

# Theoretical Responses to Water Justice: A Discussion Between Neoliberalism, Neo-Marxism, and Ecofeminism

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Agendas of Sustainable Development 2030, concerning water governance, have re-energized the debates on the idea of 'water justice.' Globally, the signatories of the water agenda (as part of Sustainable Development Goals 2030) have profoundly argued against the prevailing water injustices. At the institutional level, these states have attempted to humanize the water-related issues and have highlighted human sufferings, extensively. In global academia, the sensitivity against water injustices is even more intense. Here, in the intense academic debates, water injustices are identified as the opposite of water justice which indicates a condition where individuals, groups, or communities are suffering because of the unavailability, inaccessibility, or unaffordability of water. While pointing out water suffering, these debates have identified the reasons, nature, and consequences of water injustices and have endeavored to theorize the issues concerning water injustice in different backgrounds and contexts. In making arguments for water justice, the water scholars are not contradicting each other. However, they have been persuaded the same, differently, by the logic and subject. To the idea of water justice, these many logics have offered normative inputs and created a tradition of argumentativeness. The critical explorations offered by this intellectual argumentativeness pose critical commentaries against the various understandings of water justice and while so doing propose a new perspective on water justice. Since the ideas of water justice, which emerged with these many normative arguments, are dominating in policy processes, it is essential to understand its value in the normative and theoretical background. The present paper, given this requirement, attempts to explore the theoretical understandings of

the idea of justice and draws roundtable discussions between the major discourses that are evolved globally as neoliberalism, neo-Marxism, and Ecofeminism. These three discourses are taken for the discussions mainly because, while arguing for water justice, each has argued against each and simultaneously has influenced the policy frameworks and processes. Throughout, the concern of the paper is to explore what is argued as water justice and if the arguments are justifiable.

## **Water justice: the Backdrop**

Identifying and arguing against injustice is a precondition of 'justice.' The concept of justice, therefore, has an obligation to explain the nature of injustice. Furthermore, the concept has to clarify what 'injustice' is and prove why something is required to be identified and contended as injustice. The philosophical debates on justice have understood this obligation soundly. While narrating the concept of justice, political philosophers identify 'certain' situations that control the will, choice, ability, and action of individuals or groups, against their interests<sup>1</sup>. In the process of theory building, they specify these situations and assert them as threats to human existence with dignity and argue them as injustice (s). Political philosophy has a long tradition where 'threats' before human existence (in any form) have not only been identified but have been contended as injustice. In western political thought, a glimpse of this fact can be noted in the Platonic conception of justice. Plato theorizes the idea of justice in the background of the 'tyranny of 30,' and while so doing argues threats to 'ultimate wisdom' as a situation of injustice. One can observe the idea of 'Threats as injustice' in the social contract theory, as well. This theory, while narrating the problems of the natural state proposes that for human beings, the absence of rule of law is a threatful situation. Since it creates threats to liberties and controls

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the wills of the individuals, it is essential to consider them an injustice. In the tradition of arguing threats as injustice, the notion of Human Rights presents an argument against war and argues that the consequences of war are the real injustice to human beings. Similarly, in feminist debates, the idea of injustice is argued in the background of common human suffering, initially classified on the bases of biological differences. Here, threats are observed and argued as sufferings of women, and threats to her will, choice, and action are argued as injustice.

Clearly, in political philosophy trends of arguing 'threats as injustice' is common, and evident in every age. In the twenty-first century, trends have taken a major shift where scholars have identified and argued an 'unwater<sup>2</sup>' situation (artificial or natural) as a threat to humanity and a concern for justice. Globally, the concerns are theorized by neoliberalism, neo-Marxism, and Ecofeminism in different backgrounds and contexts. In the water debates, neoliberalism has proposed the first argument; here inefficiency in water governance is argued as the prevalent threat before the entitlement of water justice. Significantly, claims of Neo-Marxism are against neoliberalism. Neo-Marxism, while drawing on the idea of water justice, emphasizes that neoliberalism itself is a threat. This is because the idea of efficiency offered by neoliberals advocates for water privatization and allows for monopolization of water resources, which ultimately compromises the idea of water equality. Contrasting to these two ideas, the Eco-feminist perspective of water justice, as the contemporary wave of feminism, insists that the patriarchal system prevailing in water governance is the real threat to water justice. According to Ecofeminism, the dominance of men over water resources and water governance processes suppresses women as water fetchers and exploits water resources as Mother Nature, hence the threats confronting water justice are dual.

In the water justice debates, these three perspectives have composed argumentative intellectualism and have enriched the theoretical understanding of the idea of water justice. The three, simultaneously have offered models for water policy frameworks. In the regime of water governance, this has further helped policymakers to understand the challenges before the idea and practice of water justice. Since each idea offers a precise understanding of the idea and nature of water (in) justice, it is essential to discuss each with a different heading.

### **Neoliberalism: Water justice as efficiency**

Ideas of neoliberalism concerning water justice emerge in the background of the natural scarcity of water resources. For neoliberals, water scarcity is a fact, and inefficient management strategies introduced by public sectors

are the real reason for water injustice. A major claim of neoliberals is that failures of water governance are the failure of the public system that occurred because of the inefficiency of government, corruption, and deficient funding. Such thinking believes that the problem of waterlessness can be effectively addressed by creating scope for the private sector in the water governance processes. This has further argued that efficiency, which is the key virtue of neoliberalism can work beyond the idea of water justice and can assure water to all by inventing to secure maximum profit for maximum people.

### **Water Efficiency: The Logic of Commodity, Privatisation, and Profit**

To argue for water justice, neoliberals have proposed two arguments. The first argument insists that the need for efficiency in water governance is a fact and it can be attained and assured only by transmitting water management to private hands. The second argument is utilitarian which insists that water justice will be an empty promise if the same is not recognized in the line of profit. In the water governance processes, the first argument proposes privatization and allows for private ownership over water resources. The second argument gives strength to the first argument and insists on treating water as a commodity and justifies gaining profit from the same. While making arguments in the favor of these two arguments, neoliberals insist that water is not a gift of nature, rather, a systematic distribution of water requires skills and labour. In the unwater situations, the need for efficiency in water governance becomes more serious as the absence of required efficiency creates conflicting situations between different users.

To minimize the conflicting situations, neoliberals propose the idea of privatization of water resources and argue the use of its principles in different forms, ranging from supply and civil works contracts to private management contracts, leasing, and build-operate-transfer (BOT) and public-private partnership (PPP) concessions. According to the neoliberalist logic, granting concessions to operate distribution networks, and implementing full-cost recovery in water service pricing would lead to improved water service. Furthermore, an increase in fee recovery and investments in infrastructure would assure efficiency in the operation and maintenance of water resources. Here, the major claim is that since the efficiency of the private mechanisms will ensure equitable, sustainable, and efficient water distribution, the idea of private ownership and practice of water privatization should not only be allowed, and accepted, but should be encouraged, globally.

Globally, the argued efficiency of the private sector has evolved with the principles of 'Thatcherism' and the 'Washington Consensus'<sup>3</sup>. Thatcherism, while offering water administrative mechanisms, has constituted a system of formal rules and regulations that intend to decide on buying, selling, and leasing of water use, the practice of which is based on market values<sup>4</sup>. The principles of the Washington Consensus have strengthened the value of Thatcherism and proposed a design of a standard reform package. Significantly, to offer financial and administrative support to water-poor states, principles offered by Thatcherism and the Washington Consensus are used by institutions like the International Monetary Fund, and the World Bank<sup>5</sup>. These international institutions, while providing support to the water-poor states, have emphasized on attaining efficiency and have argued for use of water for growth and development. Globally, the financial influence of these two has established that efficiency is justice and in water governance, desired efficiency can be attained only if water is treated as a commodity and supplied by the private sector<sup>6</sup>. Since the foundation and maintenance of efficiency require financial support, neoliberalism further argues that water can be traded and sold for profit. The fundamental claim here is that anything which gets reduced by its use cannot be considered 'Public'. And since the quantity of water reduces as per its use, it cannot be claimed and maintained as a public good, especially in the situation of water stress. It is clear that the neoliberalist argument of water justice is based on efficiency introduced and maintained by private sectors.

### **Neo-Marxism: A critic of the neoliberal idea of water justice**

The principles and arguments of neo-Marxism have voiced the problems and challenges of those people who are living in 'un-water' conditions and insisted that water is for all and so of no one. While pointing to the depressing stories of the water-poor and their struggles to have water for drinking and domestic purposes, Neo-Marxism claims that the water poor's historic sufferings are the consequences of neoliberal practices. According to the scholars of this belief the planning and strategies of neoliberalism have prioritized water use for developmental purposes and by so doing have ignored basic needs. The idea and policy of 'pay and use' introduced by Thatcherism, Washington Consensus, and the World Bank have made water a subject to be 'earned,' which actually added to the problems of those whose purchasing power is limited. In this water governance system, expected equality cannot be respected or fulfilled as the value is given to efficiency<sup>7</sup>. Consequently, instead

of assuring water to all, this has made water a source of deep injustice and has created ferocious clashes among different water uses and users<sup>8</sup>. For neo-Marxism, the practice of commodification of water resources is problematic and inhuman because it creates water discrimination and justifies the monopoly of the few over water. A constant claim of neo-Marxist scholars that 'water efficiency is water equality,' is nothing but a false impression of equalization that has structured a new way of capitalist expansion. Since it explores new means to maximize the profit from the multiple uses of water resources, instead of minimizing the water conflicts, it actually has escalated them. To argue against modern trends of privatization, Neo-Marxism has valued water equality over water efficiency; their slogan is 'minimum private is maximum equality'.

### **Water equality: The logic of priority, life, and community governance**

According to neo-Marxism, water justice is a notion that stands against water vulnerability. Contrary to the neoliberalist argument, their concerns against water injustice are that they do not always emerge in the background of an unwater condition. Infact, the concerns are more serious when water is available for some and is not available for many. Neo-Marxism, with this stand, insist on revising the idea of water governance and replace the argument of water efficiency with egalitarian values. It believes that only doing so can give water using benefits to women and the poor along with other vulnerable sections and assure a condition of water justice. To include egalitarian values in the water governance processes, neo-Marxism focuses on how to create equal 'water opportunities' and assure 'water ability' for all. To institutionalize equal water opportunities neo-Marxism has vigorously advocated for 'community' water supply as an alternative to private-sector provision. The obligation of the community water supply system is to create and sustain water ability of each, by making water available, accessible, affordable, and acceptable to all. Significantly, the neo-Marxist concern for water ability is close to the understandings offered by Human Rights traditions. However, one has to remember that neo-Marxism stands for cultural relativism and often argues against universalism, which is otherwise a fundamental principle of the notion of Human Rights. Instead of making water justice a concern of the global regime, the neo-Marxist idea of water justice realizes the same as an element of a social system and values cultural relativism over universalism. Since each culture has different priority concerns, Neo-Marxism while debating water justice, argues to value equality over efficiency and

community provisions over private provisions. Here, the aim is to confirm water supply from water-rich areas to water-poor ones, from industry to agriculture, and from agriculture to domestic purposes.

### **Ecofeminism: Gendering Water Justice**

In feminist discourses, woman's independent ownership over resources has long been and continues to be an important item on agendas for gender equity and women's emancipation and liberation<sup>9</sup>. In water justice discourses, this understanding is further elaborated, argued, and claimed as a principle of 'self-ownership' of women over water resources. This opines that a woman has a natural relationship with the environment and water, and hence the idea of water justice should ascertain her as the first beneficiary of water distribution and governance.

Ecofeminist scholars, while drawing the suffering of water have-nots, have argued that though unavailability, inaccessibility, and unaffordability of water affect all, still, the suffering of a woman is beyond understanding. The problem lies in the patriarchal social structures that have identified and justified the role of a woman as a water fetcher and collector. In many water-poor communities, 'water socialization' has glorified the duty of a woman to fetch water for the entire family. In the process of water socialization, her daily struggles with fetching and collecting water are perceived as normal, because of which water injustices against women remain unquestioned<sup>10</sup>. In case of unavailability and inaccessibility of water, a woman has to spend hours and hours addressing the situation; a situation which limits her capacity as a human and role in the family and devalues her presence in society as a human.

Significantly, to improve the water poor conditions of women Ecofeminism does not hope much from the modern state system. While pointing to the reasons for this disappointment, the scholars of this belief state that the water mechanisms as part of the modern State are the product of patriarchy, which in the water governance processes confirms the dominance of man over water and water resources. Since water-rich men take decisions to maintain the established dominance, it is unreal to expect that they will create favourable conditions of water justice for women. Therefore, to make the unreal real, gendering the idea of water justice is essential. Ecofeminism, for this purpose, emphasizes creating new women-centric mechanisms that can initiate, ensure and sustain women's participation in the water governance processes and can guarantee community planning and programming. To sustain the objectives of gender justice, Ecofeminism further focuses on the idea of naturalization

and insists on assuring the rights of Mother Nature as a beneficiary.

### **Rights of women: the logic of gender biases**

Ecofeminism, in arguing nature (water as part) as a feminist issue (Warren, 2000) insists that in the process of entitlement to water justice, a woman should be identified and established as the first possessor because she is an obvious and unnoticed preserver of water. A biological, social, and cultural fact is that water is used by men and women differently. Since women's role in water use and water harvesting is higher than men's, unwater situations disturb women more than men. In view of this reality, creating favorable positive water conditions for women is real justice. Clearly, in Eco-feminist thinking, the claim of a woman on the water is not a claim for equality. It has taken the argument beyond equality and advocated for a special status for women in water management in a cross-cultural environment (Oakley, 1985)<sup>11</sup>. Secondly, unlike any other idea of water justice, Ecofeminism puts women at the center and advocates and justifies gender biases in the water governance processes. To justify the biases, Ecofeminism underlines that a woman does not use water for herself only. Infact, she fetches and collects the same for the entire family, and hence she should be the first beneficiary of entitlement, because justice assured to her will lead to justice for the entire family.

### **Water justice as naturalization: the logic of justice to resource itself**

Like neo-Marxism, Ecofeminism argues against the idea of privatization and emphasises depoliticizing water through naturalization. The idea fundamentally contends that the question of discussing and assuring water as a concern of justice does not only apply to the rights and ownership of women over water resources, it essentially refers to the right to the resource 'itself'. This holds that the rights of Mother Nature (water as a part) are supposed to be preserved and sustained for the future. Globally, this argument has received respectful attention because it has ascertained water (nature as a part) as the essential beneficiary of the idea of water justice. Significantly, the consideration of beneficiaries has given a promise to 'water resources' that their right to have water for themselves will be respected, fulfilled, and preserved as the execution of water justice. Such an idea has further assured the protection of water from pollution, wastage, and superfluous extractions. According to Ecofeminism, a promise of water justice is empty, until the process of naturalization is not confirmed and maintained. This

process, as part of water justice, has emphasized that decisions allied to water entitlement and distribution cannot be based merely on the needs and uses of water, but that each entitlement and distribution should be in the favor of nature itself.

### **The problems of Isms: Neoliberalism, Neo-Marxism, and Ecofeminism**

The rich intellectual tradition of Neoliberalism, Neo-Marxism, and Ecofeminism has sensitized the global community against the prevalent water injustice and has underlined the need to theorize the idea of water justice with a practical approach. However, since the arguments of these understandings emerged and evolved within the purview of a specific background, instead of offering a wide interpretation of water justice, it has construed the idea narrowly. The ideological and theoretical commitments of these discourses have restricted the scope of entitlement of water justice, signs of which can be observed in the policy frameworks and also in policy implementation. The biased or incomplete scope of the idea of water justice creates new challenges before the water poor. The identified incompleteness can be filled, if the limitations and problems are drawn with appropriate justifications. The following section attempts for the same and seeks to throw light on some of their problems.

#### **Neoliberalism**

In the water governance processes, the values of utilitarianism and privatization offered by neoliberalism have thrown the water-poor into a compromising state<sup>12</sup>. Especially, when there are major differences in water availability within a country. In these countries, the changes introduced and advanced by neoliberalism have encouraged denial of the problems of water poor, aroused due valuing water uses for development over life. A 'denial' becomes a surprise when it comes from within a country, divided into water haves and water poor. Those people who are the beneficiaries of the neoliberal practices and are settled in 'water-have' regions, don't understand the sufferings of the water-poor. Water vulnerability has never been experienced by them and hence, for them, stories of the suffering of the water-poor are nothing but 'politics of exaggeration'. The water-have communities and groups normally justify misuse of water on the ground of affordability. The logic of affordability, which is connected with the principle of 'pay and use', insensitively denies the problems that arise due to water unavailability and unaffordability, faced by the commons. It ignores the fact that water poverty

is trapped in extreme economic poverty. Since such an approach and attitude are encouraged and justified by neoliberalism, the beneficiary water-rich societies remain insensitive towards the water injustice, implicitly, or explicitly happening in water-poor societies<sup>13</sup>.

#### **Neo-Marxism**

In water discourses, neo-Marxist scholars have debated the suffering of water have nots. In this language and thinking, pains, sufferings, and struggles of the water-poor are well articulated and are theorized mainly against privatization. The critical exploration advanced by these scholars has discoursed the idea of water justice in the favour of the commons, however, the augmented critical commentary has missed offering an operational meaning of water justice. From the discourse, it is quite unclear how the idea of water justice as the ability to use water will be institutionalized and structured in water governance processes. Neo-Marxist perspective, with the leftist approach to water management, argues for water as a right of the poor. This, however, has ignored the act that the supply and distribution of water require labor that has a cost. Since the requirement of cost analysis is an unavoidable fact of water management, it is important to accept that assuring justice is not always a test of the "will" of the government. In the case of water justice, the 'will' of government is having natural limitations because here, the principle of liability is inseparably attached to the availability of water resources and water bodies. The fundamental question is how water justice can be claimed in a desert and what kind of political apparatus can assure its availability to people in general.

#### **Perspectives under Ecofeminism**

In the discourse of water justice, perspectives that emerged under Ecofeminism have an important place mainly because it has valued women as conscious living beings and have examined the whole issue through the lens of genderism. There is no denial or doubt about the significance of the idea of naturalization of water justice as it respects nature with special regard. The fundamental problem here is that in making the arguments, Ecofeminism has fundamentally ignored humans as humans. Argumentatively, it appears that it has discarded man as a water user just because he is a man. One can presume that instead of removing discriminations and privileges in water management, the eco-feminist perspective has created a new space of differences as it demands specific and separate water privileges for women. The observations of Ecofeminism

are so generic that it has ignored the difference between class and caste. Since, even within the community, all women are not rich and all are not poor, it is inappropriate to say that all women should get preferential rights over water resources and that too, always against all men. An important question here is how can a rich woman be a struggler for water. Also, why can a poor man not be a water collector and preserver? If water reaches an unaffordable position, the unaffordability is the same for both men and women. It is a surprise that while arguing against privatization, Ecofeminism has not discussed the question of what if women are single owners of water. A considerable fact is that since water is a biological need, originally it has nothing to do with gender. Since water is a matter of supply, it is supplied to a family, of which man and woman, as individuals, are members. Therefore, a family uses and enjoys the water as a collective unit. If a man or woman is denied his/her right to have water, it is not only a violation of personal right but it is a violation of a right of a family as well. Ecofeminism has unfortunately defined man and woman as entirely different units and presumed that they are always living separately and always have a claim against each other.

## A Conclusion

The problems concerning the interpretation of water justice focuses on three interrelated questions: what is water justice, why is it essential to claim and have water justice, and how the is condition of water justice attainable. The thrust to understand the idea emerged in the background of unwater conditions. In philosophical discussions, the intellectual challenges and burdens of identifying, and analyzing unwater situations as threats and injustices are accepted by Neoliberalism, Neo-Marxism, and Ecofeminism<sup>14</sup>. In the water debates, these discourses have discussed the idea of water justice in different senses and contexts. Specifications of the treatment of water justice, offered in these discourses, have enriched the understanding of water governance. However, many times the theoretical contradictions existing in the three create an ironic situation that either ignores the problems concerning water entitlement or interprets them partly. Since these discourses have argued for water justice in some specific background, instead of investigating the problem of water injustice as a whole, their focus is only on one aspect of the problem. This kind of single focus enlarges the problem of water injustice and allows the government to adopt an approach of denial in the water governance process. Indeed, the approach is deeply problematic because it conveniently ignores the problems and sufferings of the 'real' victims of unwater conditions and discourages rational thinking in favor

of water justice. The arguments are often used as a tool for propaganda to pontificate against each other, which unfortunately has distorted the idea. The fundamental problem is that these intellectual discussions have offered generic ideas on water justice that have ignored the fact every country has its own water truths. To assure water justice they have to look within their own needs, requirements, and availability of water resources.

To evade the 'politics' of water justice, it is essential to think more deeply about the idea. For the same, water justice is required to be recognized with the lens of water welfarism and should be secured as part of water well-being. Significantly, understanding and respecting water needs are the major aspects of water justice that emphasize to expand knowledge about water and water footprint. For unbiased 'water knowledge, it is important to minimize the monopolization and bureaucratization of water resources'<sup>15</sup>. To incline water governance towards water justice, it is necessary to identify and understand 'water threats' as the tyranny of water haves, inconveniences of water have-nots, and suppression of women as water fetchers and collectors.

## Notes

1. Here, the objection is not against those controls that are essential for common welfare.
2. 'Unwater' condition indicate to water scarcity. Here, scarcity is realised in availability due to physical shortage, or scarcity in access due to the failure of institutions to ensure a regular supply or due to a lack of adequate infrastructure.
3. 'Washington Consensus' is coined by John Williamson.
4. Since the idea is introduced by the Prime Minister of United Kingdom, Mrs. Margaret Thatcher in 1980s, globally it is propagated as Thatcherism. For details see, Harvey, *A Brief History of Neoliberalism*, 2007 and Harvey, *The New Imperialism*, 2003, Oxford University Press.
5. In 1944, the Bretton Woods Agreements created two international financial institutions to help in aiding development and providing economic stability – the World Bank and the International Monetary Fund (IMF). The World Bank's Toolkits for Private Participation in Water and Sanitation" which is the major source of basic guidelines, was published in 1997. For the role of World Bank in water management, also see Madeline Baer (2015) From Water Wars to Water Rights: Implementing the Human Right to Water in Bolivia, *Journal of Human Rights*, 14:3, 353-376, DOI:10.1080/14754835.2014.988782
6. For details see: WATER RESOURCES –MANAGEMENT (1993) International Bank for Reconstruction and Development / THE WORLD BANK 1818 H Street, N.W.Washington, D.C available at [www.worldbank.org](http://www.worldbank.org).
7. In many parts of the world drinking water companies have been 're-municipalized'. By 2014, worldwide over 180 water utilities had been returned to public management (Kishimoto et al., 2014). There are different reasons for this

- re-municipalization, but some of the main causes are: social protests, meagre service provision results for the users and high costs of regulation (McDonald, 2018). McDonald, D. A. (2018). "Remunicipalization: The future of water services?" *Geoforum*, Vol. 91, May 2018, pp. 47–56. <https://doi.org/10.1016/j.geoforum.2018.02.027>
8. Scholars have condemned the World Bank strategies, mainly in the reference of the documents released in 1993 and 1996.
  9. For more see Bell Hooks, "Feminism: A Movement to End Oppressions", in Anna Coote and Ters Gill, eds., *Women's Rights: A Practical Guide*, pp. 65-66, quoted in Abha Avasthi and A K Srivastava, eds., *Modernity, Feminism and Women Empowerment* (New Delhi: Rawat Publication, 2001).
  10. Water socialisation can be understood as a process where liability of fetching and collecting water is put on female's shoulder and as a value, same is transferred from one generation to another.
  11. See Oakley, A., *Sex, Gender and Society*. 2nd Ed. London: Grower, 1985
  12. *The Guardian* has claimed that the success stories of water privatisation in Guayaquil in Ecuador, Bucharest in Romania, and some in Colombia, Morocco and Senegal cannot ignore the failures of the privatisation in Bolivia, Tanzania, Indonesia and in parts of Europe, Africa and India.
  13. Technocentric attitude of the society looks at arguments of water injustice doubtfully. The major doubt is if the argued water threats are real. Here the argument is that now a days government is water sensitive and rather than focusing on enlarging water flaws through new hydraulic engineering projects, a new perspective on water management is adopted that has focused on water saving and conservation that has changed the scenario to a larger level. And therefore, rigorous argument for water justice is not an argument in favor of just but is a "politics of justice".
  14. This argument can be found in the works like "The water question in feminism: water control and gender inequities in a neo-liberal era", Rhodante Ahlers & Margreet Zwarteven, in *Gender, Place and Culture*, Vol. 16, No. 4, August 2009, pp. 409–426
  15. Here, the term water bureaucratization is pinpointing the limitations of public sector i.e. corruption and inefficiency.

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