Abstract

This article argues for a greater focus on human rights as practice through understanding the complex dynamics of collective action to secure rights-based entitlements and freedoms. This is particularly pertinent in contexts where certain social groups do not enjoy their socio-economic rights due to the unequal distribution of available livelihood resources. Drawing on two case studies of Dalit women’s struggles for livelihood entitlements in rural Tamil Nadu, South India, this article reveals the factors and processes that enable and constrain these women’s ability to collectively organise and claim needed livelihood resources. The case studies argue for a focus on how multiple structural axes such as caste, class and gender mutually construct each other and shape multiple power relations within specific socio-historical contexts. These complex power dynamics, embedded in social and institutional norms and practices, condition and, in turn, are conditioned by Dalit women’s collective action. These dynamics also influence how the women’s claims are dealt with by formal (State) institutions, and point to the relationship between formal and informal institutions. The article then indicates some key implications for operationalising rights-based development strategies targeting socially excluded groups.

Keywords: agency; Dalit women; entitlements; intersectionality; power relations; rights-based development; rights-based strategies; social exclusion

1. INTRODUCTION

No one would deny the enormous gaps that exist today between declared rights under international human rights law and the reality of the non-enjoyment of rights for
many people around the world. Rather, the differences lie in terms of the strategies to ensure human rights for all. The gaps in State implementation of human rights norms point to the limitations of top-down strategies prescribing legal and policy measures to generate social change. This is particularly the case in many countries today where persistent non-implementation of rights norms occurs. Non-implementation, moreover, is often selective towards certain social groups and not others. Attention is thus drawn to the structuring of social difference in local contexts. This is evident with regard to livelihood-related rights, where socio-political forces determine the patterns of allocation and distribution of resources. The placement of certain social groups at a permanent development disadvantage vis-à-vis other groups, as well as physical conflicts, are often the result.

An example of persistent non-implementation of rights can be seen in the case of the approximately 81 million Dalit women in India. These women face systemic discrimination and exclusion on the basis of their birth into particular castes, to which historically prescribed, degrading occupations linked to death, dirt and menial labour are attached.1 Gender discrimination and exclusion compound this situation. Female subordination is built into the caste system though social norms of endogamy and patrilineal inheritance, which lead to control over women’s sexuality and limited property rights. Denial of equality and basic rights to them includes the debarring of equal access to and command over resources, ranging from land to decent employment to education. All these resources are required to enjoy a decent livelihood. The denial of rights also includes the use of coercive force in the form of often egregious violence against Dalit women and/or their families when they attempt to assert their entitlements to livelihood resources. This situation continues today despite a constitutional right to non-discrimination on the basis of caste, and the prohibition of ‘untouchability’ or socio-economic disabilities based on birth into a ‘polluted’ caste.2 A major reason for the denial of their rights is the non-implementation or poor implementation of laws, including special protective criminal laws, affirmative action (reservations), and a host of development measures targeting Dalits and women. Consequently, Dalit women are one of the most socio-economically deprived and disadvantaged social groups, lying at the bottom of most development indicators.3

The situation of Dalit women highlights two points around which this article is based. One is the need to focus beyond the availability of resources to fulfil socio-economic rights. ‘Availability’ currently frames much of the discussion on State

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1 The Committee on the Elimination of Racial Discrimination, in General Recommendation XXIX, UN Doc. A/57/18 (2002), has noted that discrimination based on ‘descent’ covered by Article 1(1) of the International Convention on the Elimination of All Forms of Racial Discrimination 1965 includes discrimination against members of communities based on forms of social stratification such as caste, which nullify or impair their equal enjoyment of human rights.

2 Articles 15(1) and 17 Constitution of India 1949 respectively.

obligations under the International Covenant on Economic, Social and Cultural Rights 1966. Instead, attention is drawn to the politics of *allocation and distribution* of resources in a country that ranks among the ten largest world economies in terms of gross domestic product. A focus on distribution brings to the fore the wider economic and political factors as well as the institutional biases embedded in the Indian State and society, which prevent specific social groups, such as Dalit women, from accessing and controlling available resources. In other words, by placing politics and power dynamics at the centre of analysis, the structural conditions determining who participates, whose voices get heard and who benefits under current institutional rules, are exposed.

Flowing from this is the second point: the need for a broader conceptualisation of human rights and its attendant tactics and tools. This need is achieved by shifting from human rights as law to *human rights as action-oriented practice*. Top-down strategies focus on States strengthening their legal and policy norms and establishing benchmarks for the progressive realisation of socio-economic rights. These strategies, however, are inadequate in and of themselves. First, Dalit women often face severe challenges in accessing and receiving the equal protection of the law as a result of discrimination based on their ‘low’ caste, class and gender status. Second, such strategies fail to take into account the fact that many Dalit women engage in local socio-political struggles as individuals and as collectives to realise their rights. Top-down strategies, therefore, arguably are complemented by bottom-up political strategies. The latter strategies emphasise collective action – that is, extra-institutional forms of mobilisation around rights – which supports the observance of formal (legal) institutional norms and transforms unequal power relations. From this perspective, rights are political tools to challenge and (re)distribute power used by the myriad of people’s movements fighting for their perceived just entitlements and freedoms in specific socio-historical contexts. Collective action in a wider political arena, including and moving beyond formal State institutions, generates discourses that are constitutive of human rights. They widen the scope of what

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4 Article 2(1) of the Covenant commits each State Party to take steps, *to the maximum of its available resources* (emphasis added), with the goal of progressively achieving the full realisation of the rights recognised in the Covenant by all appropriate means.
becomes generally viewed as rights in different contexts. Here, people are not viewed solely as victims of human rights violations: a construction that often operates to deny their subjectivities and agency. Rather, they are also actors capable of engaging in struggles to operationalise their rights, thereby overcoming social exclusion and other forms of injustice.

In this article two case studies of Dalit women’s collective action to secure or protect livelihood entitlements in different contexts in rural Tamil Nadu, South India are used to highlight some key characteristics of the practice of human rights. Entitlements here are understood as actual, protected access to and command over the material, human and social resources required to enjoy a decent livelihood. An understanding of agency and power is developed which can adequately account for Dalit women’s multiple identities and positioning within intersecting caste, class and gender structures. This draws attention to two separate, but related, aspects of entitlement struggles as far as excluded actors are concerned.

The first is moving towards a sense of entitlement, in the sense of a conviction of the moral rightness of one’s claim to resources necessary for eking out a decent livelihood. In other words, Dalit women must become conscious that they can legitimately claim basic livelihood resources. This leads to the second, taking strategic action to secure prioritised entitlements. Empirical findings highlight the complex dynamics of power relations at multiple levels, from the family to the State, which both shape and are shaped by entitlement struggles. Intersecting caste, class and gender structures, which are expressed in social norms and practices, condition these power relations and influence decision-making on Dalit women’s resource claims. From the analysis of the processes of organisation and engagement in livelihood struggles, insights for strategies to secure rights-based entitlements and freedoms are derived.

The article is organised as follows: section two briefly outlines the framework for understanding collective action by socially excluded actors to secure entitlements, and the methodology used in the research. Section three then lays out the main characteristics of the two case studies, which leads to a discussion on the ways in which Dalit women manoeuvre within power relations in order to collectively assert claims to livelihood resources. Section four then examines several key implications for the operationalisation of long-term, sustainable rights-based development strategies targeting socially excluded people.

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2. CONCEPTUALISING AND RESEARCHING COLLECTIVE ACTION TO SECURE LIVELIHOOD ENTITLEMENTS

The framework to conceptualise human rights based on people’s collective action to secure livelihood entitlements rests on three pillars. First, an entitlement systems approach focuses on the structures behind actual entitlement positions and the processes through which rights are operationalised as protected entitlements in specific contexts. This approach extends the entitlements analysis developed by Amartya Sen, which originally concentrated solely on legally owned resources as well as goods and services that could be obtained through production, exchange or transfer of those resources. Entitlement systems analysis, by contrast, includes all regularised, institutional arrangements for establishing legitimate claims to resources as entitlements. These are four-fold: legal ownership of resources; State arrangements which grant resources to certain groups of citizens, such as the poor; sanction for resource claims made by informal, social institutions, such as caste-community councils; and human rights which establish claims, based on universal principles, to the resources required to live with human dignity. In particular, informal institutional rules, establishing local norms on entitlement based on caste and gender hierarchical ideologies, often conflict with legal rules and State entitlement arrangements based on principles of equality and social justice. Within the arena of contestations over resources structured by these interacting entitlement systems, social relations of power strongly influence which rules apply and whose interests prevail. It is in this context that collective action becomes a legitimate strategy to use when livelihood needs are not met as a result of the failure to secure entitlements through existing formal and informal institutions.

Second, an understanding of how Dalit women can secure entitlements is complemented by social exclusion, which explains the structural and socio-historical causes for their failure to acquire entitlements from any of the above entitlement systems. Specifically, social exclusion captures the social relations and dynamic processes that ensure that these women are systematically debarred from access to the economic, political and socio-cultural resources for their development. Moreover, the power dynamics within social exclusion processes, built around intersecting,
structural boundaries of caste, class and gender, affect Dalit women’s perceptions of agency and choice. This is because caste, class and gender simultaneously define Dalit women’s position, individual consciousness, identities and power relations in any specific time and place, with an impact on their access to institutional power.\textsuperscript{15} Social exclusion also brings to the fore the interests promoted by their exclusion, as well as the institutional mechanisms and practices which protect those interests and perpetuate structural inequalities.\textsuperscript{16} At the same time, this research argues the limits of the exclusion–inclusion binary, implying either being outside and not participating or inside and participating in society, for conceptualising complex power relations and agency therein.\textsuperscript{17} Instead, a more nuanced understanding is developed of power in relation to agency.

Third, an actor orientation emphasises Dalit women’s subjectivities and agency. Despite structures of inequality perpetuating social exclusion and conditioning their agency, Dalit women are viewed as capable of using their knowledge and abilities to negotiate any constraints and collectively assert claims to livelihood resources. Indeed, their discursive practices and strategies reveal their changing reasoning when dealing with entitlement deprivation and external development interventions. This is because their actions are continually redefined and attributed meaning through their interactions with other actors.\textsuperscript{18} This actor orientation, however, moves away from liberal human rights theory on two counts: from the notion of the autonomous, free-willed individual as citizen and political subject holding (legal) rights; and from an emphasis on individual capacities and rights-based obligations and outcomes. Instead, it invites a contextualised analysis of human sociality and power relations in the processes of realising rights. A basic definition of agency, therefore, is ‘not as a synonym for resistance to relations of domination, but as a capacity for action that historically specific relations of subordination enable and create’.\textsuperscript{19} In other words, agency does not require over-scrutiny of the intentions of actors. Instead, agency is understood \textit{in relation to} structural power, in terms of the social norms, practices


and discourses existing in specific socio-historical contexts. It is these workings of power and the women's experiences of exclusion based on their intersecting caste, class and gender identities that produce their perceptions of their interests and entitlements, and their sense of entitlement. They also produce the women's organisational capacities and different spaces to manoeuvre within power relations, as well as the range of possible actions to secure entitlements.

The translation of this framework into a practical research strategy required the use of multiple, primarily qualitative research techniques of an ethnographic nature. Case studies of organising and collective action strategies were generated, based on two livelihood struggles Dalit women had undertaken in two villages in Tamil Nadu. The fieldwork was carried out between May 2009 and July 2010. Participant observation was used alongside a series of semi-structured individual and focus group interviews. While the primary focus was on Dalit women, bystanders, supportive or opposing stakeholders, or targets of the women's strategic actions were also included, such as Dalit male villagers, individuals from dominant castes, government officials and the key development interveners in the struggles. The research techniques aimed to capture the women's representations and interpretations of their agency, as well as the complexity and dynamics of collective action. In particular, ethnography helped to expose the interactional relationship between caste, class and gender structures and the women's agency.

Participant observation involved extended interaction with Dalit women and other village actors through both discussions and participating in village daily events. Such observation also enabled the mapping of access to, and control over, livelihood resources, as well as mapping of spaces of inclusion and exclusion in the villages. Informal interviews then generated interpretations of events based on the women's opinions or value judgements. Focus group interviews, by contrast, were used to explore the process of joint construction of collective identity, understanding and action. They also provided key insights into the dynamics of interactions between the women. These techniques were accompanied by documentary analysis of the

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20 Ibid.
women’s petitions and government replies, as well as a small quantitative livelihood survey.

A reflexive process by which fieldwork and analysis mutually informed each other provided the basis for theory building (not theory testing) based on Dalit women’s experiences and understandings of their contexts. The data was read in terms of the collective action processes the women described as well as the perspectives implied, discursive strategies deployed, and power dynamics suggested. The aim was to bring to the fore the perspectives and experiences of rural Dalit women through a process involving constant reflexivity and checking of interpretations with the women.

3. THE POLITICS OF SECURING LIVELIHOOD ENTITLEMENTS: TWO CASES

3.1. KOVILUR DALIT WOMEN’S STRUGGLES FOR HOUSING ENTITLEMENTS

Livelihood deprivation is clearly visible among Dalit women in Kovilur, a small, multi-caste village in Sivagangai district in southern Tamil Nadu. The district is officially classified as economically backward with little industry and low per capita income. Low wage agricultural labour forms a strong livelihood base for Dalits, though there is an increasing trend of male out-migration to the cities for labour work leaving women to continue this occupation. The village is traditionally dominated by dominant caste Nattukottai Chettiyars, the majority landowners. The 50-odd Dalit families are mostly landless, daily wage labourers who have overcome a history of agrestic servitude under the Chettiyars, partly with the help of a Chettiyar patron. Dalit women’s concentration in low wage labour is matched by low education levels and few assets or savings.

The first development intervention targeting Dalit women came in 1999 when Vidiyal, a small NGO headed by a Dalit woman, Veronnika, started organising the Dalit women separately into sangams (women’s associations). These sangams, linked to the government’s Women’s Development Programme (Mahalir Thittam), aimed to establish some basic economic security through savings and credit activities. Concurrently, the sangams also enabled political mobilisation of Dalit women to collectively assert claims to livelihood resources. This was aided by their affiliation to a small district-level Dalit women’s movement. Political consciousness

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28 Dominant caste is used to refer to those castes, irrespective of religious affiliation, which are socially, politically and economically dominant from the perspective of Dalits.
raising and the strengthening of women’s knowledge of village and wider issues included practical information on how to frame petitions to the government. This intervention bridged the gap created by gender and caste exclusion from education and information. Through the NGO the women were also introduced to alternative discourses emphasising values such as caste and gender equality, as well as informed of State entitlement arrangements and what resources the State should grant to them. It is these two sources that enabled the women to develop a sense of entitlement to resources in their names. Accompanying this was a discourse of women’s collective power to take action to secure prioritised entitlements. All of this was built around women’s central need for both physical and livelihood security. Veronnika’s role as a ‘development broker’ was indispensible because of her ability to bridge both worlds of the women and the State, and her social connectedness to both. Her role thus enabled the women to overcome key institutional barriers to entitlement.

Given a situation where two to four families were living together in one or two-room non-permanent housing, Dalit women immediately identified housing as a priority need. Their lack of housing was connected to multiple exclusions that affected their rights to an adequate standard of living and security of life. Housing further symbolised for them freedom from exploitative economic relations with dominant castes, due to their previous residence on Chettiyar land in exchange for assured work and food under agrestic servitude. It meant that for the first time, many families would own some property and, therefore, a claim to village territory and the higher social status of permanent residents. Thus, Dalit women were encouraged to quietly locate suitable vacant land, which they found to be Chettiyar land by the roadside. They then directly applied to higher district officials who dealt with land acquisition specifically for Dalit colony housing. This contrasted with the Dalit men’s failed strategy of relying on the dominant caste local government head to identify land in exchange for money. This official had taken their money and then warned several Kovilur dominant castes to take measures to protect their land against any government acquisition.

At the same time as the women started applying for land title, caste tensions had broken out with the dominant castes in the village concerning rights over the Māriamman temple rituals and festival. Dalits had started this temple years ago on Chettiyar land with a Dalit priest. As it became famous and temple offerings increased, the dominant castes sought to take over the temple management. The proposed housing land would effectively lock the temple between two Dalit colonies. This fuelled dominant caste opposition to the Dalit women’s housing land application. Their opposition included threats of violence and debarring the Dalits from access to the temple and the common pond for drinking water. In other words, the struggle for resources was intimately linked to the struggle to build a positive Dalit identity through the symbolic resources of religion and equal religious rights.

Amidst these caste tensions, once the government publicly announced the land acquisition for Dalit colony housing, dominant castes reacted by expressing their opposition with government officials. Their counter petitions relied on their greater
political connections and economic power. They framed their appeals to officials based on stereotyping of the Dalits as ‘untouchable’ and ‘dirty’. Officials themselves tried to dissuade the women from upsetting caste power relations in their village with requests for dominant caste land for housing, or stalled on taking action on their petitions. It therefore took four years of petitioning and occasional confrontational tactics with officials for the Dalit women to obtain the housing land in their names. Another year was then required to have their formal entitlement translated into actual entitlement with the government allotment of land plots.

A key factor that the women attributed to their ultimate success was the transfer into office of Dalit higher officials who visited their village and/or were sympathetic to their situation, as well as a non-Dalit lower government official without caste loyalties in the area. In other words, in the absence of resources and political power, Dalit women viewed caste affiliation as vital to counter the ‘patronage democracy’ wherein mainly locally entrenched, dominant caste politicians and officials mediated access to the welfare state. Securing basic amenities and a few housing subsidies for the new colony then saw the passage of another three years and numerous petitions. Poverty, however, still constrains many the families in the new colony from constructing houses on their new land.

3.2. UNEVEN POLITICAL-ECONOMICS OF AN ENTITLEMENT STRUGGLE IN MALLIBAKKAM VILLAGE

By contrast, Dalit fisherwomen in Mallibakkam village, Kanchipuram district in northern Tamil Nadu engaged in an ultimately unsuccessful struggle to stop the operation of a shrimp farm in their coastal village and thereby protect their existing entitlements to traditional fishing work, good health and decent living standards. Unlike in Kovilur village, the Mallibakkam Dalit women’s sangams grew out of an earlier development intervention by the local NGO RADA, which focused on liberating Dalits from agristic servitude and empowering them to develop their livelihoods. One of the NGO staff members, Kalvikkarasi, a Dalit woman from Mallibakkam village, later decided to start separately organising the Dalit women. Her reasons were the problems of large-scale Dalit male alcoholism that hindered community development initiatives and the consequently large numbers of socio-economically vulnerable Dalit widows in the village. These sangams, independent of the government, emerged through Kalvikkarasi’s introduction of alternative discourses of female collective power and gender equality as overcoming structural and personal barriers to engaging in public-political action. Similar to Kovilur village, this was alongside political consciousness raising, information sharing and building women’s capacities to engage in political action. The result was to engender feelings of

having legitimate claims to livelihood resources as entitlements, which were translated into action to claim resources. This was alongside actions that supported the process of their forging a new, positive identity, such as their defiance of ‘untouchability’ practices that forbade their entry into a village temple.

In 2002, unknown to the Dalits, several Mallibakkam dominant castes sold off their land near the canal by their village to a Christian businessman from Chennai city. Initially Dalits were given a false promise of work on a fruit farm on the land. Eventually, however, they realised the land was being converted into shrimp ponds. At this stage, they started to protest against the proposed shrimp farm, encouraged by Kalvikkarasi. From witnessing the operation of other shrimp farms in the area, they were already aware of the potential detrimental impacts for their fishing and agricultural livelihoods, as well as to the local environment. Dalit women’s particular vulnerability stemmed from their fishing by hand in the adjacent canal for crabs and prawns, whereas the men of two other fishing castes used small boats and fished in deeper waters. The women’s petitions, therefore, combined an environmental argument with a moral one of protecting the livelihoods of the poor. Later, they added references to a court judgement upholding their livelihood-related rights. When these petitions to higher district and State officials responsible for granting commercial shrimp farming licences met with inaction, Dalit women and men also resorted to physically disrupting the shrimp farm construction. The licencing process itself did not allow space for Dalit women’s participation and the voicing of their concerns. It was well known that the shrimp farm owner paid large bribes to all the concerned officials involved in the licence application. It was also alleged, but heavily contested among Dalits depending on kinship affiliation, that the Dalit male village leaders and the husband of the Dalit female local government head also received bribes to sign off on the shrimp farm licence.

Ultimately, the licence was sanctioned by the Coastal Aquaculture Authority. Tactics then shifted on both sides. Dalits now engaged in a struggle against legality in favour of legitimacy. They chased off the shrimp farm construction workers from the land. The farm owner retaliated by filing a police complaint and approaching the local court for a writ of mandamus to ensure police protection in respect of the farm. The farm owner’s entire land also became off-limits; private law relating to acquisition of formal land entitlement now came to directly oppose Dalits’ informal institutional entitlement to access the canal. Dalits also sought the protection of the law for their livelihood entitlements. They introduced legal norms and standards into the framing of their demands through a pro bono public petition before the Chennai High Court, seeking a writ of mandamus to halt the shrimp farm. The basis of the petition was the resulting water pollution; adverse effects on local livelihoods; and the proposed shrimp farm’s location on agricultural land in contravention of the Supreme Court’s prohibition of the conversion of agricultural or public lands into commercial shrimp
The Court, however, decided not to go into the merits of the case and instead directed the district government head to make a final decision based on the Dalit women’s original complaint and in accordance with the law. The final government order in 2004 dismissed the women’s complaint based on the Aquaculture Authority’s order approving the farm licence. According to the women, this was influenced by the economic and political power of the shrimp farm owner.

The Dalits’ strategies further widened in the aftermath of the 2004 Indian Ocean tsunami, which devastated the coastline of Tamil Nadu and brought in its aftermath a flood of NGOs into the coastal villages. Tamil Nadu Dalit Women’s Movement, a State-wide movement of Dalit women activists and organisations working for Dalit women’s rights, first entered Mallibakkam for tsunami relief work. They simultaneously used this opportunity to give local training to the women on practical livelihood skills and on their legal rights and entitlements under government schemes. Upon being approached by Dalit women for help in their struggle against the shrimp farm, movement members responded by facilitating a wider phase of struggle. They called upon their broader networks of lawyers and non-government organisations for support. They also strengthened values and practices of solidarity by bringing together Dalit women across the villages in the area on this issue.

Under the guidance of the movement, Dalit women again filed petitions before government officials, and publicly protested against the government’s non-recognition of their livelihood-related rights and corruption in the farm licencing process. The inadequate State response to their actions drove a further shift in tactics. They next blocked the main highway by their village in protest, seeking to make the officials listen to their concerns. The police, however, resorted to physical violence to break up the protest. This, alongside a series of false cases filed by the shrimp farm owner in the aftermath, effectively silenced the Dalit women. Their struggle thus highlights the disjuncture between State laws and policies, and State practices which further entrench social exclusion and inequalities in new ways. Given this situation, international fact-findings and petitions to UN officials have been unable to generate any impact.

Consequently, Dalit women today experience several detrimental effects on their livelihoods. Potable water, health, adequate food and work have all been negatively affected due to environmental pollution and groundwater extraction by the shrimp farm. Restricted mobility, their household labour burden and low education then limit the women’s opportunities for livelihood diversification in comparison to men. This serves to underscore their ‘low’ social position and increase their dependency on men. The consequent increasing reliance on high-interest loans from dominant caste moneylenders to make ends meet also fuels the cycle of poverty, with negative

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30 S. Jagannath v Union of India and others (1997) 2 SCC 87 prohibited semi-intensive and intensive shrimp farming in the coastal regulation zone and the conversion of agricultural or public lands into shrimp farms. These prohibitions were established in order to prevent serious environmental, social and economic problems accruing to rural communities in the area.
implications for the women’s ability to engage in *sangam* activities. Despite these impacts, the Aquaculture Authority renewed the shrimp farm licence in 2007.

3.3. MANOEUVRING WITHIN MULTIPLE POWER RELATIONS

Both of the above livelihood entitlement struggles reveal how Dalit women exercise their agency within structures and relations of power. For Dalit women to act they had to negotiate manifold caste, class and gender practices and relations by which they forge their entitlement position and interests. The dynamics between the women and State and non-State actors also have to be viewed in relation to the wider economic and political environment, including the politics of resource allocations by the State as well as State discourses about the fulfilment of Dalit women’s development needs. Women negotiated this context and dynamics in order to secure entitlements in several ways. These are examined below: first, in terms of the structures and processes facilitating and constraining their organisation and agency; second, in terms of changing fields of power at multiple levels influencing both institutional practices and the women’s actions.

These women’s organisations were catalysed by the intervention of the NGOs, which supported the construction of a collective identity among the women and promoted their agency. Part of organising Dalit women for collective action was encouraging discursive shifts in their positioning within both caste and gender relations. The NGOs opened an alternative discourse of collective Dalit female power by recasting the women’s caste identity in positive terms through the medium of symbolic resources, namely the struggle over temple rights in Kovilur village or entry into the temple in Mallibakkam village. Interconnected with this was the re-valourising of their gender identity through the introduction of alternative discourses related to women’s necessity for successful public-political action. These discourses did not encompass a critique of caste/gender hierarchy and disentitlement. Instead, they primarily focused on the women’s advantages over Dalit men in terms of a greater ability to have their voices heard by government officials and the lesser risks of caste-class retaliation from officials or dominant castes. In the case of Mallibakkam village, discourses also sought to distinguish between Dalit women’s concern for the village and the dominant castes’ greater concern for individual family or caste development. The process of re-identification, however, created potential contradictions as new norms intermeshed with re-interpretations of established norms. Hence, while this process disturbed social norms, these norms were also reproduced through references in Mallibakkam to Dalits’ service for the village (being traditionally a service caste for others), and in Kovilur to women’s self-sacrificing, altruistic nature. Thus, structural discontinuities are constructed within spaces marked by structural continuities, as women adapt new discourses into their lifeworlds and existing understandings as part of their political organisation.
The complexities of power and agency, however, are evident in the women’s reinterpretation of alternative caste and gender discourses expressing values of equality and collective power. These reinterpretations occurred as women manoeuvred around a number of interconnected caste, class and gender barriers to their participation. Such barriers included issues of illiteracy linked to lack of self-confidence to exercise their voice. They also included the sheer physical exhaustion and lack of spare time accompanying their double burden of work. Women also negotiated their unequal positioning within the household and both their emotional and economic dependency on men therein. Moreover, engrained patterns of patronage and dependency arising from historical conditions of agrestic servitude remained. Based on these factors, there were hierarchies among women in terms of voice, decision making and action. However, this did not preclude a sense of shared power and effective collective action. All of these factors point to the limitations of the notion of transformative participation, the idea of mutual decision-making and equal validation of the knowledge of all Dalit women sangam members. Instead, greater attention is drawn to local inequalities and power relations that shape participation, and that need to be addressed in order to strengthen participation in struggles for entitlements.

At the same time, Dalit women’s identification and positioning within intersecting social axes reveal the limitations of automatically linking exclusion with victimhood and lack of agency. Shaping exclusion processes for these women were both exclusion per se and adverse inclusion such as caste-based confinement to labour work on a lesser wage than men. The paradox women faced was inclusion within community, kinship and family relations with multiple duties or obligations, while simultaneous exclusion in the form of lesser entitlements and freedoms. Nonetheless, their exclusion simultaneously produced room to manoeuvre in exercising agency. In both villages, the construction of their collective Dalit female identity and agency was supported by existing networks of female solidarity formed by shared experiences of segregation, exclusion and the caste and gender divisions of labour. Their political exclusion and greater social isolation from patron-client modelled local politics and inter-caste interactions as compared to Dalit men, also ensured that Dalit women enjoyed greater independence and attracted lesser attention in organising and taking action. This also meant a lesser likelihood that they would be co-opted by the corrupt practices of other actors in contrast to Dalit men, as seen in Mallibakkam. In organising these women for collective action, these spaces created within their excluded position were used and enabled some re-evaluation of women’s roles, identities and power. The result was feelings of self-confidence and self-worth that despite illiterate, Dalit and female,

their voices counted and they had the knowledge and power to act on village issues independently, without relying on others.

Viewing Dalit women’s agency in this manner strengthens the argument for conceptualising agency as a capacity for action by individuals as defined by their multiple identities and social relationships and conditioned by structural constraints and opportunities. In other words, the women did not act outside of power structures; rather, they worked within and pushed at structural boundaries, as they negotiated around power relations. This argument is strengthened further by analysis of the women’s room to manoeuvre within four levels of the power relations: the family, dominant castes, State actors and the NGOs.

At one level, Dalit women had to negotiate around their relations with dominant castes-classes. In Kovilur village, the interconnected temple and housing land struggles defined dominant caste opposition to the Dalit women’s claim to housing land. This opposition emphasised dominant discourses of the women’s disentitlement due to their ‘polluted’ status. The temple struggle, however, entrenched Dalits’ counter-discourse of equality in religion, which extended to equality in terms of entitlements to housing land. Therefore, Dalit women’s actions regarding housing land entitlement centred on further separation from social and economic dependence on the dominant castes, thereby minimising the power of dominant castes to determine their livelihoods. Additionally, their enhanced knowledge of the law and government officials gave the women confidence and security, knowing that dominant castes would no longer physically threaten them with impunity. At the same time, this is balanced by continuing dependency on dominant castes today for loans, access to common property resources in the village and to local government development benefits. By contrast, Dalit women in Mallibakkam had few interactions with the shrimp farm owner, who lived outside the area. They instead had to contend with his power to pay large bribes to government officials and to use his political influence to affect the shrimp farm licencing process. The only avenue open to the women to offset his power was to negotiate with State officials on the basis of the law/policy and to assert a moral claim to the adequate means of livelihood. This leads to the next point, involving Dalit women’s engagement with the State.

A second level of manoeuvring within power relations involved the women’s reliance on State institutions to counter-balance informal institutions reflecting social norms of disentitlement. On the strength of their organisation into government-affiliated sangams, Kovilur Dalit women repeatedly approached higher district government officials to counter the dominant castes’ opposing petitions and discourses of Dalits’ ‘caste impurity’ precluding the grant of colony housing land. The women’s petitions to higher officials also reflected an understanding of the State and the conflicting practices of its multiple actors. Higher officials were deemed more likely to impartially apply formal State rules, being often from outside the local area. Meanwhile, lower officials would engage in practices of bribe-demanding and more likely display caste prejudices against the women due to their greater connections...
to the local (caste) communities. The interacting influence of dominant castes and dominant caste-class norms on formal institutional arenas, however, produced limited allies among government officials. These alliances were based less on gender per se but based more on identity as Dalit or as a caste without local socio-political ties. In other words, there was much stronger reliance on caste as opposed to gender identity in securing support from officials in the absence of political or economic power and influence. Hence, Dalit women in Kovilur credited Dalit higher officials with finally sanctioning land title to them. Other caste officials delayed on taking action on the women’s petitions, or accepted bribes from the dominant castes to side against the Dalits. They also refused to challenge entrenched exclusions; they instead emphasised the Kovilur women’s livelihood and physical insecurity in order to encourage the women to alter their claims in ways that left local caste relations unchallenged.

The situation with the Mallibakkam Dalit women, by contrast, reveals the disjunction and tensions between, on the one hand, State laws, policies and schemes that establish formal rules on entitlement, and on the other hand, contradictory State practices in a context of globalisation and economic liberalisation. Specifically, these women experienced the negative effects on formal institutional entitlements caused by deregulation curtailing the redistributive function of the State. This meant that they were in a disadvantaged position to secure or protect their entitlements. Coupled with this fact was the Indian State’s pursuit of macro-economic policies prioritising marine exports, which has led to the restructuring of the local rural economy for commercial fisheries production. State actors, influenced by practices of corruption, thus proactively supported the shrimp farm operation despite indications of licence illegalities and the women’s pursuit of both legal and political remedies through State institutions. Moreover, the absence of participatory spaces in State decision-making on licences ensured that formal institutional processes precluded judicial consideration of Mallibakkam women’s substantive claims.

The key coalition between the dominant-class, shrimp farm owner and parts of the State highlights the importance of class position. It also points to the role of the State in reproducing class inequalities. This makes a simplistic State-citizen binary problematic. Mallibakkam Dalit women’s exclusion from political networks (itself a result of socio-economic exclusion) as well as their lack of financial resources (an outcome of economic exclusion in terms of landlessness and concentration in waged labour) contrasted with the shrimp farm owner, who had both connections and money. Their poor education and knowledge levels, moreover, suggest that the Dalits also lacked the cultural capital required to effectively negotiate with State actors. At the same time, though, class inequalities cannot be separated from those of caste and gender. Mallibakkam women assessed that the lack of Dalit officials contributed to their failure to prevent the State

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from sanctioning the shrimp farm licence. Moreover, the effects of the shrimp farm are disproportionately borne by Dalit women. Dominant caste fishermen simply move their boats further away to avoid fishing in the polluted waters. Dalit women cannot do the same since they fish by hand in the shallow waters. Dalit men also have a greater ability to migrate to nearby towns and cities for work than women do.

Dalit women also encountered a third level of power relations with their families and communities. They tended to position themselves as working for their family and community development and security during the struggles. One reason for this was the women’s subordination not only in terms of gender, but also in terms of caste and class. This impacted the types of claims that women were willing to make against their husbands while they were tied to men in an economy of survival. The dominant caste-class influence over Dalits’ situation of livelihood deprivation and the opposition they encountered while acting to secure entitlements further strengthened this position. Therefore, though they were demanding resources in their names, the women did not place themselves as opponents to Dalit men challenging gender subordination. The result was the women’s failure to act on explicitly gender interests despite voicing a strong sense of entitlement to a married life free from violence and male alcoholism. Demonstrating the utility of their collective action and investing in female family members instead lessened male opposition. This opposition initially consisted of belittling the women’s public role by reference to their gender inferiority and discourses of female immorality in exercising freedom of movement in public and neglect of household duties, aside from occasional domestic violence. Promoting women’s instrumentality for securing entitlements also enabled the women, at least to some extent, to renegotiate gender roles to allow their public-political action.

This process of negotiating gender norms and roles is one of incremental change. Men still attempt to set limits around women’s collective action in the public sphere as action attached to their family roles, thereby domesticating any perceived alteration of gender roles. The women quietly contest this by engaging in community and village-level issues like the temple struggle in Kovilur and the shrimp farm struggle in Mallibakkam. Part of this renegotiation of gender roles involves the women reproducing the gender division of labour and working around, as opposed to challenging, male control over female mobility. For example, in both villages the women continued to balance their work both outside and inside their homes while engaging in sangam activities. They further ensured that they travelled outside the village as a group, thereby fulfilling male expectations of their safety and ‘protection’ without men’s presence. Women who were most free had older daughters to assume their household duties, thereby reproducing gender roles. This was further complicated by kinship norms and intra-gender household dynamics between women, through which gender identity is constituted and compensatory power granted to women. Hence, in Mallibakkam village where women belonged to multiple kinship groups, some would continually emphasise the role of their male kin in the shrimp farm struggles as a way of ensuring due status to their kinship clan and, indirectly, to
themselves. Intra-gender dynamics within households operated in a similar manner: several older Kovilur women were able to attend sangam activities due to the presence of younger daughters-in-law who could take over their household duties from them.

Moreover, as Kovilur women demonstrated, property rights for women did not necessarily affect gender norms shaping decision-making on property use or inheritance. The divergence between acquired rights, or protected access to resources as entitlements, and actualised or effective rights, implying control over a resource in its use, was clear. One does not automatically lead to the other. At one level, this distinction emerged through State practices vis-à-vis State entitlement arrangements. Thus, Kovilur Dalit women continued their collective action when they witnessed government officials grant land title in their names without actually allotting plots for them to start building their homes. At another level, the alternative discourses on equality introduced through development interventions shaped Dalit women’s willingness to secure resources in their names as a means of enhancing their security of life and social status. This occurred in Kovilur, shifting perceptions of the women from that of asset-less dependents to entitlement holders. However, it did not lead the women to confront gender inequalities regarding property inheritance. The women instead insist on following patrilineal inheritance norms, despite recognising the security that land ownership provides women. The explanation rests on two points: one is an understanding of fairness built on sons inheriting property and daughters receiving dowry for their marriages; second is the informal system of old-age social security in India that relies on propertied sons to care for their aged parents. A more complicated picture emerges when one examines the different cultural meanings of equitable shares embedded in social practices and the force they command, with implications for effective rights to property for women.

A fourth set of power relations is the women’s interactions with outside agencies, in both cases with local NGOs, and the roles that are constructed for these agencies in the process. The model of external development intervention showcased in both villages was in keeping with a bottom-up approach to human rights, in which external agencies play a catalytic rather than directive role. Their function was to provide political consciousness, capacitation and guidance on collective action strategies. On top of this, outside agencies assumed the role of development brokers by playing a bridging role between State actors and Dalit women. They compensated for the women’s exclusion from formal institutional processes and politics. At the same time, they introduced women to new discourses on their entitlements and collective power to act. They were able to translate formal institutional processes for the women while shaping the women’s demands into viable claims on the State. In doing so, they influenced the women’s social interfaces with the State and the structural discontinuities produced therein. In this sense, development brokers contributed towards reshaping how women understood their agency and livelihood entitlements, as well as how the State understood them. The brokers thereby supported the institutional legitimation of Dalit women’s entitlement.
However, Indian villages have historically been governed by hierarchical patron-client relations. Thus, development brokers often tread a fine line between directing and facilitating collective action. This was evident in Kovilur Dalit women’s interactions with the local NGO. The women sought to replicate a previous patronage relationship of loyalty in exchange for protection and development. For NGO staff Kalvikkarasi, from Mallibakkam, her belonging to the village itself posed a barrier. Her position as a trusted village member, alongside her greater education and knowledge of government schemes and dealings with officials, generated greater expectations among the women that she would speak on their behalf and manage their interactions with government officials. Alternative, more equitable, models of leadership and facilitation therefore need to be built. A new sort of leadership would broaden Dalit women’s perceptions beyond hierarchical relations and promote their equal voice and independent decision-making. In both villages, this shift in perceptions is incomplete, which causes a divide in *sangam* participation between leaders who have some ability to set *sangam* priorities, and members who only participate in activities. Part of this process is continually emphasising alternative discourses, such as equality and promoting discursive consciousness of structural inequalities. Another part is promoting accountability among women as well as between women and development brokers. Everyone must be accountable for finances, roles and responsibilities, as well as for information sharing. The dangers of not attending to these various processes were exposed in Kovilur village, where the *sangams* fell apart because of a lack of financial accountability. In Mallibakkam village, problems of information sharing among the large group of women served to weaken their collective political identity.

Women’s room to manoeuvre within power relations as they engage in collective action, therefore, is characterised by balancing multiple relations and interests therein. It involves both exercising power to induce structural discontinuities, as well as reproducing certain power inequalities. This process yields new, if divergent, understandings and valuations of women’s roles as they push at structural boundaries. Including them and making them visible, without sensitivity to these women’s complex positioning within power relations, might operate to constrain the women within power relations and reinforce certain norms. The above analysis also shows that alternative discourses, such as that of gender equality introduced by external intervention, are reinterpreted through notions of social connectedness, interdependency and the complexity of relational ties. All this has implications for agency and choice.

One implication is that the political strategies in which Dalit women engage remain flexible, adapting to the anticipated and actual reactions of other actors. Hence, the women drew upon multiple discourses related to formal institutional norms or different aspects of their caste, class and gender identities in strategically framing their petitions to resonate with State officials and/or counter perceived biases.

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from these officials. For example, Mallibakkam women combined an environmental argument, a moral argument to protect their livelihoods, and a legal argument based on a Supreme Court judgement. These political demands remained flexible, and were constantly adapting to the anticipated reactions of others. Hence, in light of the caste tensions around temple rights in Kovilur village, Dalit women chose not to highlight entitlements to colony housing based on their caste identity. They instead focused on their affiliation to government *sangams* and poverty as means of appealing to the State. This simultaneously downplayed the aspect of their identity (caste) that might invoke prejudice from dominant caste officials.

The flexible application of different discourses in framing their demands was accompanied by a wide range of institutional and non-institutional tactics. Institutional tactics such as formal petitions to State officials and court cases often revealed the interactions between informal and formal institutional norms and actors, the contradictions within the hierarchical organisation of the State itself, and State corruption distorting entitlement systems. All these State practices reproduced Dalit women’s exclusion. In response, the women often had to resort to non-institutional tactics such as public protests, road blockages and direct confrontations with opposing actors in order to push the legitimacy of their claims. These strategies targeting formal institutional actors with a variety of tactics, moreover, constantly evolved during the course of collective action. A great deal depended on what sort of opposition they faced or what kind of support they gained from different actors. The dangers of non-institutional tactics, however, as seen in Mallibakkam village, are that State actors can resort to physical violence to reinforce structural violence against Dalit women and silence their voices and claims.

Finally, the varied meanings women vest in resources and struggles to secure entitlements notably did not point in the direction of integration or inclusion in caste society per se, but rather independence and freedom within it. Kovilur women thus did not look for housing land within the main village but away from it; nor did Mallibakkam women stake a claim to common water taps in dominant caste areas of the village for potable drinking water. These examples present a cautionary note on automatically assuming a common understanding of inclusion as the solution to social exclusion. Instead, attention is directed to substantive equality both in conditions and outcomes, and acceptable terms of inclusion from the viewpoint of Dalit women.

The afore-mentioned negotiations, bargaining and contestations visible in Dalit women’s collective struggles to secure livelihood entitlements are clearly open-ended processes. Such struggles that contribute to realising human rights, like all social change, are ‘premised on the unpredictability of human agency and the diversity of circumstances under which such agency is exercised’.36 A more dynamic perspective

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allows one to understand the factors that hinder or help socially excluded people to transform structural inequalities in any given socio-historical context. These factors are constantly evolving as relations and behaviours change. They change when actors such as Dalit women exercise power, or when they concede to the power of others in the process of collective action. An acceptance that the process towards entitlement is non-linear, where power dynamics shape and are shaped by people’s agency, holds certain implications for how rights-based development strategies are implemented.

4. SOME IMPLICATIONS FOR THE IMPLEMENTATION OF RIGHTS-BASED DEVELOPMENT STRATEGIES

The case studies support the argument that promoting strategies of collective action encompasses three intertwined aspects: enhancing Dalit women’s freedoms necessary to exercise agency; supporting the redistribution of resources including knowledge resources; and generating positive recognition of identities. Moreover, these collective action strategies must be supported by strategies at two other levels. One level is countering the socio-cultural norms silencing Dalit women and naturalising their lesser access to resources and power. A second level is promoting wider institutional reforms that both socially and formally legitimise Dalit women’s entitlements and freedoms, as well as establish an impartial and corruption-free environment conducive to the women pressing their claims.

Interventions that build freedom to act collectively to secure livelihood entitlements emphasise the indivisibility and interdependence of rights. The practice of human rights exposes the artificial hierarchy often argued to exist between civil-political and socio-economic rights. This argument is based primarily on the non-justiciability of socio-economic rights and the idea that the law should not intrude into the democratic processes by which resources are distributed. The counter-argument makes socio-economic rights for subsistence a prerequisite for exercising civil-political freedoms. Freedoms of association, expression and movement, however, are critical civil-political rights that Dalit women exercise in order to realise socio-economic rights, while enjoyment of socio-economic rights promotes the exercise of civil-political rights. These freedoms thus form the basis of external interventions, which are aimed at enabling women to voice their livelihood needs as well as realise their right to information. Therefore, they become key personal gains to which Dalit women attached value as resulting from collective action. Women

37 The indivisibility and interdependence of rights have been affirmed inter alia in the Vienna Declaration on Human Rights 1993 (World Conference on Human Rights, Geneva, 1993), and General Comment 9 of the Committee on Economic, Social and Cultural Rights (General Comment No. 9: The Domestic Application of the Covenant, UN Doc. E/C.12/1998/24, 1998).

consistently focused on their enhanced voice, freedom of movement and the power they felt from being part of the collective. Conversely, violations of civil-political rights, such as violence and the use of false cases in Mallibakkam village, function to curtail other civil rights, such as freedom of expression, as well as to entrench non-enjoyment or violations of socio-economic rights. In this sense, both sets of rights share a causal link as they relate to the different forms of security Dalit women desire in their lives – livelihood security and physical security – and are instrumental to one another in promoting agency.39

Linked to enhanced freedoms supporting their agency, women must also be told about the sort of claims that are possible, and how they can go about making them. They must have the confidence to exercise their freedom to speak up. Promoting access to quality education, therefore, becomes a vital tool. Education in a caste context implies not only knowledge, but also, more symbolically, a ‘permissible’ or ‘authentic’ voice. It gives Dalit women a sense of authority and confidence to speak. As such, education is a crucial force that affects inter-caste relations and social hierarchy.40 Knowledge, moreover, forms an integral part of making a claim to power.41 This includes both the production of knowledge about excluded people and restrictions on their access to knowledge, which maintain their exclusion. Applying this idea to the situation of Dalit women, one can see that their caste- and gender-based exclusion from knowledge has been instrumental in perpetuating caste, class and gender power hierarchies. Their subordinated social status is thus ‘fixed’ through a discourse of their ‘ignorance’ and ‘unskilled’ labour extraction. This effectively silences their political voice.

The strategic significance of education thus lies in potentially enabling subordinated groups like Dalit women to transform their social status. Education, in this sense, functions as a form of cultural capital, which engenders self-respect and enables the challenging of caste (and gender) inequalities.42 Education played a big part in the narratives of Dalits in this research. It was often cited as important for building self-awareness, dignity and entitlement in order to overcome agrestic servitude. Education of Dalits in Kovilur village, for example, led to their voicing claims to equality. The emphasis, though, was on challenging caste-class and not


gender differences in power; hence, even today, Dalit women are less well educated than their male counterparts. With the strengthening of Dalit women’s education there would be greater voice, which is an integral factor in influencing their capacity to aspire for change and to negotiate the socio-cultural norms and institutions which circumscribe their lives.43

 Freedoms and education/knowledge aside, the process of positive identification is the third aspect of promoting Dalit women’s power and capacity to act strategically. Dalit women’s organisation on the basis of social identity in order to secure entitlements necessarily draws identity into the claim-making process. Hence, Kovilur Dalit women’s struggle for housing land cannot be separated from the concurrent temple struggle, which saw the emergence of a dignified Dalit identity premised on equality in religion. In both villages, identification processes were divergent but complementary. Caste identities were primarily reformed through religious conflict, while gender identities were reformed by the construction of positive gender roles within the sangams. Struggles over resource entitlements, moreover, encompassed struggles over the meanings attached to Dalit women’s identity, which included their capacities for voicing claims, for political agency and for control over resources.

 These processes of identification affirm the argument that collective livelihood struggles (an egalitarian politics of resource redistribution) necessarily involve struggles to form positive identities (the emancipatory politics of cultural recognition). These two political struggles are not analytically distinct because issues of culture, identity and social institutions are inextricably intertwined with economic and political issues. Each is embedded in and has implications for the other.44 The processes of identification in the villages, discussed above, demonstrate this link between the two struggles. Power relations produce Dalit women’s ‘low’ caste-class-gender identity, which is marked by their resource disentitlement and economic dependence on others. Therefore, disturbing these identity constructions is vital because it creates structural discontinuities that support entitlement processes and lead to social change.

 Dalit women’s collective agency thus can be conceived as holding instrumental value, due to its securing institutionally legitimised entitlements. It can also be seen as holding expressive value, due to its affirming the identity and human dignity (and thus moral right to resources) of these women.45 Positive caste and gender

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identification both strengthened their ingrained sense that they should have equality of status and resources. This was evidenced in discussions on religious rights and developments in other villages to which the women now felt equally entitled. In this sense, the goal of cultural empowerment is to challenge the dominant caste and gender ideologies, which seeks to strip these women of access to and control over resources. What is required, therefore, is a sustained effort to generate a social consensus on new structural norms and entitlements for Dalit women, in order to ensure durable social change. In sum, strategies to secure livelihood entitlements and strategies for building positive identities should be considered as mutually reinforcing in removing structural inequalities. Taken individually, each is insufficient to ensure that Dalit women get the resources they are entitled to, as well as insufficient to ensure their wider emancipation.

While the above strategies aim for social change at the structural level, these must be complemented by those aiming for change at the cultural and institutional levels. At the cultural level, strategies must be evolved that counter the socio-cultural norms that support Dalit women’s silence and their lesser access to resources and power. This requires tackling both caste and gender norms, addressing prejudices and discrimination inhering to both, and building social relations based on equality. The Kovilur women’s struggle in particular showed that development strategies to introduce greater gender equality in property relations cannot be confined to contestations ensuring property in women’s names alone. Cultural beliefs and practices underlain by gendered scripts on affection, responsibility and dependence must be addressed. Only by understanding these cultural meanings attached to various livelihood resources from the perspective of women’s multiple identities, can one determine which resources offer the best leverage for realising effective rights for different groups of women.

Taking into account power relations and their relational autonomy, effective strategies to transform gender inequalities may then require that Dalit women’s individual rights be addressed in relation to the broader Dalit community’s rights. Strategies of solidarity consist of framing Dalit women’s gender interests as contributing to the realisation of the goals of caste liberation in which Dalit men have a stake. This should go along with helping Dalit men to explore how Dalit masculinity is co-constructed by caste and gender. These are thus forms of resistance to gender norms relying on negotiation and dialogue as opposed to confrontation. The realisation of Dalit women’s rights should become perceived as both a matter of individual rights

as well as community interest and commitment. At the same time, this should not foreclose the interrogation of particular contexts for possible strategies to secure gender interests, by expanding women’s perceptions of their own (realisable) interests. This includes, but does not stop, at strengthening women’s ability to bargain within their households over resource control. Their position becomes stronger through the acquisition of greater resources, knowledge, skills and support networks for women to rely on in securing livelihood entitlements.

The third level of strategies is the promotion of wider institutional reforms that will legitimise Dalit women’s entitlements and freedoms. The women’s struggles confirm that State accountability has two main prongs, both of which require equal attention. One is legal accountability, requiring identification of violator, violations and remedy. The second is political accountability: first, in regard to the implementation of laws and judgements to ensure Dalit women’s socio-economic rights in practice; and second, in regard to the creation of equitable and effective institutional arrangements to deliver land reforms, education, healthcare, and so on. Dalit women, like those in Kovilur, then would not have to balance severe economic constraints against continual petitioning for over three years to receive housing land title.

Political accountability, in this sense, requires that the conflicting interests embedded in State laws and policies, and the myriad of contradictory or complementary State practices at the local, State and national levels, be transformed. The agenda then becomes structural reforms to corrupt and clientelist State institutions. Equitable, effective and corruption-free State institutions should be put in place that will enable excluded citizens to press legitimate claims. This would promote stronger State institutions and practices better capable of challenging the dominant interests in society. These reformed institutions would be more accountable, and be able to enforce redistributive policies to bring about more equitable development. The unsuccessful outcome in the Mallibakkam shrimp farm struggle is testimony to the limitations of collective action without corresponding attention to building responsive State policies and practices. Political accountability, moreover, highlights the need to examine not only State practices, but also State discourses. It is important to make sure that State discourses of ‘empowerment’ and ‘entitlements’ align with

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rights-based formulations and strategies that focus on facilitating people’s agency to secure entitlements and realise their rights. At the same time, it is necessary to create active citizens by promoting their civil and political rights. This will prevent the reinforcement of dominant social and economic structures.

In sum, three mutually reinforcing strategies for structural, cultural and institutional change comprise the practice of human rights. These three strategies of promoting collective action, transforming inequitable socio-cultural norms and ensuring an enabling political environment for people to press their claims, take precedence over those strategies that enhance economic productivity and economic self-reliance, as seen in government micro-credit schemes. They are premised on a comprehensive mapping of power relations and wider political and economic conditions that identifies both opportunities as well as potential risks. These strategies should take account of the women’s room to manoeuvre in fluid power contexts, rather than basing interventions solely on an analysis of their structural subordination or their livelihood needs. Security should also be seen from their viewpoint, and attention paid to livelihood security as well as physical security.

5. CONCLUSION

This article has sought to reinstate an understanding of human rights that is founded on the actual sites of resistance and struggle by individuals and communities. It recognises that while human rights may be universal, the risk of rights violations is not.51 Hence, there is a need to understand the structuring of social difference and the consequences for distribution of resources, livelihood and physical security in specific contexts. The interests that a right represents for people positioned differently within multiple power relations must be investigated. This is alongside examining the process of people exercising their agency and making claims to needed livelihood resources that fulfil their socio-economic rights. Human rights law and practice will begin to converge only if rights struggles are contextualised in this manner, and rights are understood as both legal and political instruments for the realisation of concrete freedoms and entitlements.

By analysing two case studies of collective action by Dalit women to secure livelihood entitlements in South India, the article identified the power relations and institutional processes that have bearing on their struggles. It specifically revealed some of the key enabling and constraining factors that affect these women’s agency. In doing so, the article demonstrated how intersecting caste, class and gender structures position Dalit women disadvantageously within power relations, as well as how Dalit women are able to manoeuvre around their multiple identities and find spaces

within power relations to act. The women evidenced an ability to use spaces created by social exclusion to engage in public-political action to realise their socio-economic rights. This process, however, involved women both exercising and conceding power, transforming as well as reproducing structural inequalities. In particular, while caste and class power relations were disturbed to some extent, gender relations incurred little change.

This understanding of the women’s agency, then, emphasises that while human rights are primarily the rights of individuals, these individuals are located within relational and situational contexts. Strategies, accordingly, need to be based on an understanding of the ways in which these relationships and conditions shape people’s sense of entitlement, as well as their actual choices to act or otherwise. This includes social relations with the external development intervener and the ways in which women incorporate, and in the process alter, new discourses into their lifeworlds. Strategies also need to be grounded in an intersectional perspective, which offers a dynamic view of agency based on a person’s position within her lifecycle, intersecting structures such as caste, class and gender, and her ability to manoeuvre within multiple power relations.

The article also emphasised the need to examine the relationship between different entitlement systems, especially between informal and formal institutions, and how Dalit women primarily rely on formal institutions to counter the influence of informal institutions on their entitlement position. The discourses they adopted often aligned with those of State programmes like microcredit and the State obligation to provide services for poor Dalit women, aside from that of legal rights as per the law (against commercial shrimp farming on agricultural land). However, they experience the limitations of this strategy where informal institutions and actors influence the decisions and actions of formal institutions, or where multiple formal institutions engage in contradictory practices that deny these women their entitlements.

The location of Dalit women’s agency within multiple, intersecting structures and power relations, and the interaction between different institutional arrangements through which women acquire entitlements, have several implications for operationalising rights-based development strategies. They point to the need to combine collective action strategies that are built around the links between entitlements and freedoms, between power and knowledge, and between political struggles for redistribution and for recognition. At the same time, these cannot be divorced from strategies to transform the cultural norms that disenfranchise women and entrench especially gender inequalities. Nor can strategies to enhance political accountability from State institutions and build an enabling political environment be ignored.

In this manner, the boundaries of human rights work expand beyond remedying rights violations to transforming the inequitable power relations and structures...
underlying such violations. This re-politicises development strategies involving law, structures, institutions, power and agency, in order to achieve social and economic justice. Contextualised rights-based development strategies thus aim to enable socially excluded actors to develop a sense of entitlement and exercise their agency to secure the entitlements and freedoms that they themselves have made priorities. These strategies envisage and operationalise changes at the structural, cultural and institutional levels, so as to ensure substantive equality. All this further aids the project of legitimising human rights as a transcultural framework that is grounded in a common ethic of human dignity and that encompasses a committed human rights practice.