transformation*, Routledge: London and New York, pp. 67-95.

Harding, S. (1995) "Just add women and stir?" in Gender Working Group, United Nations Commission on Science and Technology for Development, *Missing Links: Gender Equity in Science and Technology for Development*, International Development Research Centre in association with Intermediate Technology Publications: Ottawa, and UNIFEM: New York.

Rai, S. (1996a) "Women and the State in the Third World", in H. Afshar (ed.) *Women and Politics in the Third World*, Routledge, London and New York, pp.25-39.

Rai, S. (1996b) "Women and the State in the Third World: Some Issues for Debate", in S. Rai and G. Lievesley (eds) *Women and the State: International Perspectives*, Taylor and Francis: London, pp.5-23.

Jayal, N.G. (1994) "The Gentle Leviathan: Welfare and the Indian state", *Social Scientist*, Vol. 22, No.9-12, pp.18-26.

Hasan, Z. (2002) "Religion and Politics in a Secular State: Law, Community and Gender" in Z. Hasan (ed.) *Politics and the State in India*, Sage: New Delhi, Thousand Oaks, London.

Basu, A. (1998) "Appropriating Gender" in P. Jeffrey and A. Basu (eds) *Appropriating Gender: Women's Activism and Politicized Religion in South Asia*, Routledge: New York and London, pp. 3-14.

John, M. (1996) "Gender and Development in India (1970s-1990s): Some Reflection on the Constitutive Role of Contexts", *Economic and Political Weekly*, November 23, pp. 3071-3077.

Agnihotri, I. and Mazumdar, V. (1995) "Changing Terms of Political Discourse: Women's Movement in India, 1970-1990s", *Economic and Political Weekly*, July 22, pp. 1869-1878.

Chaudhuri, M. (1995) "Citizens, workers and emblems of culture: an analysis of the First Plan document on women", *Contributions to Indian Sociology*, Vol. 29, Nos. 1 and 2, pp. 211-235.

Desai, N. (1986) "From Articulation to Accommodation: Women's Movement in India", in L. Dube, E. Leacock and S. Ardener (eds) *Visibility and Power: essays on Women in Society and Development*, Oxford University Press: New Delhi, pp. 287-299.

Centre for Development and Human Rights (2004) *The Right to Development: A Primer*, Sage: New Delhi, Thousand Oaks, London.

Simon - Kumar, R. (2007) 'Marketing' Reproduction: Political Rhetoric and Gender Policy in Indian, Zubaan, New Delhi.

13.17 QUESTIONS FOR REFLECTION AND PRACTICE

- 1) Explain different techniques involved in policy formulation.
- 2) Discuss any four models of policy formulation.
- 3) List the organizations involved in policy formulation in India and briefly explain the role of each organization in policy formulation.