

# What is preventing India from developing an inclusive national framework for older people?

## Abstract

Despite having the second largest population of people over age 60, India has yet to generate an effective national framework for confronting the exigencies of later life, especially those that are derived from a lifetime of poverty. This article demonstrates that this lack of interest in 'past' generations is driven by the unfortunate coincidence of externally endorsed concerns and concepts, and internal politics. Foundational assumptions on the economy and development and on old-age capacities and inter-generational relations, push for evidence collation which disincentivises more empirically relevant analyses, creating the fiction of dependency ratios and preventing the generation of evidence-based knowledge on later life. The consequence is that India prioritises current and future generations over 'past' generations. Policies on older people, who are treated as 'other' at international and national levels, are tied to competition for votes at national and state elections. Currently, policy is not designed around the concept of older people's rights, nor of meeting need. The first outcome of external and internal drivers is that national and state governments are not interested in, nor know, how many older people qualify for a pension; instead they fix budget ceilings and, at a local level, allocate and manage pensions in a random fashion. The second outcome is that pension values are allowed to wither on the vine, waiting on the political context in which one or more parties places a pension uplift at the centre of their manifesto.

Key words: Ageism, inter-generational relations, pensions, dependency ratio, development

## Introduction

Despite having the second largest population of people over age 60, India is yet to generate an effective national framework for confronting the exigencies of later life, especially those that are derived from a life-time of poverty. This article examines the coincidence of internal politics and externally endorsed concerns and concepts that drives a lack of interest in 'past' generations. It does so by highlighting the interplay between India's federal structure, the United Nations' instruments on ageing and internationally agreed conventions on national data-gathering and analysis that end up inhibiting the generation of evidence-based knowledge on later life. The consequence is that India focuses on the current and future generations, focusing on their fertility, health, education and employment and excludes older people from critical national surveys, casting them beyond the purview of mainstream policy making. Treated as 'other' at international and national levels, policy in India is not designed around the concept of older people's rights, nor even of meeting need. Rather, policy-making is focused on promoting filial dependence and the limited use of parsimonious pension policies as electoral instruments. In relation to old age poverty, the first outcome of these external and internal drivers is that national and state governments are not interested in, nor know, how many older people qualify for a

social pension; instead they fix budget ceilings and, at local level, allocate and manage pensions in a random fashion. The second outcome is that pension values are allowed to wither on the vine, waiting on the political context in which one or more parties places a pension uplift at the centre of their manifesto. This paper focuses on the social pension, which is main policy created for older people.<sup>1</sup>

### **An historical perspective – public assistance and “cases of undeserved want”**

Central to understanding policy-making in India is recognising that India is a federated State with a complicated interweaving of national and state level policy-making and implementation that impinges on national and state electoral politics. It currently comprises twenty-nine States and seven Union Territories (UTs).<sup>2</sup> The States and UTs also have diverse demographic structures: some states have a high proportion of people aged under 15 and other states, such as Punjab, Tamil Nadu and Kerala have populations of aged 60 and above of 10-13%, and this varying age structure is reflected in the profile of State and Union Territory electorates. The Constitution of India, which has been amended 100 times between 1951 and 2015, defines the relationship between Government of India (GoI), State/UTs and people. It sets out the Fundamental Rights protecting individual rights, which are silent on age discrimination, and the Directive Principles of State Policy that the State has a ‘duty’ to apply in making laws.<sup>3</sup> These Directive Principles provide the leeway for the State *not* to take action, while at the same time providing a platform for campaigners. Article 41 is the Directive Principle most often cited by pension campaigners: ‘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 and disablement, and in other cases of undeserved want’<sup>4</sup> [*emphasis added*]. The result is that age discrimination and the wider issues of inclusivity and inequality in later life do not feature in the Constitution and it is not incumbent on the GoI, nor State and UTs to address them and alleviating extreme deprivation is conditional on economic capacity.

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<sup>1</sup> Other policies, such as the Public Distribution System, the National Rural Employment Guarantee Scheme and the National Health Insurance Programme, were designed for ‘Below the Poverty Line’ households, variably implemented across the country and had diverse impacts on older people; for reasons of space they are not included in this article.

<sup>2</sup> Many States have populations larger than European countries, including three with populations between 104 million and 199 million people in 2011 (Census Office of India).

<sup>3</sup> Here State includes the state apparatuses at Government of India, State and Union Territory levels. The Constitution is not alone in being silent on age discrimination - see Article 2, Universal Declaration of Human Rights, 1948.

<sup>4</sup> Government of India, Constitution of India (Updated up to Ninety-Eighth Amendment Act) 2012, Article 41.

The design of national social pension goes back to the 1940-50s when Indian social scientists, trained in the United States, attempted to relocate theories in sociology, psychology and social work to an India facing the effects of industrial employment practices, rural-urban migration and family fragmentation resulting from the Partition of India. These experts produced foundational myths of traditional India; two of them stand out for their impact on contemporary approaches to old age. The economist B.P. Adarkar, who led the government appointed investigation committee that resulted in independent India's first social insurance act, observed that the economically active in Indian industry were aged between 15-55 years and that workers could then fall back on village-based extended family support. He asserted that old-age pensions were not a priority because 'every contingency could not be addressed' (Sivaramakrishnan, 2014, p.974). J.M. Kumarappa, who subsequently headed the Bombay School of Social Work and was influential with Indian nationalist leaders, wrote movingly on the 'new poor' dependent on beggary in India's towns and cities. He posited that the cause lay in broken working class families, deriving from rapid changes in social life, rural-urban migration and the erosion of family networks, and resulting in the new social evils of family neglect and immorality, leaving mothers vulnerable, children delinquent and the old destitute.<sup>5</sup> At the same time the conceptualisation of development as modernising economic progress propelled India's first Prime Minister, Jawaharlal Nehru, when enumerating the groups comprising the country's social priorities, to identify children as having the 'first claim on us, because they represent the India of Tomorrow'; on older people he was silent (Sivaramakrishnan, 2014, p.974).

The legacy of this period is tightly controlled social provision for older people based on limited inclusion under Article 41's category of *cases of undeserved want*. Between 1957 and 1983, the majority of States and Union Territories provided a social pension to the destitute. Initially most provided benefits of Rs30-Rs100 (Kumar, 2003). Almost all States had entitlement thresholds in the range of 60-65 years, which compared unfavourably with the formal sector threshold of age 58. These State and Union Territory pensions had limited coverage of those eligible, accounting for about 7% of the older population in India in 1984/5, low pension values and no support from the Government of India (Channa and Talwar, 1987). In 1995 the GoI launched the National Old Age Pension Scheme (NOAPS) for over-65s living below the official poverty line, having no means of support, no surviving adult son and not begging. The inadequacy and arbitrariness of coverage led to the GoI establishing the Annapurna Anna Yojana Scheme in 2000 which

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<sup>5</sup> Just as Adarkar's assertion that those who are economically active in India's industries are aged 15-55 is more wishful thinking than empirical fact, the discourse of eroded family networks and of neglect relies on assumptions about 'the traditional' Indian family that applied more to better-off urban families than to others (Shah, 1999).

provides 10 kg of wheat or rice cost free to destitutes not covered by the pension. In 2007 the surviving son bar was removed and the pension was raised from Rs75 to Rs200 per month. Despite average monthly consumer price inflation rates ranging between 4-12% over the past eight years, causing a sharp decline in the pension's purchasing power, the pension has not been raised nor inflation indexed. In 2011 the eligibility age dropped to 60 years and the pension for over 80s was raised to Rs500 per month.

These pension values are exceptionally mean by regional standards. While it is difficult to secure exact data the order of magnitude is clear: India, a lower middle income country, provides a social pension at the rate of 2% of GDP/per capita, yet its two low-income neighbours, Bangladesh and Nepal spend 5% and 12% respectively.<sup>6</sup> It is only by comparing the poverty line and poverty ratio applied to old age poverty with those applied to the general population that we can see the extent to which older people are viewed by the Gol as marginal to India's development. The pension is targeted at individuals whose incomes fall below an old-age poverty line set at Rs11 per day in rural areas and Rs17 per day in urban areas (Sethi, 2012). This is considerably lower than the deeply controversial general poverty line of Rs22 and Rs28 per day for rural and urban areas respectively. Poverty lines enable the Planning Commission to establish a poverty ratio. For old-age pensions, the poverty ratio is multiplied by estimates of the over-60 population to determine how many social pensions the Gol will make available to each State and UT. In 1999 for the NOAPS a poverty ratio of 36% was used then 'arbitrarily' cut by 50% to produce the number of pensions to be disbursed (Alam, 2006, p.230). The successor scheme, the Indira Gandhi National Old Age Pension, in operation today, reduced the poverty ratio to 28%, removed the son bar and 50% arbitrary cut but limited the number of pensions to two per household.<sup>7</sup> This low old-age poverty line and reduced poverty ratio allowed the government to continue capping the number of pensions available while still claiming to cover everyone in need.<sup>8</sup>

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<sup>6</sup> See HelpAgeInternational's Pension for further comparative details <http://www.pension-watch.net/about-social-pensions/about-social-pensions/social-pensions-database/>

<sup>7</sup> With relatively early marriages, especially in the past, people in their sixties could be living with relatives in their eighties but only two would be eligible for a pension.

<sup>8</sup> The National Food Security Act (NFSA) 2013, in recognition of the widespread poverty of the population, provides five kg per capita of subsidised rations to 75% of the rural population and 50% of the urban population (covering two-thirds of the total population). This recognition of widespread individual food security has not translated into a policy remedy for the concomitant need for old-age pensions for at least two-thirds of the population as the Gol rejected the inclusion of old age pensions as a legal right in the NFSA. The NFSA prescribes replacing BPL lists with new lists of Priority Households based on recent census data and leaves States/UTs to determine which categories of households are a priority. Most States/UTs have not used these expanded priority lists to update old age pensioner lists, thereby continuing their exclusion (Harsh Mander, personal communication).

Alongside the Gol's allowing its small pension value to wither on the vine, the State and Union Territory governments chose approaches that ranged from taking minimal part in pension disbursement to extending coverage from their own resources.<sup>9</sup> Nor do all States and UTs match-fund the Gol pension: some only distribute the Gol contribution, while some, such as Tamil Nadu, top up the Gol sum with their own resources.<sup>10</sup> There are three further points of arbitrariness. First is the identification of people to be classed as living below the poverty line (BPL). As verifying incomes is extremely difficult with a population where 93% of people have informal work (Planning Commission, 2007, p.13), a variety of proxy measures are used with diverging outcomes: the final BPL lists were highly discredited and corrupt, excluding many of those most in need (Mehrotra and Mander, 2009).<sup>11</sup> Second are the barriers to access in a targeted, capped system which excludes those unable to persuade someone with influence or connections to pursue the pension on their behalf. Research undertaken in Chennai's low-income settlements between 2007-10 and 2011-12 found that the only people who were able to secure pensions were those who had some advantage over other applicants; for example, they had an NGO or political party worker backing them, a person known to them who had connections in the pensions office, or were able to pay 'speed' money to an agent to secure the pension.<sup>12</sup> This ensures that those with the greatest vulnerability, having no access to sources of support other than what little they can earn themselves, most typically older widows, are unlikely to secure a pension.<sup>13</sup> Third is the unpredictability of pension delivery and unanticipated halting of pensions. For example, in East Delhi Municipal Corporation 30,000 people did not receive their pension for two years<sup>14</sup>; in Chennai when compensation for monsoon damage was distributed, pensions were 'delayed' and missed payments are not made up; and when the Gol cut the pension budget by 30% in the middle of the 2014-5 financial year, the cuts ratcheted down through local government to older people with pension 'delays' that are not recouped (Yadav, 2015). Irregular payments are common place and the lack of transparency makes it difficult to identify the role of corruption in each case. By ensuring fixed-day monthly payments

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<sup>9</sup> Despite the limited number of Gol pensions allocated, only 75% of Gol funding has been dispersed by the States and UTs (Gol, 2011).

<sup>10</sup> On 21<sup>st</sup> July 2015, the Gol admitted it does not know how much each State and UTs contributes to the final pension received, demonstrating State and UT independence and the refusal of the Gol to make match-funding mandatory (letter stating this is available at <http://nsap.nic.in/>).

<sup>11</sup> Small differences in scoring structures and criteria of inclusion/exclusion can change who qualifies by one-third (Alkire and Seth, 2013, p.55).

<sup>12</sup> Two research projects were undertaken by the author and the Centre for Law, Policy and Human Rights Studies, Chennai, in five low-income settlements of Chennai between 2007-10 and 2011-12.

<sup>13</sup> See also Mander (2012) on the specific vulnerability of the aged who don't have care-givers to hunger and destitution.

<sup>14</sup> "30,000 haven't got old age pension for 2 years: East Delhi Municipal Corporation to HC, 23 March 2015. <http://timesofindia.indiatimes.com/city/delhi/30000-havent-got-old-age-pension-for-2-years-East-Delhi-Municipal-Corporation-to-HC/articleshow/46656820.cms> Accessed 14 October 2015.

across the State, Odisha has demonstrated that reforms are possible (Chopra and Pudussery, 2014)

Unlike formal sector pensions, social pensions are not indexed to inflation nor regularly reviewed, which leaves the social pension vulnerable to political exploitation through processes of take-up and side-lining depending on competing political pressures. The case of Tamil Nadu is instructive. Tamil Nadu has a history of innovative social protection schemes and in 2011, the pension rate became a key electoral issue in a state with a comparatively large proportion of older people. The new Chief Minister doubled the old age pension (to Rs1,000 a month), yet this is where it stayed and is likely to stay until the next State election. Networks of national and state level organisations, the Pension Parishad and Right to Food Campaign, have campaigned to raise the pension to half the minimum wage, to link it to the consumer price index and for it to be regularly reviewed, just as government sector pensions are.<sup>15</sup> By 2013 these networks had persuaded a number of political parties to place a universal social pension on their manifesto for the national elections.<sup>16</sup> While universalising the social pension is not yet successful at Gol level, as more States and UTs raise the pension level and expand coverage they will increase pressure on the Gol to expand its scheme, allowing them either to reduce their contribution to social pensions (and use the money elsewhere) or to enhance and expand their schemes beyond that of the Gol. Indexing the pension to inflation and universalising coverage, which will take the social pension out of the realm of political 'gift' and into that of citizen right, has yet to happen.

## **External influences and their impact**

### **1) *United Nations on Ageing***

A number of external influences encouraged India to develop a national framework for older people. In 1982, as a Member State of the United Nations, the Gol participated in the World Assembly on Ageing in Vienna and was a signatory to the Vienna International Plan of Action on Ageing, 1983 (VIPAA). This Plan detailed the measures to be taken to safeguard the Human Rights of older people and to enhance their lives. It called for Member States to study the impact of development on ageing and of ageing on development, in order to mitigate the negative impacts of development and to realise the potentials of ageing for development. The Gol's response to VIPAA was to initiate a protracted review of policy.

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<sup>15</sup> These networks, the Pension Parishad and the Right to Food Campaign, can be found on the Internet.

<sup>16</sup> Universal in this instance means that everyone will have a pension; those without a private or employee pension would receive the social pension.

In the next decade the Gol was obliged, as a Member State, to reaffirm VIPAA principles to enhance the economic and social independence of older people by incorporating the principles of independence, participation, care, self-fulfilment and dignity into their programmes for older people (United Nations General Assembly, 1991). The 'Proclamation on Ageing' urged Member States to develop initiatives that would give older women adequate support for their largely unrecognized contributions to society, and support families in providing care. In applying the International Covenant on Economic, Social and Cultural Rights (United Nations Office of the High Commissioner for Human Rights, 1995), General Comment 6 (GC6) notes that 'in so far as respect for the rights of older persons requires special measures to be taken, State parties are required by the Covenant to do so to the maximum of their available resources', including providing social security for older people, and urges Member States to end age discrimination, and to promote and protect older people's economic, social and cultural rights. GC6 requires States 'within the limits of available resources (to) provide non-contributory old-age benefits and other assistance for all older persons, who...are not entitled to an old-age pension or other social security benefit or assistance and have no other source of income'. Article 10 of the Covenant is interpreted as requiring 'State parties (to) make all necessary efforts to support, protect and strengthen the family and help it, in accordance with each society's system of cultural values, to respond to the needs of its dependent ageing members', while the right to an adequate standard of living enshrined in Article 11 is seen as covered by the UN Principles for Older Persons 'through the provision of income, family and community support and self-help'. The remaining rights include, amongst others, the right to remain integrated in society and to participate actively in the formulation and implementation of policies that directly affect their well-being.

In response to the various UN calls for action on ageing, in 1995 the Gol formulated the anti-poverty National Social Assistance Programme (Government of India, 2011) which consisted of three schemes, one of which was the National Old Age Pension (discussed above) which, for the first time, made the social pension a national policy, though only for destitute people with no adult son, at the monthly rate of Rs150.<sup>17</sup> The political will behind this scheme needs to be evaluated within the wider context. First, India is a country in which 93% of working people are stuck in low-paid, irregular, insecure, informal work. Second, a number of Indian States had already been providing pensions for between 13-38 years without any Gol support. The Gol's reliance on impoverished sons to support older people, on top of its use of a discriminatory definition of old-age poverty, the miserly value of pensions, and the arbitrary capping of coverage to 50% of

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<sup>17</sup> The Programme's other schemes were the National Family Benefit Scheme and the National Maternity Benefit Scheme.

those eligible, is not to meet its obligations under UN instruments; rather, it is to hide behind let-out clauses on culture and means. Not raising the pension in the subsequent 12 years, despite significant inflation, is not to meet the obligation to ensure an adequate standard of living. This scheme is more reminiscent of Kumarappa's concerns about old-age beggary than of stepping up to international agreements to enhance independence, participation and self-fulfilment.

In 1999, India formulated its first National Policy on Older Persons (NPOP) (Government of India, 1999), referencing the UN Principle for Older Persons, the Proclamation on Ageing and the Global Targets on Ageing for the year 2001. The National Policy starts with a general preamble that 'seeks to assure older persons that their concerns are national concerns and they will not live unprotected, ignored or marginalized... (and) aims to strengthen their legitimate place in society and help older persons to live the last phase of their life with purpose, dignity and peace' (Ministry of Social Justice and Empowerment, 1999, Para 15). It 'visualizes' the State extending support for financial security, health care, shelter, welfare and other needs, providing protection against abuse, making available opportunities for development of their potential, seeking their participation and providing services to improve the quality of their lives. Para 17 is couched in stronger language: 'it has to be ensured that the rights of older persons are not violated and they get opportunities and equitable share in development benefits'. Quality of life is expanded to describing age 60+ as 'a phase when the individual should have the choices and the opportunities to led (sic) an active, creative, productive and satisfying life'. Para 19 limits this to the State 'will extend support', as the policy 'believes in the development of a social support system, informal as well as formal so that the capacity of families to take care of older persons is strengthened and they can continue to live in their family'. Para 22 pushes this point further by stating that it is not 'feasible nor desirable for the State alone to attain the Policy objectives and needs to work with individuals, families, communities and civil society institutions'. Para 24 states that the financial situation of two-thirds of those aged 60+ is 'fragile' and 'some level of income security...will be given very high priority'. Para 25 stipulates expansion of the old-age pension to cover everyone below the poverty line, preventing delays and abuses in selection and disbursements, and raising the pension to prevent deflation of its real purchasing power.

Yet in eight years, the renewed national social pension set pension coverage at 28%, failing to cover the two-thirds whose financial situation the Policy describes as 'fragile' and, despite inflation, the pension value has not been raised since. The GoI has yet to devise a policy that provides some level of income for everyone below a realistic poverty line, has not protected the pension's purchasing power and not prevented delays and abuses in selection and

disbursements. The NPOP also promised legislation to prevent the abandonment of 'old parents' unable to maintain themselves. This legislation, the 2007 Maintenance and Welfare of Parents and Senior Citizens Act (Government of India, 2007) was hailed as a radical step forward in protecting the life and property of older people. This drew together provisions scattered over a number of Acts.<sup>18</sup> Its focus was on making it easier for older people who are unable to maintain themselves to take their adult children (and, for the childless, those who might inherit from them) to court for a monthly allowance so that they can live a 'normal life' (undefined). Local Maintenance Tribunals can imprison non-paying children or relatives for up to a month per delayed allowance and for three months and/or a Rs5,000 fine (approximately £50) for abandoning a parent in a temple or some other distant place. This Act relies on State and UT governments for implementation and it is as variously implemented as the pension.

As the 'family is the most cherished social institution in India and the most vital non-formal social security for the old' (Para 80), the NPOP sets out policies to incentivise children to co-reside with their parents. These include tax concessions on health insurance and reservation of 10% of houses or house sites for allocation to older people as well as preferential loans. While these measures are identified for people who have sufficient tax liabilities to incentivise filial duty, welfare policy is to be aimed at the 'the poor, the disabled, the infirm, the chronically sick and those without family support' (Para 59). In this regard, a long list of what is proposed under health services includes a 'judicious mix' of public health services, provided by not-for-profit organisations and private medical care, and health insurance (described as a high priority), provision of hospices for people who are chronically ill and 'deprived of family support'. The reliance on NGOs and voluntary and private sectors, as well as on hospitals setting up a Welfare Fund to receive donations for free health care for 'poor elderly patients' (Para 40) suggests a piecemeal approach that is unlikely to tackle the health needs of an economically diverse and geographically dispersed older population, especially as no connection is made between health and infrastructural deficits (water, sanitation, etc.), malnutrition and undernutrition.<sup>19</sup>

The NPOP recognizes the importance of good data collection and the need for a separate age category of 60 years and above (Para 84). While the Census Office is now releasing tables that separate out people aged 60+ (and in some cases this category is further disaggregated), the main source of information on health designed to inform national policy-making, namely the

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<sup>18</sup> See the Hindu Adoptions and Maintenance Act, 1956 and Section 125 of the Criminal Procedure Code, 1973.

<sup>19</sup> The NPOP cites the need to subsidise health insurance for the poor but according to Bloom et al (2014, p.1) 'the elderly population... is excluded from the nascent health insurance plan for the poor, which covers only those aged 65 or younger'.

National Family Health Survey (NFHS), does not collect data on women over age 49 and men over age 54. By choosing to retain the same ageist barriers that have been applied for over two decades for the current NFHS 2014-15, which is gathering data on nutritional deficits, the GoI demonstrates a lack of concern for older people's health rights. Yet research on inequalities in food consumption undertaken in rural India in 2009-10 found that the bottom 20% of the monthly per capita expenditure quintiles ate an average of 33 kg of food (all food groups) while the top quintile ate an average of 50 kg (Gupta and Mishra, 2014). This suggests the likelihood of poor nutritional status of older people, as age discrimination in the labour market means that people *under* 60 earn 50% *more* than people aged 60 and over (Harriss-White et al., 2013). This extrapolation is supported by a four-village study in South India which found that nearly 50% of people aged 60+ had a BMI of 18% and 53% had anaemia (Purty et al., 2006). A further rural study in South India found that 63% of people aged 60 or more were malnourished or at risk of malnourishment and 60% had deficient protein energy intake (Vedantam et al., 2010). Even the Longitudinal Ageing Study in India (LASI), which is designed to produce comprehensive survey data on adults and the ageing process, fails to focus on older people. The remit is people aged 45 to 64 and their spouses, with the result that people (i.e. spouses) aged 65+ in the four-state pilot study amounted to 25% (400 people) of the total sample (Arokiasamy et al., 2012). Moreover, published LASI results are not always disaggregated by age, demonstrating that this project is more about understanding the process of ageing than it is about gathering data on the current older population.<sup>20</sup>

The NPOP states that 'older persons, particularly women, perform useful but unsung roles (sic) in the household. Efforts will be made to make family members appreciate and respect the contribution of older persons in the running of the household specially when women, too, are working outside the home' (Para 79). While recognition and appreciation are of fundamental importance, especially to older women who face pervasive ageism and sexism, the policy's failure to acknowledge the physical burden placed on all people to meet the vast deficit in physical infrastructure (water, electricity, sanitation, flood prevention, sealed roads) and in social infrastructure (education, health) is a major weakness of the NPOP. Infrastructural deficits significantly depletes the physical, financial and time resources of older people and their families, while the protracted time off work that utilizing government health service demands threatens their livelihoods. Without infrastructural provisions, the feasibility of earning incomes, improving living standards and sustaining the mutual caring that occurs between generations covering day-

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<sup>20</sup> As women are generally 5-10 years younger than their husbands and the upper age band of those surveyed is 64, then those in the 65+ age band are their spouses; this suggests that older women's situations will not be as well mapped as older men's.

to-day and longer-term care work is substantially undermined for the two-thirds of the over-60 population whose financial situation is described by the NPOP as 'fragile'. The overall effectiveness of the NPOP as a national framework for older people is not only compromised by the wider social, economic and infrastructural provision across the country, which was excluded from the NPOP, but also by the need for the NPOP to be translated into State and Union Territory policies. As we have seen in relation to the social pension, States and Union Territory governments may well have other priorities which results in a less than vigorous implementation of the NPOP (Giri, 2011, p.1).

In 2002 the United Nations adopted the Madrid International Plan of Action on Ageing (MIPAA), replacing VIPAA with a policy document addressing the challenges and opportunities of the 21<sup>st</sup> century. Building on wider UN policy, MIPAA's central concept is '*A Society for All Ages*' which was defined by the UN Secretary-General as one that:

'adjusts its structure and functioning, as well as its policies and plan, to the needs and capabilities of all, thereby releasing the potential of all, for the benefit of all. *A Society for All Ages* would additionally enable the generations to invest in one another and share in the fruits of that investment, guided by the twin principles of reciprocity and equity.' (United Nations Secretary-General, 1999, para 38 - cited in Sidorenko & Walker, 2004, p.152).

MIPAA differs from VIPAA in its developmental focus. The latter's approach was 'humanitarian', driven by 'compassionate ageism' (Sidorenko & Walker, 2004). MIPAA's objective is to integrate responses to population ageing and older people's concerns into national development frameworks and poverty-eradication measures. The three priority directions identified are older people and development; advancing health and well-being in old age; and ensuring enabling and supportive environments. These are underscored by MIPAA's foundation themes of human rights; a secure old age, including the eradication of poverty; empowerment of older people; individual development, self-fulfilment and well-being; gender equality among older people; inter-generational inter-dependence; solidarity and reciprocity; health care, support and social protection for older people; partnership between all major stakeholders in implementing MIPAA; and the specific inclusion of older indigenous people and migrants. MIPAA also sets out implementation and governance strategies at national level, including establishment of agencies on ageing; effective organisations of older people; national data collection and analysis, including the compilation of gender and age-specific information; and autonomous institutions to undertake independent monitoring of progress in implementation.

In 2008 the UN published a guide to the national implementation of MIPAA which challenged assumptions and reliance on family caregivers:

‘It is often asserted that families are able to provide adequate long-term care for almost all older persons, particularly in developing countries; however, there is no firm evidence to support such a claim... (and) residing alone may reflect a preference for independent living rather than social isolation, while being part of a large household does not necessarily guarantee good care.’ (United Nations Department of Economic and Social Affairs (UNDESA), 2008, p.68).

The guide states that data on living arrangements (which is the source most often used in India) is not the best indicator of the need for care. What is needed is a combination of quantitative data on household living arrangements, and qualitative research into family support and the stresses experienced by family caregivers. The guide devotes a chapter to the issue of making social protection work effectively for older people. It raises the key concerns of: social inclusion, including which key groups are not included (women, migrants) and whether individuals working in the informal economy are protected; determining eligibility fairly and without compromising older persons’ dignity; adequacy of benefits; and predictability of disbursement. Finally, in promoting social inclusion and political participation, the UN eschews reliance on the ‘long route’ to power through voting, especially in contexts where mainstream political parties are unaware of, or unwilling to address, older person’s concerns. Instead, the UN advocates the ‘short route’ to power and influence through advocacy, participation (including citizen monitoring schemes and working with pressure and interest groups), raising the general profile of older persons to challenge negative stereotyping and exclusionary practices, and transforming informal rights into legitimate rights.

Overall, the central shift between VIPAA and MIPAA is replacing:

‘compassionate ageism’, which regards older people as a ‘deserving’ group, with the acceptance of their rights to equal treatment and self-determination.’ (Sidorenko & Walker, 2004, p.153)

This shift from deserving, compassionate ageism to the right to equal treatment and self-determination is not yet evident in India. The Constitution has yet to add age to the list of discriminations, and the main clause providing a potential platform for a social pension that meets the test of need and adequacy refers only to ‘cases of undeserved want’, not to rights.<sup>21</sup>

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<sup>21</sup> See the Gol website <http://indiacode.nic.in/coiweb/coifiles/amendment.htm> Accessed 14 October 2015.

The Maintenance and Welfare of Seniors Citizens Act and the 2007 revisions to the social pension do not reflect a shift from compassionate ageism to equal treatment and self-determination, addressing instead the Gol's intention to limit its outlay to this sector of the population to the narrowest definition of 'cases of undeserved want' [emphasis added].

Compassionate ageism is demonstrated by the shelving of the 2011 Draft National Policy for Senior Citizens recommended by Dr Mohini Giri's Committee for the Ministry of Social Justice and Empowerment, under whose remit older people fall.<sup>22</sup> The Draft references MIPAA and has a strongly directive tone as to what 'will' be done, and clearer delineation of responsibilities for implementation than appears in the NPOP. There is a shift in language, from a policy for Older Persons to one for Senior Citizens.<sup>23</sup> It demonstrates a clearer understanding of the effect of a lifetime of gender-based discrimination on older women, and of the economic vulnerability of the rural poor. The draft proposes that the social pension should cover all senior citizens living below the poverty line; that the rate be raised to Rs1,000 per month and revised at intervals to prevent deflation; and that all the 'oldest old' be covered by the social pension and 'provided additional pension in the case of disability, loss of adult children and concomitant responsibility for grandchildren and women' (Giri, 2011, p.5). This is the first (draft) policy recognition that older people play essential roles within families on which younger generations depend. In July 2014, the new Gol administration stated that the 'new National Policy for Senior Citizens is under finalisation'.<sup>24</sup> However, fifteen months later there is still no indication that the concept of senior citizens' rights, rather than security for the elderly, has been taken on board and there is no announcement of extending the value or coverage of the social pension nor of protecting the pension against price inflation. The mid-year cuts to the 2014-15 national pension budget (mentioned above) suggests that, rather than moving towards a rights approach, the Gol may even be retreating from its 'compassionate ageism' approach; a view supported by the Gol's 2015 launch of the Atal Pension Yojana, a 20-40 year contributory pension scheme aimed at informal economy workers (Mander, 2015) .

## **2) Disciplinary fictions: the UN System of National Accounts (SNA) and the Dependency Ratio**

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<sup>22</sup> It appears on the website under the tab 'Social Defence' along with 'Victims of Substance Abuse'; there is no further documentation, or change of title that suggests that the draft document has been accepted.

<sup>23</sup> Although the term elderly is used throughout to refer to people aged 60 and above.

<sup>24</sup> New national policy for senior citizens under finalization: Govt. *The Hindu*, 22 July 2014.

<http://www.thehindu.com/news/national/new-national-policy-for-senior-citizens-under-finalisation-govt/article6237844.ece>  
Accessed 29 September 2015.

Central to the lack of progress in moving from a 'compassionate ageism' approach to one of older people's rights, a problem that is clearly not India's alone, is the way economies are conceived, measured and managed. Vital unmonetised services necessary to life and to the on-going reproduction of the economy and society are deemed by economists to fall outside the 'production boundary', and therefore do not appear in the internationally agreed SNA (European Commission et al., 2009). These accounts are used to measure an economy's health, size and success, to evaluate the economic merits of policies and potentials for investment. Feminist economists have long argued that this system of measuring inputs into the economy excludes the work most often assigned to women, making them appear as dependents of those who are paid wages for their labour, and making women appear as a cost to the economy (Waring, 1990). Whereas unpaid domestic and care work are the critical foundation on which the economy relies, producing a fit, fed and rested workforce to labour the next day and a socialized, educated workforce to labour in the future. With increasing female workforce participation, this reproductive work has to be passed on to others. Where it is passed on to monetarized services, such as cleaners, pizza deliverers and childminders, it appears (in theory) in a nation's accounts. Where it is passed on to older family members, as occurs in high-income countries in relation to child-care, and as is widespread in low-income countries, labour vital to the economy is left unaccounted for and unrecognized. The outcome is that, in evaluations of policy and national economies, older people appear as costs, not as helping to grow the economy by enabling women to enter the workforce and enabling children, especially girl children, to go to school (Vera-Sanso, 2014).

The fictions embedded in the SNA that unmonetarised services are not critical to the economy and should fall outside the production boundary, has its mirror in the fiction proposed by the discipline of demography, namely, the dependency ratio. The dependency ratio assumes that everyone aged under 15 and over 59 (or 64 depending on the source) is not working, hence dependent, and *everyone* aged between 15 and 59 (or 64) works; this ratio then produces a dependency ratio on which policy can be based. The dependency ratio assumes that everyone aged under 15 and over 59 (or 64 depending on the source) is not working, hence dependent, and everyone aged between 15 and 59 (or 64) works; this ratio then produces a dependency ratio on which policy can be based. This is blatantly erroneous, and demographers readily agree that it is (Gietel-Basten et al., 2015). Nevertheless many continue to argue for it as providing a standardized, easily arrived-at comparative measure. Yet as a standardized, internationally applied measure of demographic-economic significance it provides a fictionalized image of factors underlying an economy and its future potential and challenges (especially in terms of

potentials for a demographic dividend and concerns about population ageing). Not only does the dependency ratio poorly inform policy-making, it provides a pseudo-scientific 'fact' that is used to bolster public and policy discourse, erroneously positioning all older people and the whole of later life as a cost, burden and challenge to younger generations, thereby obscuring the mutual interdependence on which individuals, economies and societies depend.

The normative assumptions about economies, how they grow and how to measure them, and about the functions of age- and gender-based categories of people, hinder research into old people's capacities and contributions to the economy, as well as analysis of inter-generational interdependence. The resulting paucity of evidence-based knowledge on later life that does not start from an assumption of dependence and frailty generates greater reliance on these disciplinary fictions, pushing governments down the route of compassionate ageism, and focusing on narrow definitions of individual 'cases of undeserved want', rather than older people's rights.

## **Conclusion**

In explaining why India has yet to develop an effective national framework for older people we need to understand the interplay of external and internal factors. The sheer size, demographic diversity and federated structure of the country inhibit the development of a uniform policy. This has had the advantage that some parts of the country have had social pensions for up to 38 years before a national pension was developed; many States and UTs are providing much larger pensions than the Gol scheme and some have widened pension coverage. This increases pressure on the Gol to enhance and extend its pension. The downside is that the pension is a political tool that no government has yet been willing to put on a secure footing by indexing it to inflation. At Independence in 1947, when social provision and the Constitution were being drawn up, the Gol pursued a policy of relegating older people to the care and support of their families alongside a 'compassionate ageism' towards 'destitutes' as 'cases of undeserved want', subject to the State's estimate of its capacity, while focusing on children as they 'represent the India of Tomorrow'. This approach continues today with policies aimed at forcing people to provide maintenance to their older relatives, and the limited and haphazard sweeping up of a small proportion of the vast number of people whom the Gol readily admits have 'fragile' financial resources. This approach can also be seen in the framing and implementation of policies incumbent on the Gol as a Member State of the UN: the Gol has still not put in place an effective programme arising from the 1982 VIPAA compassionate ageism approach, and continues to stall on the 2002 MIPAA citizens' rights approach. As is evidenced by the success of campaigners in

securing and monitoring the delivery of pensions at State and Union Territory level, national-level policy development and implementation is dependent on the development of state-level policy. Aside from the historically informed development millenarianism that underlies India's policy-making, which positions older people as belonging to the past and not relevant to current and future developments, there is a contradiction at the heart of the UN approach. At the same time as it pushes the MIPAA agenda, it supports conventions on census analysis and national accounting that position older people as dependents, and their unpaid work in producing the most essential factor of production, namely, human labour, as outside the production boundary. As long as these two fictions, that of the Dependency Ratio, and of services for individual and family benefiting only individuals and their families, underpin wider social and economic planning, the goals of VIPAA, let alone MIPAA, are unlikely to be realised.

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