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**DEVELOPMENT AS A RIGHT TO FREEDOM:
AN INTERPRETATION OF THE 'KERALA MODEL'**

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ABSTRACT

Our objectives in this paper are two-fold: an interpretation of the conception of poverty in its multidimensional existence and an explanation in this light of the development experiences of the State of Kerala in India. We discuss the various implications of the links and linkages among human rights, freedom and development to develop a theoretical framework. Within this, we start from the original conception of poverty in terms of *minimum rights* to resources, by which people are seen as entitled, as citizens, to a minimum income. We extend it to the comprehensive conception of development as freedom, *a la* AK Sen, approaching poverty in terms of right to freedom. We argue that political freedom has substantial linkages towards social and economic freedom, all together constituting development, seen as 'removal of major sources of unfreedom' of both income and non-income dimensions. In the hard core constitution of development/poverty, seen in terms of the most basic human right to life, the former (income dimension) specifies the right to resources, and thus to employment guarantee, while the latter signifies the right to building up human capital by means especially of health and education. This highlights the significance of the role of the state in opening up opportunities, that is, creating capabilities. Here individual freedom is taken up as a social commitment. We argue that community participation in development process through decentralisation of state power and functionings constitutes an autonomous and hence ideal means of targeting and tackling development issues through co-operatives. This in turn implies that the degree of decentralisation of power of a state is an indicator of its concern for and commitment to human development. This all the more becomes pertinent in the context of liberalisation drives by a state in its teleological transformation of role reduction. And the liberalisation drives by the concerned state thus imply a human rights violation. It is in this theoretical light that we attempt to interpret the 'Kerala Model'.

Key words: Human rights, Poverty, Development, Capability, Freedom, 'Kerala Model',

JEL Classification: D7; I3; H00.

1. Introduction

A new nuance of development emerged and attracted world wide attention with the publication in 1975 of a case study with reference to Kerala on 'Poverty, Unemployment and Development Policy' by the Centre for Development Studies under KN Raj. Kerala presented a unique phenomenon of human development without the corresponding economic capability that sought to disprove the accepted paradigm of the 'Harrod-Mahalanobis model'. The fast-enhancing development Kerala witnessed thereafter with a per capita consumption expenditure far exceeding the per capita State domestic product thanks to the 'Gulf boom' and the easy availability of credit facilities raised the experience to the status of a 'model'. A voluminous literature has since then followed in attempts of mystifying and demystifying the 'model'; but none has attempted to unravel it in a political economy framework of human development paradigm. We here set out a modest attempt.

Our objectives in this paper are two-fold: an interpretation of the conception of poverty in its multidimensional existence and an explanation in this light of the development experiences of the State of Kerala in India. We discuss the various implications of the links and linkages among human rights, freedom and development to develop a theoretical framework. Within this, we start from the original conception of poverty in terms of *minimum rights* to resources, by which people are seen as entitled, as citizens, to a minimum income. We extend it to the

comprehensive conception of development as freedom, *a la* AK Sen, approaching poverty in terms of right to freedom. We argue that political freedom has substantial linkages towards social and economic freedom, all together constituting development, seen as ‘removal of major sources of unfreedom’ of both income and non-income dimensions. In the hard core constitution of development/poverty, seen in terms of the most basic human right to life, the former (income dimension) specifies the right to resources, and thus to employment guarantee, while the latter signifies the right to building up human capital by means especially of health and education. Here we delineate the dynamic sequence of development as entitlement→ access→ freedom. This highlights the significance of the role of the state in opening up opportunities, that is, creating capabilities. Here individual freedom is taken up as a social commitment. We argue that community participation in development process through decentralisation of state power and functionings constitutes an autonomous and hence ideal means of targeting and tackling development issues through co-operatives. This in turn implies that the degree of decentralisation of power of a state is an indicator of its concern for and commitment to human development. This all the more becomes pertinent in the context of liberalisation drives by a state in its teleological transformation of role reduction. And the liberalisation drives by the concerned state thus imply a human rights violation.

It is in this theoretical light that we attempt to interpret the ‘Kerala Model’. The historical background of the model is first recognised: a tradition of matrilineal system of a majority of the people and its cultural influence; social reformers; the soul-cleansing fire of the freedom struggle; working class solidarity; and the consequent birth of a vigilant and vibrant civil society. The political freedom of the labour then preceded significant reforms and freedom in the social and economic spheres. It is our interpretation that the State in this juncture witnessed a promising

conformity between compelling demand for and yielding supply of human development. The demand inevitably came from a politically better conscious and socially enlightened population, and the supply was ensured by the pork barrel politics of coalition governments. Given the regional character of the Kerala economy, the capability-building development process did not, however, lead to enhancing opportunities in productive sectors of the economy. In fact, it gave rise to a socially frustrating outcome in the form of the educated unemployed. However, the situation eased as the accumulated human capital responded to employment opportunities emerging in the wider world, resulting in substantial linkage effects of the 'Gulf boom', raising the per capita consumption expenditure, that is, purchasing power capability, especially in durable goods, much ahead of the per capita state domestic income. True, the development process in the State has been the combined result of the capability freedom in respect of the concerned fundamentals, made possible by a rising public demand met by political populism.

It is within this facilitatory framework of capability freedom that the dynamics of globalisation-liberalisation has occasioned another instance of a combined result in Kerala – the drastic fall in the conventional poverty ratio along with the unbeaten supremacy in human development, compared with the rest of India. The situation Kerala has today is peculiar to what we call 'exclusionary development' – development with some pockets of abject exclusion, with the islands of hard core poverty. As the state's role wanes down, honouring the right to freedom of these pockets becomes a concern of collective care – a matter of social praxis, the end of which is an 'all-embracing development'. And it is here the significance of the participatory development process stands high, and promisingly, Kerala has already gone a step ahead, though in a rudimentary framework, in this direction by instituting *panchayati raj*, local development institutions of self-government.

What follows is divided, in this light, into two major sections and a note in lieu of conclusion. The first part seeks to interpret poverty in its multidimensional context in an analytical framework enriched by the conceptual light on human rights, freedom and development. And the second section discusses the political economy of the ‘Kerala model’.

2. Poverty in the Human Development Perspective

2.1. Human Rights

We start with human rights. Human rights, conceived as belonging to the individual under natural law as a consequence of her being human¹ and social animal, have as the main source of their contemporary conception the Universal Declaration of Human Rights (UDHR; United Nations, 1948) and the many human rights documents and treaties that have followed in its wake. From the list of more than two dozen specific human rights that the UDHR sets out for the countries to respect and protect, we may group the following six families of rights: *security rights* that protect people against crimes such as murder, massacre, torture, and rape; *liberty rights* that protect people’s freedoms in areas such as belief, expression, association, assembly, and movement; *political rights* that protect people’s liberty to participate in politics through actions such as communication, assembly, protesting, voting, and serving in public office; *due process rights* that protect people against abuses of the legal system such as imprisonment without trial, secret trials, and excessive punishments; *equality rights* that guarantee equal citizenship, equality before the law, and non-discrimination; and *welfare rights* (or ‘economic and social rights’) that require protections against severe poverty and starvation and provision of education to all children.

Abstracting from the philosophical, ethical and legal complexities of interpreting diverse aspects of human rights, we seek to concentrate only on the questions as to which rights are human rights. This question

is answered by considering the historical development of what are called 'civil rights'. The very term 'civil rights' reminds one of the Civil Rights Movement for free and equal citizenship of American blacks during the late 1950s and the 1960s. Civil rights are the basic legal rights that constitute the status of free and equal citizenship and include personal, political, and economic rights an individual must possess in order to have such a status.

Among the historical sources of these rights, the most famous and influential inspiration came from the English Magna Carta (1215). Despite its feudal assertion for selfish interests, some of its provisions, including the famous clause 39 asserting the 'rights of free men', gave expression to the idea of individual freedom and became the symbol of this freedom for the future generations. In a way this light led to the 'immemorial rights of Englishmen' that were successfully fought for in the 17th century England through the Petition of Right (1628) and the Bill of Rights (1689). The rights enshrined in these instruments reappeared in the historic bills of rights such as the American Declaration of Independence (1776), the Virginia Declaration of Rights (1776), and the United States Bill of Rights (1791, with subsequent amendments). The French Declaration of the Rights of Man and of the Citizen (1789) was directly influenced by the earlier American examples. On the other hand, in the contemporary set of civil rights one might find the first 21 articles of the UDHR, and the treaties such as the European Convention on Human Rights (ECHR; Council of Europe 1950), the International Covenant on Civil and Political Rights (ICCPR; Human Rights Committee 1966), the American Convention on Human Rights, and the African Convention on Human Rights.

Until the middle of the 20th century, civil rights had generally been separated from 'political rights' on gender basis. The former had

represented the rights to own property, make and enforce contracts, receive due process of law, and worship one's religion, as well as the freedom of speech and the press (Amar 1998: 216-17). But the political rights, such as right to hold public office, vote, or testify in court, had been reserved to adult males only. However, the ideology that had classified women as inferior citizens could not survive the cogency of the principle that all citizens of a liberal democracy were entitled to 'a fully adequate scheme of equal basic liberties' (Rawls 2001: 42), and soon broke down.

Three Generations of Rights

On the question of which rights constitute civil rights there is now a consensus in terms of 'three generations' of civil rights claims (Wellman 1999). The pre-20th century set of civil (*and* political) rights as, for example, given above, which the American civil rights movement in fact initially fought for, represent the first generation of civil rights claims. The space of this set of rights, however, was soon identified to be too narrow to define the scope of free and equal citizenship. The actual realisation of free and equal citizenship was recognised to presuppose honouring of an additional vector of rights: the second generation of economic and social rights ('welfare rights'), including rights to food, shelter, medical care, and employment.² These rights have been made part of international law by treaties such as the European Social Charter, the ICCPR, the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Protocol of San Salvador (1988), which amended the American Convention on Human Rights.

Despite a few notes of dissent (Cranston 1967; see Beetham 1995), there is now an increasingly dominant view that the welfare rights *are* a part of the set of rights constitutive of free and equal citizenship (Marshall 1965; Waldron 1993; Sunstein 2001). This is evident also from the fact

that welfare rights are protected as a matter of constitutional principle in a number of democracies. For example, the Constitution of India has the following, among others, Directive Principles of state policy:³

Article 38: The state shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.

Article 39: The state shall direct its policy towards securing that the citizens, men and women equally, have the right to an adequate means of livelihood.

Article 41: The state shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness, disablement etc.

The third generation of rights claims are those broadly termed as ‘cultural rights’, including language rights for members of cultural minorities and the rights of indigenous peoples to preserve their cultural institutions and practices and to exercise some measure of political autonomy.⁴

Rights or Norms?

Despite their significance in the definitional scope of civil rights as constitutive of free and equal citizenship, economic and social rights are often represented as statements of desirable goals, not as real ‘rights’. That is, they are treated as largely aspirational rather than as imposing immediate duties. For instance, the European Convention on Human Rights (ECHR; Council of Europe 1950) chose to exclude these rights and put them into a separate treaty, the European Social Charter (Council of Europe 1961).⁵ The United Nations followed suit at the time of its

processing the UDHR into international law, by putting them in a separate treaty, the ICESCR(UN, 1966), with the premise that these rights are ones to be progressively realised,⁶ rather than immediately binding. This seemingly unusual step was taken in view, we feel, of the fact that most of the countries were (and still are) incapable, in terms of economic, institutional, and human resources, of taking up the duties to realise these rights.

This situation has in turn facilitated the familiar objections to welfare rights to deny them the status of human rights. The main objections in general seek to show that the welfare rights do not serve truly fundamental interests (Beetham 1995). It goes without saying that this argument is unfounded. The most basic of the welfare rights are: the right to an adequate standard of living, the right to primary health care, and the right to public education. These three rights are of fundamental interests, because “they are closely related to the right to life – the most basic of all human rights. Food is essential for survival; primary health care is indispensable as a minimum requirement for living without illness, at least in the early years; and primary education is necessary for the mental development of a young person to be able to grow up as a full individual.” (UN 1999: Paragraph 34). A people free from hunger, morbidity and ignorance can go a long way towards participating fully and effectively in the political and economic life of the nation – thus the right to life is fundamental.

Another objection centres on the burden of costs involved in honouring the welfare rights. In fact this is so with each of the other human rights also. For example, guaranteeing liberty rights in turn involves substantial costs of security and due process – that is, on law and criminal justice. There are, on the other hand, viable processes that ensure welfare rights in cost-effective terms. For example, the right to

an adequate standard of living may be so interpreted as involving mechanisms that help people provide the concerned 'welfare goods' for themselves and their families. The mechanism in this respect for sustaining an adequate standard of living entails income security, which in turn implies job security, for the people. This requires expansion of the economic base, which by no means is non-productive. Similarly, providing for facilities of primary health and public education is in fact an investment in human-social capital with an efficiency dimension. Thus viewed, honouring the right to life promises substantial returns.

A 'Norms-Rights Transition Process'

Human rights, as they emerge in relation to an individual's being human and social being, are specific and problem-oriented. The latter nature (problem-orientation) tends to expand the list of human rights along with the scope of human-social interaction, and its possible abuses result in a 'human rights inflation', the devaluation of human rights due to too much 'bad' human rights currency (Cranston 1973, Wellman 1999, Griffin 2001). This also complicates the process of deciding which norms be counted as human rights. A feasible procedure, in our opinion, is to take up the set of human rights in a perspective of 'norms-rights transition process': norms are progressively realised on a time-bound priority basis to form an ever-expanding set of rights. The analogy from the conception of generations of rights is worth exploring here. We find from historical experiences that political rights make up the most basic subset of human rights. A conducive atmosphere of civil and political freedom (the first generation of rights having been realised) is the precondition for considering and consummating further generations of rights of the citizens. That political freedom precedes economic freedom is a living empirical fact as experiences of not only the affluent countries of Europe and America but also the poor but broadly democratic nations such as India and Botswana in averting major famine⁷ illustrate. Kerala's

development experience also is an instance of significance here, as we will see below.

State Obligations: Welfare State

Among the welfare rights, the most basic are the rights to life: the right to an adequate standard of living, the right to primary health care, and the right to public education. As we have already shown, these are fundamental to the fruitful realisation of the already guaranteed civil (and political) rights. The only valid objection to their inclusion in the set of human rights derives justification from the apparent unfeasibility on the part of the concerned governments. As the human rights, it should be noted, are because of the consequences of an individual's being human and social, they are claims on the humanity and society; and this defines the *addressees* who are assigned duties or responsibilities. Since the state epitomises the humanity and society of a people, it becomes the duty of the state (in terms of the concerned government) to address itself to the interests of the right-holders whom it represents. In contrast to this interpretation of rights as balanced by the 'Kantian "perfect obligations"' on the part of an addressee, here the state, there is a widely held view in terms of the 'Kantian "imperfect obligations"' (for example, Sen 1999a; 2000), whereby the "claims are addressed generally to anyone who can help" (Sen 1999a: 230). In our view, these two approaches are to be seen complementary and are context-dependent, as history shows.

In primitive societies, the deprived were provided for by the families and communities. In different historical stages, as other relationship patterns developed, such as master-slave, lord-serf and master-servant, the welfare responsibility of the subordinate was increasingly tied to his superior as well as to the group to which the individual belonged. With the commercial and industrial revolutions, the conception of welfare provision also underwent changes. With the

division of the society into distinct antagonistic classes of workers and capitalists, there emerged conflicting philosophies as to the functions of the state and responsibility of employers and individuals. The most appealing and hence with potential threat were of the socialists. Largely inspired by them, the working class solidarity successfully fought for its due share of some of the indispensable rights. The state, in addition to its being an agency to facilitate accumulation, had another basic but contradictory function of legitimation: maintaining the conditions for social harmony, which necessitated increasing assumption of welfarism by the state (O'Connor 1973). Thus by the end of the 19th century, there appeared in much of Europe and in the US, an acceptance of a mode of public responsibility for welfare provision, conditioned of course by a philosophy of individual responsibility. The German prototypes of social security provisions in the 1880s and *Wohlfahrtsstaat* in the 1920s were in fact the results of attempts to attach the workers to the state. The miraculous growth of the Soviet system and the granting of welfare rights (the rights to education, to work, to rest and leisure, to provision in old age, and to aid in sickness and disability) by the Constitution of the USSR in 1936 further contributed to the genesis of welfare state as an effective counter to the socialist threat. Stephens (1979) and Therborn (1984) have well documented the correlation between labour movement strength and national and temporal variations in social expenditure.

And naturally, as the socialist threat subsided with the fall of the Second World, the significance of the welfare state has also begun to wane. Thus doubts have loomed large over the feasibility and sustainability of welfare rights, in attempts to absolve the state of its "perfect obligations", and to raise an alternative platform of "imperfect obligations". We feel, however, that the fundamental legitimation function of the state still stands, and the process of its neglect, as argued by Galbraith (1998), though in another context, is likely to result, beyond

a certain indefinable threshold, in a loss of community and social coherence. The state must there be to honour welfare rights, backed of course by the individual and group obligations, as usual.

In the context of the conception of perfect obligations, entailing state intervention, it is worth considering the distinction between negative and positive rights. Positive rights are suggestive of some correlative duties on the part of the addressee to *do* something, such as protecting and providing for. Negative rights, on the other hand, imply *absence of intentional coercion*, that is, the correlative duties just require states to refrain from intervention. This view contradicts the political *raison d'être* of state, generally held and justified since Locke (1690), that the fundamental purpose of state is to protect people's rights by creating a system of criminal law and of legal property rights. In this light, human rights cannot be negative rights. And accepting human rights as positive rights, in turn, must justify both the protecting and providing for functions of state, the latter at least in view of legitimation.

The Norm-Rights Transition Through Public Action

In the case of most of the welfare rights, feasibility requires we adopt a rights realisation mechanism in terms of a pragmatic framework of norms-rights transition process, as we have already discussed above: today's norms become tomorrow's rights in a continuous chain of progressive realisation. Non-compliance due to inability would be a certainty on the part of almost all the addressees, that is states, if the welfare standards were treated as immediately binding *as* rights. The process of progressive fulfilment not only helps confute the argument that goal-like rights are not real rights and confer a status of potential rights upon them, but also tends, thanks to its phasing in mechanism, to ease the financial burden involved. In general, a part of the tax proceeds goes in to welfare financing. Libertarians, however, object to taxation

being used to finance welfare rights provision. For instance, Nozick (1974: 169) argues that “Taxation of earnings from labour is on a par with forced labour.” Note, however, that it also implies that taxation is permissible when it is used to discharge the duties of taxpayers, and the welfare provision by the state is just an organised undertaking of effective fulfilment of individual duties (Beetham 1995). It should be stressed here that as the state replaced the erstwhile addressees, that is, families, friends and communities, in providing for the deprived, it has so occasioned that the taxes associated with welfare rights provision are in effect partial replacements of the latter’s burdensome obligations.

The practical realisation of the norms-rights transition process may be better seen in a framework of demand-supply interaction. The demand side represents the claim of the potential right-holder (that is, the current beneficiary) along with the significance of the necessity and urgency that this claim be fulfilled. The supply side, on the other hand, represents the addressees’ responsibilities vis-à-vis the beneficiary’s claim. (Also see Feinberg 1973.) Note that since the welfare goals (potential rights) are more of social specificity of significance, the demand side in effect is fortified in public support and response. This means that a vibrant and vigilant platform of public praxis ensures to keep the norms in mandatory terms such that it defines on the supply side a duty to realise the norms *as* rights as quickly as possible. It is in this light, we feel, that the signatories to the ICESCR agree to make it a matter of government duty to realise the list of rights recognised in the Covenant as soon as possible.

2.2. Rights and Freedom

Any right is a right to something, which largely is interpreted as constituting freedom. Human rights are essentially ‘to secure freedom’, in quest of ‘well-being and dignity of all people everywhere.’ (UNDP 2000: 1).⁸ Thus, freedom presupposes rights realisation. It is here the

significance of recognising welfare standards *as* rights appears imposing: a people enjoy economic freedom only when the corresponding rights are realised. Thus honouring the right to life, the most basic of all human rights, ensures freedom from wants (hunger, shelter, 'shame'), from ill-health and from ignorance.

Positive and Negative Freedom

As rights, freedom also is viewed from a distinct and rival positive or negative sense (Berlin 1969).⁹ Positive freedom of an individual is defined, when she is self-determining, and negative freedom, when she is left free from external interference. In the latter case, freedom implies an *absence* of something (that is, absence of barriers, constraints or interference from others), whereas in the former, freedom entails the *presence* of something (that is, presence of self-control, self-determination, and self-realisation). Thus positive freedom offers possibilities of actions such as to determine one's life and realise one's fundamental purposes; the scope for possibilities, in turn, implies the presence of an enabling environment. In this sense, it refers to freedom in the context of collectivities or freedom of individuals in their capacity as members of collectivities. On the other hand, negative freedom has possibilities of actions to the extent allowed in the given negative sense, without *any* external constraints, and thus entirely belongs to an agent as an individual.

Freedom and Capability Approach

Note that in the positive view, freedom is identified with the *ability to be* and *to do*.¹⁰ The sequence of things an individual may value *being* or *doing* constitutes the Sennian concept of 'functionings'. "The valued functionings may vary from elementary ones, such as being adequately nourished and being free from avoidable disease, to very complex activities or personal states, such as being able to take part in the life of

the community and having self respect.” (Sen 1999a: 75). Alternative combinations of such functionings from which the individual can choose, in turn, define her ‘capability’. “Capability is thus a kind of freedom: the substantive freedom to achieve alternative functioning combinations (or, less formally put, the freedom to achieve various lifestyles).” (*ibid.*), or, “the range of options a person has in deciding what kind of life to lead.” (Dreze and Sen 1995: 10-11). The ‘functioning vector’ of an individual represents her *actual achievements*, while the capability set represents the *freedom to achieve*. Thus the Sennian ‘capability approach’ provides two different types of information – one on the *realised* functionings, what an individual is actually able to do, and the other on the *capability set* of alternatives she has, the real opportunities open to her, or the things she is substantively free to do. Of the two, it should be noted, it is the capability to function, not the achieved functioning, that is important. Two individuals may have the same achieved functioning, say, starving; one, an ascetic, starves as she adopts fasting as a way of life and the other, a poor rustic, starves for lack of capability (purchasing power) to buy food bundle at the current price. The former has options, capability to function and achieve freedom from hunger, but her wellbeing consists in observing fasting. The latter, on the other hand, has no option to achieve freedom from hunger, and is illfared as it is against her aspiration. Thus, the two are not identical, even though it is so in terms of their achieved functioning. Therefore, it is not the achieved functioning alone, but that in relation to one’s capability set, that reflects one’s wellbeing.

Thus, given the capability set, an individual chooses one vector of functionings, which then becomes her actual achievement and thus determines her ultimate wellbeing. And it is here choice, the move from capabilities to actual achievement, assumes significance. An informed, rational choice does go a long way towards her freedom and enhanced

wellbeing. And it is here an enabling environment helps her exercise her informed autonomy in an expanding set of choices to realise that freedom.

At the same time, there are instances of absence of any scope for a choice at all, as in the above case of the poor rustic. The state of hunger she is in is not her autonomous choice, but the consequence of the state of her being deprived of the capability she requires to make a choice. And we know, given the capability set, she would not choose a functioning of starving, but that functioning that achieves her freedom from hunger. This in turn suggests that as long as she remains deprived of the capability, she is unfree. Unfreedom means non-realisation of rights, that is, rights violation. Here the most basic of her human rights, the right to life, is violated. This is not just a question of justice, but one of dignity of humanity, the most fundamental of human rights. Justice is met and human dignity promoted with the removal of that unfreedom, with the realisation of the right to life, with the creation of her capability. It is also here the significance of an enabling environment in contributing to freedom stands high.

Freedom and Welfare State

The presence of an enabling environment required for realising one's freedom, in turn, presupposes a facilitating mechanism that is the collectivity, which the state epitomises. Hence the significance of the state in ensuring freedom. The liberals warn in this respect of possible abuses of the element of paternalism leading to dangerous imposition of authoritarianism (Berlin 1969). But this is a too distant fear to grip a democracy. There is immense scope for state intervention without coercing any individual into specific patterns of behaviour, thereby encroaching upon his freedom. A state, interested in promoting autonomy, has still much space for intervention at least of an informative and educational nature.

The classical liberals sought the conditions for protecting and realising (negative) freedom in the institutionalisation of a free enterprise system based on private property, on the view that the dispersion of power facilitated by a free market economy protects the freedom of subjects against state infringement. The ‘new’ or ‘welfare state’ liberals, however, challenged this hypothetical relationship between freedom and free market economy (Freedon, 1978; Gaus, 1983a, b; Macpherson, 1973). During the late 19th and early 20th centuries, the ability of a free market economy to sustain what Lord Beveridge (1944: 96) called a ‘prosperous equilibrium’ came under heavy doubt. If a free market economy tended to be unstable or stuck in a Keynesian low level equilibrium with high unemployment, then it could not, the ‘new’ liberals argued, be a valid and adequate basis for a stable, free society. Thus the once unflinching faith in the market soon faded to give way to faith in government as a means of supervising economic welfare. In our view, the appeal of socialism and the capitalist urge to counter it explain the emergence of this new liberal faith. It nevertheless underlined the significance of a welfare state in recognising and realising rights and thus protecting freedom.

2.3. Rights, Freedom and Development

An individual’s freedom to promote the aspirations she has reason to value depends on her capability to achieve functionings that make up her wellbeing. In this sense, we feel, she is free only when her right to capability is fulfilled. Thus her freedom enhances with her capability set, and this underlines the significance of human rights. In fact, freedom can be viewed as the overlapping bridge between human rights and development. Development is the process of enhancing freedom,¹¹ expanding capability set, opportunities and choices “so that each person can lead a life of respect and value.” (UNDP 2000: 2). In other words, “Development consists of the removal of various types of unfreedoms

that leave people with little choice and little opportunity of exercising their reasoned agency. The removal of substantial unfreedoms, ..., is *constitutive* of development.” (Sen 1999a: xii). These freedoms are both the primary ends and principal means of development (Sen 1999a: 10).

Human rights and development thus reinforce each other as they advance together, realising human rights, enhancing human capabilities, and protecting freedoms. On this view, human development is an improvement upon the basic needs approach of the 1970s. This approach emphasised the importance of meeting a core of human needs for achieving poverty reduction as the sole development strategy. On the other hand, human development, with its focus on expansion of human capabilities, goes beyond the basic needs, and covers the whole humanity, not just the poor.

Human Development: A Multidimensional Concept

Historically, development was interpreted in terms of economic performance, and measured in terms of per capita income. The dawn of the last decade of the last century, however, ushered in a new development perspective with the introduction of the concept of human development and the publication of the first Human Development Report by the UNDP, in the framework of the Sennian Capability Approach. The new perspective accepts individuals as “the wealth of a nation. Its fundamental objective is to create an environment which offers the population the opportunity to live long in good health and to acquire knowledge that will help them in their choices and to have access to resources that will ensure a decent standard of living.” (UNDP 1990). The UNDP’s Human Development Index is an indicator of a nation’s progress, measured as a weighted average of the nation’s literacy and educational achievement, its per capita income, and the citizen’s life expectancy. Thus, human development complements development as conceived in terms of

economic growth and monetary stability, recommended by the World Bank as a poverty reduction strategy at the start of the 1990s. It should be noted that the World Bank also has of late argued for ‘comprehensive development’ that includes not only the traditional macroeconomic goals, such as per capita income, monetary and fiscal health and balance of payments stability, but also ‘societal development’, in terms of basic human rights, access to a just legal system, literacy and good health (Wolfensohn 1999). These two broad objectives of development thus correspond to resource development and humanitarian progress (Streeten 1994).

Thus it is now widely recognised that development is not something just reducible to an increase in income or consumption. It is an integrated concept of multiple dimensions of wellbeing, political, economic, social, cultural, moral, ecological. This in turn requires we go beyond ‘economic welfare’ to improve the ‘wellbeing’ of the individual in a greater sense of enhancing her capability to function. However, this involves a primary precondition: accessibility. Functioning essentially presupposes having access to the bundle of goods and services, as well as to information, value, justice, recognition and respect, and so on. Not only does it mark the border between availability and accessibility, it also highlights accessibility in relation to a lack of basic rights.

Availability does not guarantee accessibility in a free market economy, working on the principle of price system with explicit scope for exclusion unless commanded by *adequate* purchasing power. That is, given availability, it is the *adequate* purchasing power that determines accessibility and thus capability and freedom in a market economy. Thus, in the market, income deprivation itself is a capability deprivation. This all the more becomes pertinent in the context of liberalisation drives by a state in its teleological transformation of role reduction. As market

extends into more and more vital provisions, such as of food, education and health care, incidence of exclusion and hence imposition of unfreedoms also increase linearly, threatening the very sustainability of development.

In our view, every individual, as a human and social being, is entitled to the *right to development*. So long as accessibility has a direct bearing on development, as we argued above, it also is a human rights issue. Since denial of development is a human rights violation, so also is the lack of adequate purchasing power: poverty is a human rights violation.

2.4. Poverty as Violation of Right to Development

Poverty was originally conceived of from a viewpoint of *minimum rights to resources*, by which people are seen as entitled, as citizens, to a minimum income, and hence identified merely in terms of lowness of income. Amartya Sen has extended it to the comprehensive conception of development as freedom, taking poverty as capability deprivation, and hence from the viewpoint of what we call *right to development*, since

- “1) Poverty can be sensibly identified in terms of capability deprivation; the approach concentrates on deprivations that are *intrinsically* important (unlike low income, which is only *instrumentally* significant).
- 2) There are influences on capability deprivation – and thus on real poverty – *other* than lowness of income (income is not the only instrument in generating capabilities).
- 3) The instrumental relation between low income and low capability is *variable* between different communities and even between different families and different individuals (the impact of income

on capabilities is contingent and conditional).” (Sen 1999a: 87–88).

As already explained, capability means the substantive freedom an individual ‘enjoys to lead the kind of life she has reason to value’, such as social functioning, education, and health care longevity (Sen 1999a). Poverty as capability deprivation is thus a basic unfreedom; “economic poverty ...robs people of the freedom to satisfy hunger, or to achieve sufficient nutrition, or to obtain remedies for treatable illnesses, or the opportunity to be adequately clothed or sheltered, or to enjoy clean water or sanitary facilities.” (Sen 1999a: 4). UNDP’s Human Poverty Index captures three aspects of this human deprivation: longevity, literacy and living standard. Longevity is measured in terms of the percentage of people who die before age 40; literacy in terms of the percentage of adults who are literate; and living standard in terms of a combination of the percentage of the population with access to health services, that with access to safe water, and the percentage of malnourished children under age 5.

Poverty: A Multidimensional Issue

Thus the multidimensionality of poverty has now been accepted in general as an inescapable fact, thanks to the Sennian capability approach. World Bank (not to be outdone!) has even gone, in its World Development Report 2000–01, beyond that to accommodate the ideas of individual agency and rights; poverty is seen as more than income lowness and human development; it is also vulnerability and lack of voice, power and representation.

Being multidimensional, poverty also becomes a dynamic concept, as far as the strategies to deal with the problem are concerned. Priority of the focus distinguishes hard core poverty as starvation, absolute deprivation, demanding urgent management. The starveling lacks both

legal and economic entitlement to food. It is here the minimum right to resources and the basic needs approach become significant. Since income security can be ensured through job guarantee, the right to adequate income gets itself translated into the right to work. This in turn requires the capability failure be compensated for with entitlement to work. And its denial results in starvation, and in a human rights violation. Once this basic right, right to life, is honoured and protected, and the problem of starvation is tackled effectively, the priority of focus climbs up on one by one of the higher floors of freedom, development, in accordance with our norms-rights transition process. This dynamics of realisation thus takes us to higher and higher realms of development. Since freedom constitutes development, unfreedom or poverty means lack of development. And since rights realisation constitutes freedom, poverty means denial of development: poverty is the violation of the right to development.

2.5. Participatory Development Process

As already discussed, recognising the role of the collectivity or the state in creating and sustaining an enabling environment for the individuals to realise their freedom also identifies in effect the correlative duty bearers. Thus, “[t]he state, as a primary duty bearer, has the responsibility to do its utmost to eliminate poverty by adopting and implementing appropriate policies. And the accountability of the state needs to be defined in terms of implementation of policies.” (UNDP, 2000: 77). While there is no necessary relationship, a democracy is more likely to help enhance the state’s respect for and protective coverage and promotion of human rights. Besides being an end in itself, respect for human rights leads to enhanced economic and social capabilities (Dasgupta 1993). However, the vast heterogeneity in the local aspirations and perspectives, needs and responses, tends to leave the direct management of the state responsibility much difficult, if not impossible. It is here the direct participation of the communities in ensuring

and enhancing an enabling environment assumes significance. Since it is the local communities that have perfect information on the specific problems they face, the actual and the possible constraints they encounter, and the potential solutions to be explored, their direct participation in the design and implementation of the policies and programmes makes the enterprise fruitful.

Community participation in development process can be realised through either a unitary or a federal structure of state functionings. In the former, the state from its central core extends itself and acts through community groups or co-operatives, that is, the organised beneficiaries at the local level. On the other hand, decentralisation of state power and functionings marks the latter. Here the local bodies are empowered to function as local development institutions of self-government, and constitute an autonomous and hence ideal means of targeting and tackling development issues through co-operatives. This in turn implies that the degree of decentralisation of power of a state is an indicator of its concern for and commitment to human development.

It is in this theoretical light that we attempt to interpret the ‘Kerala Model’.

3. An Interpretation of the ‘Kerala Model’

The Kerala experience of development has proved ironically that social development is possible and practicable even at low levels of income. Kerala has consistently sustained the highest human development index among the Indian states (Table 1), though with a low per capita income. In social development, Kerala could successfully tackle the first generation problems such as illiteracy, high infant and maternal mortality rates, high birth rate and low expectation of life at birth, while her sisters are all still struggling in the trap. With an implicit development perspective, Kerala has initiated and instituted a number of progressive

Table 1: Human Development Index of Kerala (and Other States)

States	1981		1991		2001	
	Index	Rank	Index	Rank	Index	Rank
Andhra Pradesh	0.298	9	0.377	9	0.416	10
Assam	0.272	10	0.348	10	0.386	14
Bihar	0.237	15	0.308	15	0.367	15
Gujarat	0.36	4	0.431	6	0.479	6
Haryana	0.36	5	0.443	5	0.509	5
Karnataka	0.346	6	0.412	7	0.478	7
Kerala	0.5	1	0.591	1	0.638	1
Madhya Pradesh	0.245	14	0.238	13	0.394	12
Maharashtra	0.363	3	0.452	4	0.523	4
Orissa	0.267	11	0.345	12	0.404	11
Punjab	0.411	2	0.475	2	0.537	2
Rajasthan	0.256	12	0.347	11	0.424	9
Tamil Nadu	0.343	7	0.466	3	0.531	3
Uttar Pradesh	0.255	13	0.314	14	0.388	13
West Bengal	0.305	8	0.404	8	0.472	8
All India	0.302		0.381		0.472	

Note: Ranks are at National level (including Union Territories).

Source: Planning Commission (2001)

redistribution measures such as land reform, a full-coverage network of public distribution system (PDS), free house sites and house construction support to vulnerable sections. There are as many as 35 social security and welfare schemes for the benefit of the weaker ones. According to National Sample Survey data, Kerala is one of the two states (the other being West Bengal) to have achieved an increase in per capita nutritional intake between 1972-73 and 1993-94 (Government of Kerala 2000: 148). It should be noted here that the enhancement in economic capability of the Keralites also is very much evident in the state's improved human poverty index (Table 2); there has been a steady drastic reduction in the number of people below poverty line in Kerala over time (Table 3).

3.1. The Historical Backdrop

In this context it is significant to look into the enabling environment that has contributed to enhancing the social and economic capability, that is, development, in Kerala. We cannot ignore here the role of the historical background of the 'model':

- i) A tradition of matrilineal system of a majority of the people and its cultural influence – It may not be wrong to trace the gender development in the state partly back to this cultural backdrop that, we feel, had much to do with ensuring and reinforcing the female-headed family system that emerged later in the wake of Gulf migration with far-reaching implications for gender equality. In addition, the welfare state concept, which had been inaugurated in the mid-19th century with the provision of public elementary education in Europe, had its natural reflection in Travancore and Cochin, the two princely states of then Kerala. Opportunities for education of girls were recognised in Travancore as far back as in 1859, by opening a separate school for them (the first English school started functioning in Travancore in 1836!). Subsequently,

Table 2: Human Poverty Index of Kerala (and Other States)

States	1981		1991	
	Index	Rank	Index	Rank
Andhra Pradesh	50.1	20	39.8	19
Assam	56	29	48.95	27
Bihar	57.57	30	52.34	32
Gujarat	37.31	10	29.46	13
Haryana	38.97	13	28.55	10
Karnataka	44	15	32.7	15
Kerala	32.1	6	19.9	4
Madhya Pradesh	52.15	23	43.47	23
Maharashtra	38.63	12	29.25	11
Orissa	59.34	31	49.85	31
Punjab	33	7	25.06	7
Rajasthan	54.16	27	46.67	25
Tamil Nadu	42.1	14	29.3	12
Uttar Pradesh	54.84	28	48.27	26
West Bengal	47.64	17	40.48	20
All India	47.3		39.4	

Note: Ranks are at National level (including Union Territories).

Source: Planning Commission (2001)

the principle of free primary education for *both the boys and girls of all communities, including the 'untouchables'* was accepted and practised during the reign of Sri Mulam Tirunal (1885 – 1924). The educated were absorbed in government jobs that earned them income security and social status. For the lower strata of the society, education offered immense scope for vertical mobility, with implications for promoting equality, and this led to increasing demand for education. Continuation of the tradition

Table 3: Population below Poverty Line (%)

States	1987-88			1993-94			1999-2000		
	Rural	Urban	Total	Rural	Urban	Total	Rural	Urban	Total
Andhra Pradesh	20.9	40.1	25.9	15.9	38.3	22.2	11.1	26.6	15.8
Assam	39.35	9.94	36.21	45.01	7.73	40.86	40.04	7.47	36.09
Bihar	52.63	48.73	52.13	58.21	34.5	54.96	44.3	32.9	42.6
Gujarat	28.67	37.26	31.54	22.18	27.89	24.21	13.17	15.59	14.07
Haryana	16.22	17.99	16.64	28.02	16.38	25.05	8.27	9.99	8.74
Karnataka	32.8	48.4	37.5	29.9	40.1	33.2	17.4	25.3	20
Kerala	29.1	40.3	31.8	25.8	24.6	25.4	9.4	20.3	12.7
Madhya Pradesh	41.92	47.09	43.07	40.64	48.38	42.52	37.06	38.44	37.43
Maharashtra	40.78	39.78	40.41	37.93	35.15	36.86	23.72	26.81	25.02
Orissa	57.64	41.63	55.58	49.72	41.64	48.56	48.01	42.83	47.15
Punjab	12.6	14.67	13.2	11.95	11.35	11.77	6.35	5.75	6.16
Rajasthan	33.21	41.62	35.15	26.46	30.49	27.41	13.74	19.85	15.28
Tamil Nadu	45.8	38.64	43.39	32.48	39.77	35.03	20.55	22.11	21.12
Uttar Pradesh	41.1	42.99	41.46	42.28	35.39	40.85	31.22	30.89	31.15
West Bengal	48.3	35.08	44.72	40.8	22.41	35.66	31.85	14.86	27.02
All India	39.09	38.2	38.86	37.27	32.36	35.97	27.09	23.62	26.1

Source: Planning Commission (2001)

then made it easier *and mandatory* for the later democratic governments of independent Kerala to enlarge the set of educational and thus the gender-related capabilities also.

Health care also figured prominently in the welfare state policy of the then princely states of Travancore and Cochin. Besides the Ayurvedic and other indigenous medical aid widely prevalent traditionally, the European system of medical care was first introduced in Travancore in 1811, and the first hospital opened about six years later (*Travancore Administration Report for 1106 M.E.* (1930-31): 170). According to the Census of 1931, the life expectation in Travancore was 43.8 years for males and 44.55 years for females, comparable with that of 44.8 years for males and 46.5 for females in Japan during 1926-30 (Centre for Development Studies 1975 [2000: 137]). By the 1940s, the death rate in Travancore-Cochin came down to about 15, a level attained in France and Sweden only a decade earlier (Panikar and Soman 1984: 46).

- ii) Social reformers – Again in parallel to the development history of nations elsewhere, Kerala awakened from the ‘mad house’¹² of caste-ridden feudalism at the challenge to the entrenched value that came from the social-religious reformers. Along with this reformation strengthened renaissance. The literary movement also was a powerful engine of education.
- iii) The soul-cleansing fire of the freedom struggle; working class solidarity; and the consequent birth of a vigilant and vibrant civil society – The old order was already on fast decline under the pressure of the social-economic changes brought about by the spread of school education, monetisation and commercialisation, and nascent industrialisation. The freedom struggle imparted the inevitable political dimension to this flux. However, the political

aspirations and assertions assumed a radical mass movement with sacrificial participation at the grass root level only with the emergence of the socialist/communist group in the State Congress. It was in fact this communist fervour, in an enabling environment, made richer by education and popular literary movement, that materialised working class solidarity, highly conscious of human rights with inescapable implications for development. This fervour in turn had its origin in the peculiar circumstances that saw the leaders, mostly from the upper caste/class families, living among, with and as the common people, often under compulsion from the state ban on communism. And this in fact helped make the masses educated, enlightened and thus politically better conscious of their rights. And it was the homogeneous aspirations, coloured in ideological potential, for a 'Promised Land' that translated this mass movement into a reality of political power. It was only the second time in the world, after the example in French Guyana in the 1940s, that a communist party was brought into power in Kerala through the democratic means of election.

3.2. Unraveling the Political Economy of the 'model'

The political freedom of the labour thus preceded significant reforms and freedom in the social and economic spheres. Inducted into the first communist ministry were also very famous progressive liberals: an academician, a physician and a lawyer who initiated to revolutionise state's role in the universal provision of education and health care and in redistribution. It is our interpretation that the state, backed by an emancipatory political movement, instructed and introduced diverse capability-expanding measures, more in line with its developmental aspirations, implied in fostering social-human capital for sustainable development, than as welfarist doles. Noble was this occasion, but ephemeral too. A drastic change in the principles of political conduct

and manoeuvres evidently followed, with new developments in ‘ministry making’ in the face of delicate balancing of the magic number of majority. Convenient combinations and permutations of a number of political interests, most representing the resurgent feudal (that is, religious, caste and local) forces, without any ideological compulsions and conformity, marked a new stage of history. The process involved a steady loss of the identity between social aspirations and political commitment, the latter giving way to populism and corruption, the highest common factor in the political permutation.¹³ Despite this distortion in the fundamentals that help keep the capability enhancement as both the ends and the means, little did it touch the development emphasis initiated earlier. The enabling environment with its implications and prospects, as already explained, led to an increasing public demand, and the political economy of populism and corruption ensured the corresponding public supply. Such a demand-supply dialectics of that period in fact stood to *institutionalise* these aspirations and measures to such an extent that it became mandatory for the later governments not to ignore them,¹⁴ except at the cost of their own survival.

The Landmarks of the ‘Model’

(a) The Initial Thrusts

The substantial freedom in the social and economic spheres that followed the political freedom consisted in a continuous series of turning points. The radical land reforms were a landmark in the development history of Kerala that bestowed a measure of economic freedom upon the large mass of agricultural labour households through land redistribution, conferment of ownership rights to hutment dwellers, creation of colonies for members of the Scheduled Castes (SC) and Scheduled Tribes (ST) with lands, buildings, and facilities, etc. Also radical were the Agrarian Relations Act and the Kerala Agricultural Workers Act, hailed as the Magna Carta of the agricultural labourers in

the State. The latter prescribed hours of work, security of employment, higher fixed wages, and welfare provisions for the agricultural workers, and heralded the wage inflation in Kerala that contributed to the higher living standard, (but also to the gradual fall of paddy cultivation).

Another in the series of landmarks was the vast network of public distribution system (PDS), which enhanced the people's access to food grains and other items of daily consumption such as sugar, edible oil and kerosene, by subsidising the difference between the market and the issue prices. Given this price differential, the PDS in practice amounted to an income supplement, with its implication for increased wellbeing. Covering nearly cent percent of the households in Kerala, the PDS¹⁵ has thus "contributed to improving a wide range of human development indicators that are closely related to access to food and alleviation of poverty." (Kannan 2000: 1). An expanding network of social security and welfare measures such as pension schemes (for agricultural workers, widows, destitutes, old age and the physically handicapped) and welfare funds (for informal sector workers), taken up over time under populism and organised public demand, also ensured enhancing of economic freedom.

While the improved social opportunities facilitated minimum economic ones, the latter in turn tended to reinforce the former. Aspirations that arose for a new generation free from ignorance and ill health resulted, through public demand and populism, in wider access to education and health care.¹⁶ Even by 1971, a little over 60 percent of Kerala's population were literate, as against 29 percent of all-India (Panikar and Soman 1984: 60), and she always led all other States in per capita expenditure on education (Menon 2000: 285). Even in the 1950s, education claimed 35.6 percent of the total State government expenditure and in the 1970s, 39.7 percent (Panikar and Soman 1984: 61). Kerala was again fortunate in that the literary movement along with the Press

helped develop a non-formal education system with a wide network of libraries and reading rooms and a large number of vernacular newspapers. A number of voluntary organisations also emerged, consciously and conspicuously imparting scientific and rational awareness among the mass (for instance the Kerala Sastra Sahitya Parishad).

All these had a favourable impact on the health front also. Kerala has attained high health status in respect of all standard indicators of maternal, infant and child health as well as of the general health of the people, on par with those of many developed nations, thanks to a vast health care infrastructure facilitating access to institutional care. The network of primary and community health centres has extended their services to the remotest of the rural areas in the State. The crude death rate in the early 1970s came down to about 9 per thousand population, and in 1981 to 6.9. The infant mortality rate that reflects the qualitative and quantitative dimensions of the health standard of a community (the infants being the most vulnerable group among the children) was only 61.4 per thousand against 138.35 of all-India in 1968-69. And the life expectation by 1971 rose to 60.57 years for males and 61.16 for females (Paniker and Soman 1984: 36-40).

(b) 'The Gulf Boom'

Behind all these improvements was an ever-growing public demand. But the initial immediate causatives such as the lure of a secured job and the associated opportunities were not sustainable themselves and were incapable of further thrust. As emphasised earlier, agency wellbeing is a function not only of the capability to function but also of its translation into achieved functioning. If aspirations and expectations are enhanced by enlarging options and opportunities, they must be matched by fulfilment also; otherwise discontent and frustrations set in. It is possible to achieve higher standards of development by turn of priorities within the broad parameters of the given economic capability.

Once this given capability is exhausted, further fuels for development also cease to flow. Thus, enhancing social development presupposes expanding economic opportunities. However, given the regional character of the Kerala economy, the capability-building development process could not lead to enhancing opportunities in the productive sectors of the economy. To be precise, it created and accumulated a large reserve of human capital much in excess of physical capital, thus giving rise to a socially frustrating outcome in the form of the educated unemployed. In short, Kerala was not in fact able to translate its greater freedom to achieve into actual achievement.

Nevertheless, the social development achieved implied a positive outcome of a fast demographic transition, resulting in almost wiping out further demographic pressure. At the same time, the accumulated human capital responded to employment opportunities emerging in the wider world generating substantial linkage effects of the 'Gulf boom', raising the per capita consumption expenditure, that is, purchasing power capability, especially in durable goods, much ahead of the per capita state domestic income. With this expanded economic capability, the public demand for further social development such as education and health care also rose to new heights, and the political economy of populism and corruption responded positively. True, the development process in the State has been the combined result of the capability freedom in respect of the concerned fundamentals. In this argument, we highlight an important feature of Kerala development.

The Kerala experience has reinforced the view that economic wellbeing of individuals depends on per capita consumption, not on per capita income. Until mid-1960s the per capita consumption expenditure (PCCE) of Kerala was 35 per cent below the national average. But within just two decades, it exceeded the national average by 20 per cent. In 1983, the PCCE of Kerala was Rs. 152.1 against the national average of

Rs. 125.1 and in 1999-2000, it was Rs. 816.8 against Rs. 591 for all-India (Planning Commission 2001). This was made possible by the huge amount of foreign remittances from the Gulf Keralites, as also by the easy availability of credit facility and plastic money (credit card). Durable goods market in Kerala thrived on this vast liquidity. For one instance, Kerala added more than a million vehicles to its fleet during a decade, 1971-81, with a rising trend ever since (see Economic Review of Kerala, various issues).

(c) Participatory Development Process

It is within this facilitatory framework of capability freedom that the dynamics of globalisation-liberalisation has occasioned another instance of a combined result in Kerala – the drastic fall in the conventional poverty ratio along with the unbeaten supremacy in human development, compared with the rest of India (see Tables 1, 2, and 3). This, however, does not imply equitable distribution of the fruits (right to equity) nor does it preclude the possibility of the exclusion dimension implied in liberalisation. The situation Kerala has today, where the right to freedom of the hard core poverty group, though small in relative terms, remains unfulfilled, and the prospects appear grim, is peculiar to what we call ‘exclusionary development’ – development with some pockets of abject exclusion. As the state’s role wanes down, honouring the right to freedom of these pockets becomes a concern of collective care – a matter of social praxis, the end of which is an ‘all-embracing development’. And it is here the significance of the participatory development process stands high, and promisingly, Kerala has already gone a step ahead, though in a rudimentary framework, in this direction.

This new paradigm of participatory development process emerged with the inception of the co-operatives: ‘Labour Contract Co-operative Societies’, set up during the first communist reign, sought to break the

grip of the contractors on public works, and credit co-operatives to meet the credit needs of the farm front. Though the former failed and faded, the principle of co-operation did succeed to encompass the whole economy, with 27,705 co-operatives at present working in the sectors of production, marketing, agro-processing, consumer, housing, employment, public health, professional education, insurance and infrastructure development. Kerala also has the strongest co-operative credit base in India. The latest in this experiment of participatory development process was the 'People's Planning', initiated in 1996 in order to empower the local bodies in the State to function as local development institutions of self-government, in line with the Constitutional amendments mandating the formation and functioning of local bodies (*Panchayati Raj*). This in turn has helped revive the sort of the earlier 'Labour Contract Co-operative Societies', whereby the public works have been undertaken by the co-operatives of the local beneficiaries themselves, ensuring enthusiastic public participation in completing major works.

One major problem with this experiment in local level participatory development is that the 'co-operatives' could not develop into an epitome of the concerned local community, but still stands to represent only the powerful political vested interests. That is, the most desired identity between the co-operatives and the local society is lost in practice in the political manoeuvres for power. There were serious allegations during the reign of the first communist ministry itself that most of the co-operatives had only the communists and their sympathisers inducted to them. The story still continues. Despite this scope for decentralisation (and thus dissemination) of the political economy of corruption and rivalry, the *panchayati raj* institution has in effect both an intrinsic and an instrumental value in ensuring an enabling environment for development. It offers a public platform for a vigilant civil society,

conscious of its rights and committed to the correlative duties, to act as a watchdog in the common interest. And in the one step forward taken by Kerala, we have a scope for the rise of such a platform.

4. In Lieu of Conclusion

No doubt Kerala experience has disproved the 'trickle down' prescriptions for poverty alleviation and development. Thus it has in a way supported Dudley Seers who questioned as early as in 1969 the relevance of conflating development with aggregate economic growth (Seers, 1969), by demonstrating that development is more than growth. This is all the more significant when we note that growth with social justice has been the avowed philosophy of Indian planning that has yielded neither growth nor social justice 'to any adequate degree' (Rudra, 1995: 3). More than anything else, however, the 'Kerala model', in our view, has to some extent successfully illustrated the operationalisability and concretisability of the Sennian capability approach to development. And this is the instrumental importance of the 'model'.

What made the development so possible was the harmony between a compulsive public demand and a willing state supply in a democratic environment. The former came naturally from a people, reared in a most conducive historical stage that grew them politically better conscious of their rights and socially enlightened of potential opportunities. Populism as a political tactics for survival in power in the context of coalition governments in turn ensured the supply. The marriage of the two in fact stood to institutionalise the development process. It is worth noting here that in a democracy, "[t]he rulers have the incentive to listen to what people want if they have to face their criticism and seek their support in elections. ... In a democracy, people tend to get what they demand, and more crucially, do not typically get what they do not demand." (Sen 1999a: 152, 156). What the Keralites manifested in their demand they

got: immense social development and minimum economic growth. But for the absorption by the Gulf labour markets, the achieved social development accumulated in human capital would have gone perished in the flames of frustration in the face of economic non-opportunities. It is here the complementarity of social and economic development assumes significance. And it is here then the question raises its ugly face: Is such development as obtained in Kerala sustainable?

The immense income flow from the Gulf immigrants did have a huge effect; but, paradoxically, leakage far exceeded linkages! Much of the remittances were spree-spent on constructions and consumer durables, and their linkages benefited the corresponding productive capacities, but, outside the State. This huge leakage could be averted, if Kerala had such adequate economic capabilities. At the same time, Kerala also missed to evolve and ignite a mechanism to channel a good part of the remittances into productive fields. Also characteristic of Kerala has been the paradox of a heavy influx of construction workers from other States against rising unemployment among the Keralites! Given the high-flying aspirations and assertions of the better informed new generation in Kerala, the lack of a matching outlet for fulfilment, like the earlier Gulf market, might spark off the pent-up frustrations. Will Kerala have a second chance for sustainable development?

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Notes

- 1 The original definition of human rights is in relation to only human being, and this seems to imply a theological stand that people are born with rights, that human rights are inherent in human beings and hence are few and abstract. So were John Locke's rights to life, liberty, and property (Locke 1690). Again, the US Declaration of Independence (1776) claims that people are "endowed by their Creator" with natural rights to "life, liberty, and the pursuit of happiness." Hence the consideration in our definition of his being a social animal that offers more space for the contemporary conception of human rights which are more numerous and specific to his being both human and social.
- 2 The International Covenant on Economic, Social and Cultural Rights (ICESCR)'s list of economic and social rights includes nondiscrimination and equality for women in the economic and social area (Articles 2 and 3), freedom to work and opportunities to work (Article 4), fair pay and decent conditions of work (Article 7), the right to form trade unions and to strike (Article 8), social security (Article 9), special protections for mothers and children (Article 10), the right to adequate food, clothing, and housing (Article 11), the right to basic health services (Article 12), the right to education (Article 13), and the right to participate in cultural life and scientific progress (Article 15).
- 3 The Article 11 of the International Covenant on Economic, Social, and Cultural Rights (Committee on Economic, Social and Cultural Rights 1966) provides:
 1. The States Parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realisation of this right, recognising to this effect the essential importance of international co-operation based on free consent.
 2. The States Parties to the present Covenant, recognising the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

- (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilisation of natural resources;
- (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

4 For example, Article 27 of the International Covenant on Civil and Political Rights (ICCPR) provides:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

Similarly, the Canadian Charter of Rights and Freedoms protects the language rights of minorities and section 27 provides that “This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.” In the United States, there is no analogous protection of language rights or multiculturalism, although constitutional doctrine does recognise native Indian tribes as “domestic dependent nations” with some attributes of political self-rule, such as sovereign immunity (*Oklahoma Tax Commission vs. Citizen Band Potawatomi Indian Tribe*).

5 The ECHR was later amended to include the right to education.

6 Thus article 2 of the International Covenant on Economic, Social, and Cultural Rights (United Nations 1966), which covers rights to basic human needs such as food, clothing, housing, and education, commits its signatories to “take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving *progressively* the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.” (emphasis added).

- 7 See Sen (1999a and 1999b).
- 8 Human Development Report 2000 (UNDP 2000: 1) sets out seven freedoms, viz.,
1. freedom from discrimination – by gender, race, ethnicity, national origin or religion;
 2. freedom from want – to enjoy a decent standard of living;
 3. freedom to develop and realise one’s human potential;
 4. freedom from fear – of threats to personal security, from torture, arbitrary arrest and violent acts;
 5. freedom from injustice and violations of the rule of law;
 6. freedom of thought and speech and to participate in decision-making and form associations;
 7. freedom for decent work – without exploitation.
- 9 Kant is said to be the first to have distinguished between a negative and a positive sense of the term ‘liberty’, but the distinction was first examined and defended in depth by Isaiah Berlin in the 1950s and 1960s. Classical liberal theorists like Constant, Humboldt, Spencer and Mill are typically classed as having held a negative concept of freedom, while the critiques of this tradition, like Rousseau, Hegel, Marx and T.H. Green, a positive concept of freedom. After Berlin, the most widely cited supporters of the negative concept of freedom are Oppenheim (1981), Miller (1983) and Steiner (1994). Among the most prominent contemporary supporters of the positive concept of freedom are Milne (1968), Gibbs (1976), Taylor (1979), Sen (1988) and Christman (1991).
- 10 To quote Berlin, positive freedom is the ability “to be somebody, not nobody; a doer – deciding, not being decided for, self-directed....conceiving goals and policies of [one’s] own and realising them” (Berlin 1969: 131).
- 11 They include the civil and political freedoms, economic facilities, social opportunities including entitlement to education and health services, transparency guarantees involving freedom to deal with others openly, and finally, protective security guaranteed by social safety nets (Sen 1999a: 38–40). We can also include in the list honest governments, open legislative and transparent regulatory systems and effective and impartial

legal system, with protection of and support for rights, physical infrastructure such as energy, roads, transportation and telecommunications (Sen and Wolfensohn 1999).

- 12 Swami Vivekananda was shocked at the inhuman cast distinctions in then Keala and described her as a 'mad house'.
- 13 Both populism and corruption played major roles in the public supply of development projects. For one instance, allotting schools and colleges in the private sector essentially involved communal appeasement and kickbacks. For an account and analysis of the costs of populism and corruption in the power sector of India, especially of Kerala, see Kannan and Pillai (2001).
- 14 It is worth noting that the emphasis was lost only for a brief period during the Congress regime in the early 1960s.
- 15 Interestingly and ironically, the PDS principle has been extended in Kerala even to cover 'Indian made foreign liquor,' by creating a public sector undertaking to cater to the needy at fair prices for enhancing their 'wellbeing'!
- 16 The immediate influences on demand for education, as we already discussed above, came from the lure of a secured job, scope for upward mobility, status along with demonstration effect, not from the ideal of being free from ignorance. But in effect it led to the rise of an informed society.

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