

## Justice and sanitation governance: an enquiry into the implementation of the Swachh Bharat Mission-Rural programme in UP, India

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### ABSTRACT

The Swachh Bharat Mission-Rural (SBM-R) is a flagship programme aimed at ending open defecation in rural India. In this paper, we study institutions and processes using Amartya Sen's conception of justice. We review the outcomes by assessing agencies, actions and processes involved in the implementation of the SBM-R programme. The findings are analysed using the Sanitation Well-being Framework. Sanitation well-being is achieved when an individual is able to experience the sanitation life cycle stages of acceptance, construction, utilisation and maintenance of safe disposal, which are part of the framework. The capability factors grouped under personal, cultural, structural, environmental and service elements of the framework determine the sanitation environment facilitated by the state. Failure in experiencing one of the life stages leads to slippage in sanitation, where people resume open defecation, despite possessing toilets. The paper presents a review of literature on the political, technological and structural issues in programme implementation, followed by an analysis of 42 interviews and 12 focused group discussions of state and non-state actors conducted in rural Shravasti, Uttar Pradesh, India. We found that slippage is prevalent in the field site and identified 26 capability factors (expansion and constraints) that led to slippage in sanitation.

**Key words:** Capability approach, Institutions, Open defecation, Sanitation Well-being Framework, Slippage, Swachh Bharat Mission-Rural

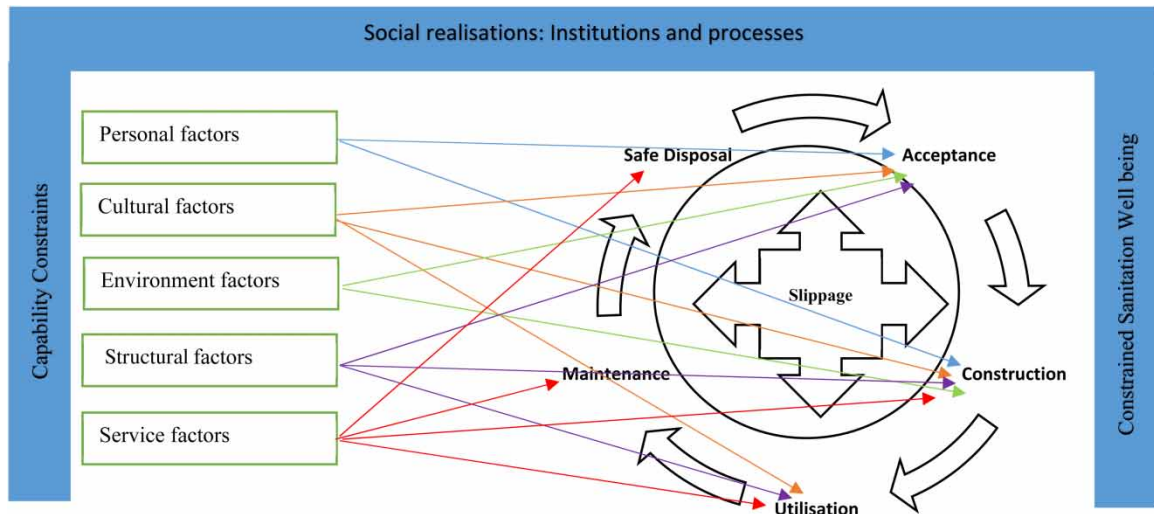
### HIGHLIGHTS

- Presents the institutional analysis of SBM-R implementation based on the perceptions of state and non-state actors.
- Applied the Sanitation Well-being Framework to assess the sanitation environment by the state.
- Slippage emerges as manifested injustice across personal, cultural, environmental, structural and service factors.
- The factors have overlapping impacts on the sanitation life cycle stages influencing sanitation well-being.

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## GRAPHICAL ABSTRACT



## INTRODUCTION

India is a developing nation and sustainable sanitation is one of the main areas of concern in the country's development efforts. The constitutional federal structure of India has devolved the function of sanitation to state governments. However, the guidelines and policies governing sanitation are under the auspices of the central government. Sanitation Policy in India is incremental and the country has a long history of urban and rural interventions to tackle sanitation. Since independence, there have been three major rural sanitation interventions, namely, the Central Rural Sanitation Programme, the Total Sanitation Campaign and the Nirmal Bharat Abhiyaan (Hueso & Bell, 2013). The Swachh Bharat Mission, launched in 2014, has given a fillip to this sector, as it has received substantial funding backed by political will, both of which were lacking for many decades. It aims at securing a contamination-free environment through the eradication of open defecation, menstrual health management, solid-liquid waste management and faecal sludge management. This scheme has two major divisions – urban and rural – managed by the Union Ministry of Housing and Urban Affairs. The Department of Drinking Water and Sanitation and the Ministry of Jal Shakti, respectively, are both subordinate to the Government of India. For programme implementation in rural areas, it has a five-tier institutional mechanism at the central, state, district, block and gram panchayat (village unit) levels. The guidelines provide the procedures through which the implementation takes place (Ministry of Drinking Water & Sanitation, 2018).

The objective of this paper is to study institutions and processes through the lens of justice as defined by Amartya Sen (Sen, 2009) in the implementation of the Swachh Bharat Mission-Rural (SBM-R) programme as informed by the experiences of state and non-state actors. Sen's conception of justice focuses on 'comprehensive outcomes', where the end results are reviewed along with the processes that were carried out in order to reach those outcomes. The institution analysis is done by assessing agencies, actions and processes involved in achieving sanitation well-being under the programme by using the Sanitation Well-being Framework (Khare & Suresh, 2021).

Before we proceed into the empirical study, we need to understand how the concepts of institutions and justice are intertwined in policy intervention. We also need to understand how Sen situates the role that institutions have in advancing justice. Institutions are understood differently in economic, social and political settings. North

(1991) defines institutions as humanly devised constraints that structure the political, economical and social interactions. He discusses the efficacy of institutions when applied to economic settings and considers them as fundamental entities that minimise transaction and production costs (Faundez, 2016). Institutions are also understood as rules, norms or strategies that enable the creation of incentives that affect the decision-making and behaviour of actors. These institutions may be formal or informal. Formal institutions are often formed by law, policy or procedure, while informal institutions are shaped by norms, practices or rituals (Crawford & Ostrom, 1995). Sen relates the notion of justice to institutions in a political and social setting. Sen discusses two major approaches of justice: one is, the contractarian approach led by Thomas Hobbes and further developed by Jacques Rousseau. A hypothetical social contract is arrived at, between the citizens and the state, to avoid the hardships that people face in the absence of the state in what Hobbes calls as a 'state of nature'. The social contract is regarded as the ideal alternative to prevent chaos that otherwise would have impacted society. What follows is the identification and creation of ideal institutions as informed by the contract, so that a perfect social order is achieved. Another approach that Sen critiques is an 'arrangement-focused' view led by John Rawls. Rawls believes that institutions are instruments designed for the implementation of perfect conditions to achieve ideal outcomes and institution creation should be coupled with the strict adherence of right behaviour in the political and moral contexts. Rawls posits the process of 'procedural fairness' to be adopted prior to the development of the principles of justice. It requires the parties involved to enter a hypothetical original position of primordial equality, where the participants are ignorant of their background, vested interests and personal identities, which creates a 'veil of ignorance', under which the representatives choose the principles of justice. The unanimously chosen principles under this imagined and fair state of ignorance will determine the basic social institutions that should govern the society that is about to be created.

Rawls goes on to suggest two principles of justice that emerged as the only ideal alternatives under that state of devised ignorance: (i) maximum liberty to each person and (ii) the social and economic inequalities are acceptable as long as the institutional requirement of making public opportunities equally available to all is meted out and equity in the distribution of resources, identified as primary goods, benefits the worst off section of the people. Rawls places utmost importance on impartiality being the only basis for the conception of justice and the observation of right behaviour that would make people 'reasonable' (Bowie, 1974; Chapman, 1975; Rawls, 1999; Sayre-McCord, 2000, p. 334; Sen, 2009).

Sen critiques the aforementioned approaches by calling them 'transcendental' in nature. Sen contends that such an approach decides the social characteristics of a just and a 'perfect' society beforehand and the arrangements are contrived to comply with the very definition of a just society. Consequentially, it gives rise to institutions carrying 'transcendental' characteristics that limit the assessment of justice to the setting up of institutions alone and some preconceived behavioural assumptions are made that help in the working of the chosen institutions. Sen uses the term 'Transcendental Institutionalism' to define such kinds of assessments. Therefore, the active presence of these institutions is equated with the justice being delivered. If the assessment of justice is based on these parameters, it runs the risk of losing grip on actual societies that would ultimately emerge. An actual society would necessarily digress from the pre-decided state of affairs, since it also is characterised by other features, such as the actual behaviours of people and their social interactions with one another and the structures that they live in. Sen also critiques the Rawlsian interpretation of justice as impartiality being the sole focus where people are devoid of vested interests *before* the creation of principles and institutions. In an actual society, there may be clear normative elements that can appear as unfair to an individual as opposed to the single notion of impartial objectivity decided by 'reasonable' persons in the original position. Rawls' focus on the social and economic outcomes in the second principle ignores the disparities that emerge in the processes during the realisation of the distribution of resources (Sen, 2008, 2009). It also ignores the demands of

impartiality on the behalf of agents who are involved in realising such goals and who may share beliefs on oppressive traditions and customs. Finally, there is no record of how people are able to convert the resources into good living that are made available during a certain development goal.

Sen proposes a realisation-focused understanding of justice that concentrates on just societies rather than just institutions that will rely both on institutional processes as well as actual behaviour. It involves the comparison of societies that actually or could potentially emerge and then would concentrate on removing manifested injustices as and when they happen, rather than waiting and seeking the perfectly *worst* injustice to take place in order to be addressed. It is done by looking at comprehensive outcomes that include actions undertaken, agencies involved, processes used, along with the outcomes that get produced. To further illustrate the concept, Sen uses insights from Indian classical jurisprudence. He argues that the advancement of justice could be achieved by looking at two fundamental aspects – one is *Niti*, which means having institutions in place and *Nyaya* – which is the realised justice that is the kind of society it produces. He contends that social realisations reviewed as process-inclusive outcomes, constitute the definition of *Nyaya*, which he adopts as the fundamental principle in explaining his conception of what advancing justice would mean (Sen, 2009). Sen proposes capability approach that would assess justice as the social realisation in terms of the capabilities that people have rather than the resources they end up with. The capability of a person is the actual ability and freedom to do or be something that matters most to them. It consists of various states of beings and doings and the well-being of a person is judged by the extent an individual is able to exercise the decision-making ability to choose those states of beings and doings, for reasons they value the most (Sen, 1990, 2009; Brown, 2010). The capability approach is critiqued for its exclusive focus on ‘individualism’, that is exclusive focus on individual capabilities alone is misleading as it does not consider the influence of social structures that they live in (Deneulin, 2006). Robeyns (as cited in Alkire, 2008) asserts that although individuals are the ultimate concern in the approach, it does not imply that capabilities are evaluated in isolation from the impact of social structures. It is important to scrutinise the role of institutions too, as they are of causal importance to individuals. They are instrumental in creating and expanding capabilities that determine an individual’s well-being. The approach provides a nuanced and differentiated account of human lives, understood together with the social, political and institutional influences.

In this paper, we look at institutions and processes that determine the creation of a sanitation environment that facilitates the substantive freedom for an individual to be able to choose and act upon them, by using the Sanitation Well-being Framework (Khare & Suresh, 2021). It assesses sanitation outcomes by creating a capability set across the personal, cultural, environmental, structural and service sub-elements of the framework (for extensive cultural impact on the sanitation life cycle stages, see Dwipayanti *et al.*, 2019). It further explains the relationship between these factors and the influence they have on the sanitation life cycle stages, which are acceptance, construction, utilisation, maintenance and safe disposal, which cause the prevention or occurrence of slippage (Khare & Suresh, 2021). Slippage is defined as a condition that affects sanitation interventions, where an individual resumes the previous unhygienic practices, such as open defecation despite having access to toilets (Reddy *et al.*, 2010). Through the framework, the slippage is further understood as the backward movement across the sanitation life cycle and a household’s degenerated sanitation response to the failed factors. The framework helps to analyse the potential areas of capability constraints, as identified by the state and non-state officials that would prevent slippage in sanitation by removing such constraints.

## LITERATURE ON THE SBM-R

This section reviews the literature on the political, technological and structural issues associated with the SBM-R.

Jeffrey (2015) argues that the scheme is an outcome of the Prime Minister’s own political experience: pressure from local governments for better sanitation and the need to create a strong appeal to non-resident Indians, to

attract funds. Teltumbde (2014) and Kumar (2014, 2017) take this a step further by laying out the structural issues associated with caste and cleanliness. The caste structure of Indian society externalises the activity of cleaning up and delegates it to low-caste manual scavengers. The Government of India's attempt to glorify scavenging work, by comparing it to spiritual activity, downplays the inherent links between marginalised castes and cleaning up. It also stays ignorant to the struggles of sanitation workers to abolish dry latrines and backs the impression that the job is taken up by choice. SBM-R is a top-down campaign that was supposed to provide an initial nudge to people towards more hygienic preferences. The hype around the campaign points towards a symbolism inherent in the high-profile activity, where politicians and celebrities pay attention to broom-branding, and ignore other serious issues such as manual scavenging and manhole cleaning.

In its implementation, the campaign uses Community-Led Total Sanitation (CLTS) (Ministry of Drinking Water & Sanitation, 2018a) as one of the principal methods of behavioural change, in order to achieve effective toilet usage. Triggering activities such as the cultivation of disgust through demonstrations of the faecal-oral route and shaming (Kar & Chambers, 2008; Galvin, 2014) are aimed at changing hygiene behaviours. The governance strategy inflicts soft political power on beneficiaries to secure compliance (Mulderigg, 2011). However, this masks the fact that these strategies often get converted into threats (Gupta *et al.*, 2020) when applied to vulnerable sections of the population.

Another aspect of the programme is the government's support for suitable and safe technological options for toilets to dispose of human excreta and domestic waste (Ministry of Drinking Water & Sanitation, 2015a). Before the launch of the programme, 8.2% of rural households had access to improved pit latrines (Census, 2011).<sup>1</sup> Improved pit latrines are simple holes dug in the ground and covered with a concrete slab, which tend to contaminate groundwater and threaten human health due to leaching (Graham & Polizzotto, 2013).

The government, under SBM-R, promotes a twin-pit system as an alternative. The twin-pit toilet has a single water seal pan connected to both pits by pipes. An inspection chamber containing a Y-junction is built between the pits and the pan so that the excreta can be channelled into the other pit. Before a new latrine is brought into service, the inspection chamber is opened and one of the pipes leading to the pits is stopped off. The cover is then replaced and sealed with a cork to prevent noxious gases from escaping into the atmosphere (Hussain *et al.*, 2017). The SBM-R programme spreads awareness among beneficiaries and masons about the safe construction of toilets without interacting with groundwater, which helps to prevent contamination (Ministry of Drinking Water & Sanitation, 2018a). However, the beliefs of purity and pollution attributed to manual pit emptying still exist and this drives people away from using these toilets on a regular basis (Coffey *et al.*, 2014). The notion of containing human waste in two-pits that lie under the ground for long periods of time is repulsive to the members of a household, leading to a lack of implementation of this aspect of the programme.

Another problem with the infrastructure-centric view is that toilet construction is often seen as an undertaking that belongs to the technological domain alone. The mission ignores the possibility of the influence of social inequities in the acceptance and construction of toilets. Coffey & Spears (2017) contend that there is a complete dismissal by policy-makers of social hierarchies determining sanitation adoption. The government's vision of 'rush to flush' intends to build one toilet per second and has missed the point that sustained sanitation behaviour is influenced by interrelated and overlapping factors such as class, caste, sociability, urban life, rural life, diversity, topography, technology, gender, education and disease outbreak, physio-social relationships of communities and income (Doron & Jeffrey, 2014; O'Reilly *et al.*, 2017). A number of studies (Luthra, 2018; Mosse, 2018; Prasad &

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<sup>1</sup> Ministry of Home Affairs, Government of India 2011, Census of India 2011. Availability and Type of Latrine Facility. Available at: [https://censusindia.gov.in/2011census/hlo/Data\\_sheet/India/Latrine.pdf](https://censusindia.gov.in/2011census/hlo/Data_sheet/India/Latrine.pdf) (accessed 05 December 2021).

Ray, 2018) have demonstrated how factors such as social and political exclusion, neglect of caste in international commitments towards better sanitation, vulnerability and marginalisation, and rural areas feeling the exclusive burden of cleanliness, have a direct impact on sanitation practices.

The mission guidelines, however, do underscore the importance of improvement in women's access to toilets so as to relieve them of the social burden of fear, shame and harassment (Ministry of Drinking Water & Sanitation, 2015b). Toilet access to women is believed to solve problems such as convenience in toilet use, observing privacy, protection from assault and protection from adverse weather conditions (Clair *et al.*, 2018; Azeez *et al.*, 2019). However, the motivation behind the programme tends to follow a patriarchal nomenclature and highlights how improved sanitation can preserve the 'dignity' of women. This focus overpowers the practical uses that a toilet has in women's lives, thereby limiting its potential (Sahoo *et al.*, 2015). The emergence of the idea of 'women's honour preserved by a toilet' and the resulting confinement, as well as the control of mobility and isolation adopted by the state is an attempt to keep patriarchal structures intact. Although women are subjected to sexual violence when they opt for open defecation, since even the non-sexual activity of relieving oneself when performed by women is subjected to sexualisation by men, the violence extends to other avenues too (Raj *et al.*, 2020). Therefore, from this literature review, we can see that sanitation has a much wider influence on society, which often gets ignored not just by policy-makers, but also by society at large. The gap is addressed by studying the implementation process of the SBM-R programme through social justice lens (Sen, 2009) to determine the efficacy of the programme in rural Shravasti, Uttar Pradesh, India.

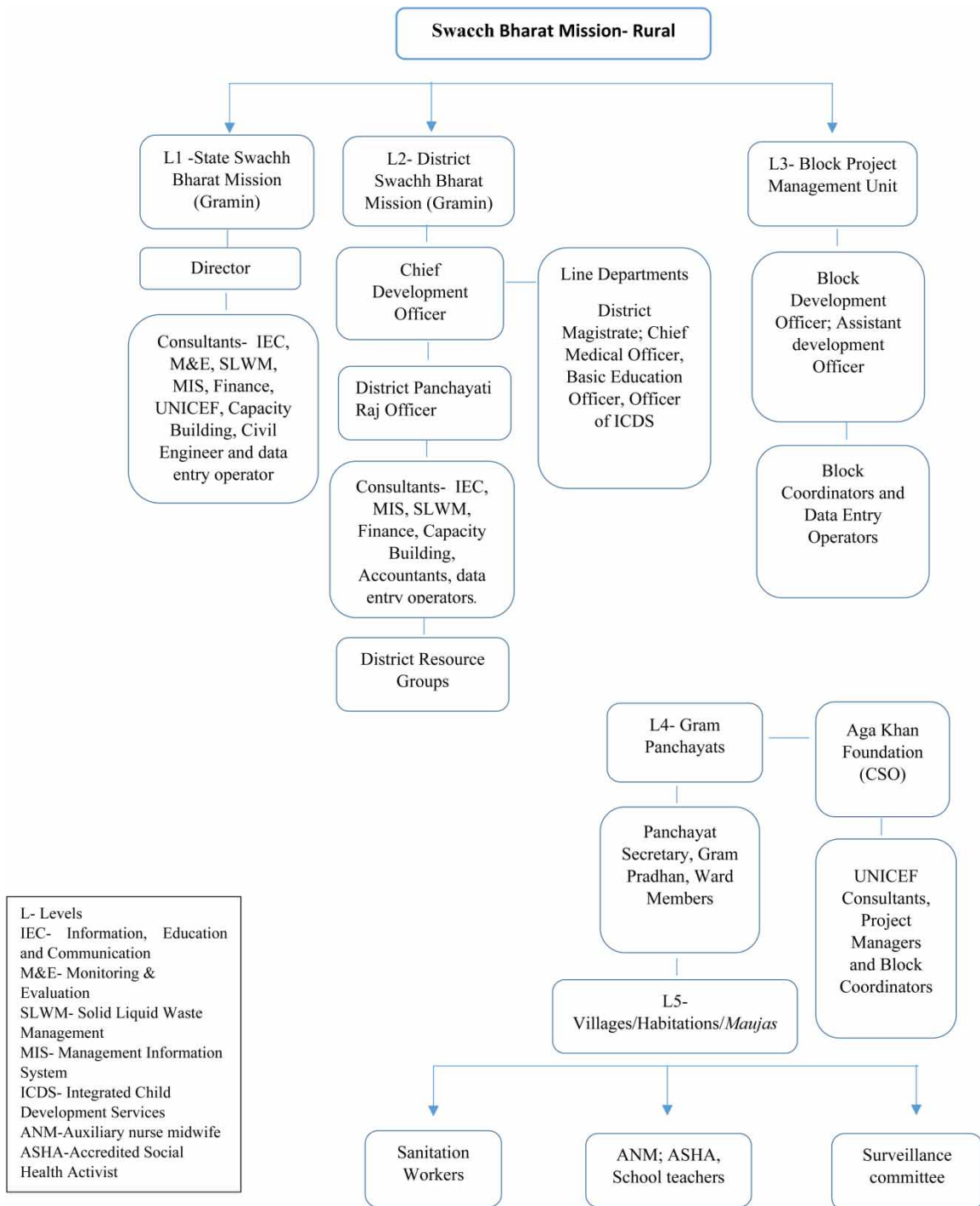
## METHODS

The authors calculated the open defecation prevalence using NFHS-4 (National Family Health Survey) data and accordingly ranked the five least-performing districts. The bottom five districts are Dindori (Madhya Pradesh), Simdega (Jharkhand), Sidhi (Madhya Pradesh), Shrawasti (Uttar Pradesh) and Garhwa (Jharkhand). The variation between the open defecation rates within the districts was marginal and Shrawasti District was randomly selected. The district has 86.7% of people practising open defecation, with 89.5% prevalence within the rural areas as per NFHS 2015–16 estimates (The Demographic Health Survey, 2016). However, the government data on Shrawasti states that the district achieved full toilet coverage in the year 2018–19 (Ministry of Drinking Water & Sanitation, 2020), post the implementation of the programme, creating a puzzle. For slippage to take place, the district should have been declared open defecation-free, which now creates an ideal situation to study the district.

We look at the implementation of the SBM-R across five institutional levels (Figure 1) within the government structure, which is as follows:

1. State Swachh Bharat Mission Directorate (Lucknow).
2. District Swachh Bharat Mission Directorate (Shravasti).
3. Block offices (Gilaula and Ikauna).
4. Gram Panchayats (Kanjadwa, Bhikharipur Masiri and Madhnagar Manoharpur).
5. Nigrani Samitis (Surveillance Committees); Voluntary foot soldiers – Swachhagrahis and gender-based groups.

We also interviewed functionaries from Civil Society Organisations (CSOs) recognised by the government (Ministry of Drinking Water & Sanitation, 2017a) as part of the implementation process – the Aga Khan Foundation (Bahraich); the United Nations Children's Fund (UNICEF) and the Basic Education Centres in gram panchayats.



**L- Levels**  
 IEC- Information, Education and Communication  
 M&E- Monitoring & Evaluation  
 SLWM- Solid Liquid Waste Management  
 MIS- Management Information System  
 ICDS- Integrated Child Development Services  
 ANM-Auxiliary nurse midwife  
 ASHA-Accredited Social Health Activist

**Fig. 1** | Implementation mechanism and human resources in the SBM-R implementation. *Source:* Compiled by Authors.

The fieldwork was conducted in January and February 2020. The research participants represented the state and non-state actors belonging to powerful positions directly engaged with programme planning and implementation. A total of 42 interviews and 12 focused group discussions were conducted, cutting across institutions at all five levels of the programme implementation, using an open-ended interview schedule. The participants gave their written consent for interviews and focused group discussions. Their names and designations have been completely anonymised.

The responses from the in-depth interviews were translated and transcribed following the layout from Mclellan, Macqueen & Neidig (2003) and Gumperz & Berenz (1993). The coding procedure was manual with an *in vivo* method of coding (Creswell, 2017) being used. The truncated texts were picked from within the transcription text and the predetermined codes were taken from the sub-elements of personal, cultural, structural, environmental and service levels of the Sanitation Well-being Framework (Khare & Suresh, 2021). The emerging themes and findings are analysed using the nomothetic method of explanation. This method draws upon general issues or a particular context that make meaning to the people involved in it (Gibbs, 2008). The findings are reported under three themes that is, challenges in programme implementation; challenges in technology diffusion and neglect of structural issues of caste and gender in institutional arrangements. The accuracy and credibility of findings are ensured by using the methods of (i) triangulation that uses information from different sources across different levels of implementation processes and (ii) thick description that involves a deep, dense and detailed account of the research participants (Creswell & Miller, 2000; Thompson, 2001; Creswell, 2015). The content is interpretive in nature and the findings report information from various sources such as interviews of the state and non-state actors at the different levels of implementation. The content is organised into an account drawing illustrations from transcribed texts; observational field notes; participant and non-participant observation of the processes; and documentary evidence such as management information systems reports and baseline survey sheets collected from the state and district offices. Content writing followed the method of 'thick description' that seeks to explain the subject as much as possible with the underlying intentions, inferences and meanings of people and their involvement with the implementation of the SBM-R programme.

## FINDINGS AND DISCUSSION

The findings from the field focus on three issues: challenges in programme implementation, challenges in technology diffusion and neglect of social hierarchies in the institutions.

### Challenges in programme implementation

In the state of Uttar Pradesh, the topmost management at the state level is responsible for the implementation of the SBM-R programme in all 75 districts in the region. The Panchayati Raj Department acts as an umbrella department for the Swachh Bharat Mission and also has other schemes running. Ever since the sanitation sector was prioritised by the central government in the year 2014, it has been allotted its own mission director, unlike the previous sanitation programmes, which were usually run by the Director of the Panchayati Raj Department. Over a period of time, the programme attracted attention from international agencies, industrialists, people from the social and developmental and healthcare sectors. The government prioritised the sanitation sector and increased funding by 70% compared with previous interventions. The monitoring visits made by international donor agencies added glamour to the activities. The following observations by key informants indicate that the programme demanded the active involvement of state heads and bureaucrats:

*'The Prime Minister...had other priorities, but the commitment that he showed for this program, and his statement from the Lal Qila, that even today in our country, 70-year-old women and our sisters defecate in the*



*fields...made this project the priority of industries; it became the CSR priority. Because people want to be associated with the Prime Minister, Melinda Gates has given so much money, Tata has given a lot of money, [all the foundations], agencies, NGOs and industries – all of them have contributed generously'. Key informant, state office, SBM-R*

Among the officials, the programme is believed to be innovative as it involves extensive community participation. CLTS was identified as a tool to create awareness among people. It is worth noting that mobilisation techniques are an integral part of earlier interventions, such as the Total Sanitation Campaign as well. However, in this programme, it reached a 'never been done before' status through its framing as a '*Jan andolan*' or people's movement, which is believed to have given it a massive push. It was implemented through three institutions at the panchayat level: District Resource Groups (DRGs), Nigrani Samiti (surveillance groups comprising kids and adult members of the village) and Swachhagrahis (foot soldiers). DRGs constitute Nigrani Samitis, as well as Swachhagrahis who are selected and appointed with the help of the Pradhan and community members.

The CLTS approach requires communities to adopt sanitation practices in a volitional manner (Kar & Chambers, 2008). However, there have been a number of regulatory methods imposed on beneficiaries, such as the filing of an First Information Report (FIR), taking pictures to expose individuals practising open defecation using abusive language and demanding the unutilised incentive amount back if the toilets are left partially constructed. Although the top management discouraged the adoption of regressive methods, lower-levels of management continued to use them with the intention to create fear among beneficiaries who refused to comply with the government, as revealed by the following quote:

*'See, the reason behind filing FIRs is not to take action against them but to generate fear. Anyone who refuses to comply will be taken away through a call on 100; they will torture him and let him go'. Key informant, district office, SBM-R*

According to the participants, the programme did create an impact among the people as the general cleanliness in the villages and toilet usage did improve, but, at the same time, officials also felt that people subscribing to the programme to claim incentives posed the main challenge, since there was no intention to continue using the toilets in the long run. This is where the objective of sustained sanitation is compromised. As rightly outlined in the following quote:

*'...being experts, we will not say that it is ODF. This scheme is of structure [infrastructure]. We have the hardware available too, not just software. We say that you should use toilets, but toilets should be available too. And not just available, but safe to use. If you come to know that you are using unsafe toilets...what is being aimed at is not happening! Those households which have toilets, and have ten members – only two are using the toilets, the rest are not. The women are using the toilets, but the men are not. The elderly is using the toilets, but the children are not. So, for now, the war is far from over'. Key informant, state office, SBM-R*

In addition to this, there were incidents that reported a lack of cooperation among the permanent and contract-based consultants in the workforce during the implementation of the programme. The difficulty is captured in the following quote:

*'You are given training in Delhi. Those whom you have to work with, have they been provided training? Did you tell them that these are very good resources? Do you tell them that these are your strengths?' Key informant, state office, SBM-R*

In Uttar Pradesh, the Panchayati Raj Department and the Rural Development Department face conflicts as the block administration responsible for monitoring and supervision is excluded from the decision-making processes. This creates confusion among grassroots institutions about whom to report to and furnish updates.

At the panchayat level, there are instances of conflict and a lack of trust between the Sarpanch and the ward members. There are 13 ward members each in Madhnagar, Manoharpur and Bhikharipur and 11 in the Kanjadwa Gram Panchayat, respectively. It was reported that only a few who are close to the Pradhan are usually informed of the meetings and decisions regarding beneficiary lists and toilet construction, and incentive sanctioning is taken arbitrarily. There is a likelihood that separate meetings were held and decisions were taken depending on the alliance that one group shares with another. As revealed by one of the ward members below:

*'This is my shop, where I stay for 24 hours. Let us assume that he did not summon us...he should at least have called me on my mobile? Everyone has mobile phones these days'.*

At the same time, there is a problem of repeated visits being conducted by international donors, middle-level bureaucrats and CSOs that hamper work and exhaust the manpower involved at the grassroots. As per the UNICEF gender group member, general cleanliness and achievement of targets remain dependent on these visits:

*'When the foreigners had come (international donors), only then did the cleaning happen for the first time. 250 sanitation workers were employed to clean the village. Now, only a few come, loiter for a bit, and then go'. Key informant, Bhikharipur Masiri GP*

Another challenge that the workforce suffers from is a weak incentive structure for community-based institutions in the villages, which are extremely important for the monitoring of the programme. At the village level, monitoring is done by Nigrani Samitis, Gram Pradhans and DRGs.

Nigrani Samitis (NS, henceforth) are institutions formed at the grassroots level ([Ministry of Drinking Water & Sanitation, 2018a](#)). It includes two groups – a group of women and a group of kids chosen from the village to conduct surveillance. There are no monetary incentives provided to NS since there is a belief among the state officials that sanitation activities are sanctimonious and should be done voluntarily. In the Kanjadwa Gram Panchayat, the NS members did surveillance for 8 months without being fairly compensated. They faced challenges such as having a hard time sleeping, conducting candle marches and oath-taking ceremonies, taking strolls in alleys and crossroads early in the mornings, and experiencing conflicts, verbal abuse and short-term enmity during the period of surveillance. As a result, NS members were forced to withdraw from regular follow-up and monitoring. The women in the NS narrated their difficulties in meeting the expectations of the officials as follows:

*'There was one secretary and Pradhan, and sanitation worker. All of them got salaries. Together with these people, they dragged us too. If they had not promised anything in return, then what was the need for us to ruin our sleep? I am a cook [at an anganwadi school], and if I get scolded there, I will tolerate it because I get a salary. If I get nothing in return, then why should I tolerate abuse for free?' Key informant, Nigrani Samiti, Kanjadwa GP*

The association of sanitation with the concepts of purity and divinity, which lead to self-acceptance creates a political ideal. It attributes sanctity to the activity, and thus, it is expected that people involved in the programme should offer their services for free. The burden of this activity often falls on poor people, who now have to extend

their labour to the task without being fairly compensated. This situation distances reality from expectation, even more.

### Challenges in technology diffusion

Another challenge facing the situation is technology diffusion. The state has adopted the twin-pit technology for the construction of individual household latrines. As per the SBM-R guidelines, the incentive amount is provided only when the toilet structure follows these parameters – having a toilet room, seat, two-pits and a junction chamber. It is believed that this change in pit structure would solve the problem of people's repulsion to manual pit emptying. As a part of the CLTS campaign, Dr Robert Chambers was invited to study the problem and lead them by example that pit emptying is not a filthy task. As per the key informant at the district level:

*'Dr Robert chambers once with me...that about pit you have been talking, he came to Lucknow to study this. And he got a pit dug. An old pit was dug and was being demonstrated in the village ...they were trying to show to the society that now the pit is open. And in this pit there is nothing. He picked it up in his hand and some of it gave in my hand, see it is pure manure. It was shown to the community so this is how their motivation was increased in whole of the country it was adapted and it progressed'. Key informant, district office*

Officials suggest two ways to deal with pit emptying. First is the twin-pit system, in which, when the first pit fills, members of the household can stop using it, leaving it covered for between 3 and 6 months. This duration is enough for the faecal matter to convert into manure. This manure is called *Sona* (gold) manure, which is highly nutritious to plants and can be used as fertiliser. The manure generated attracts high prices in the market. The economic benefits make composting the preferable choice among users. The second method is that, if someone does not want to empty the pit, then there is the option of using *puwaal* (a chemical) that converts the content of the pit into ashes, which settle down at the bottom. The content is reduced to one-third part of the cylinder (pit) in volume. Officials claim that even after 5 years, the content of this pit will continue to remain below this volume and when it gets converted into manure, it occupies even less space. Therefore, pit filling should not be a constraint. However, people have limited awareness of the twin-pit technology, as outlined by a key informant at the block level:

*'...this thing [the efficacy of the twin pit] is not exactly known to people, and the only thing that is in their minds is that it will be filled. They do not know that nothing remains of this. Of those who are using the technology... two out of ten people use it, three or four people know about it, while six or seven people don't even know about it'. Key informant, Gilaula Block Office*

Most of the households already had septic tanks built and realised the efficiency of the twin-pit system, but switching to it was a difficult task. The officials engaged in the grassroots level of implementation reported that if people can not get single pits dug, due to the fear of groundwater contamination, they would like wider pits to be built. In the latter method, half of the pit would get filled up with mud, so that it achieved the necessary height in order to claim an incentive. In the whole of the Shravasti District, 20% of toilets were not built as per the parameters instructed by the programme. The women and elderly would use the toilet, while the men would go outside due to the fear of a full pit. Therefore, people still prefer septic tanks and a single deep pit over twin-pits. As per the key informant in the Aga Khan Foundation, there is a belief among people that the depth of the twin-pit is not sufficient, resulting in only partial toilet usage.

*'We have seen that a few people in about 5–6% of HH had the mentality that the leach pit is small, and if one or two members didn't use it, it would remain usable for longer periods of time. So, a few members of the family, not the women but mostly men, were seen going out to defecate in the open'.* Key informant, Aga Khan Foundation

It is evident that the release of the incentive amount is conditional on meeting the government's parameters of constructing the toilet. This points towards the constrained infrastructural options being provided to the people by the programme, which do not comply with the people's preferences of the pit type. In addition to this, the officials are of the view that the rural community's 'mentality' needs to be corrected to achieve a cleaner environment. The programme's expectation to use the twin-pit technology by rural communities places an exclusive burden on them to dispose human waste safely, unlike urban areas, which creates a disparity among rural–urban residents, in terms of infrastructural aspirations related to human waste disposal.

In these villages, pit emptying situation has not yet happened. The reason is the intermittent use of toilets. The households, which already have septic tanks made with huge capacities to contain faecal matter, have not yet reached the stage of pit filling. To address the issue, in some instances, septic tanks have been attached to a single leach pit, which serves the purpose of a twin-pit and the faecal matter can get decomposed there itself. Other reasons, such as the malfunctioning of toilets, choking up of toilets and the bad odour due to missing corks are responsible for not using toilets. If there is a barrier between the pit and the junction chamber, the toilet goes into disrepair and people start going outside again. This issue is usually ignored during construction and requires proper training of masons who are responsible for constructing the substructure.

### **Neglect of structural issues of caste and gender in institutional arrangements**

The findings from the field suggest that officials are dismissive of structural issues such as caste and gender that influence sanitation preferences. The prevailing skewed access to education and employment opportunities for the marginalised caste communities leads to an underrepresentation of this section of society. It was found that in the sanitation sector, management and administrative positions are dominated by officials belonging to the dominant castes. Among the participants holding formal positions, 71% belonged to the general caste; 6% were from other backward castes and a mere 3% were from the scheduled castes. Hence, the denial and dismissal of the struggles that the marginalised section goes through on an everyday basis are also high among them. When people from marginalised castes try for administrative jobs, they are insulted and looked down upon for even applying for the positions, no matter whether they are qualified or not. The key informant in Kanjadwa narrates an alarming experience of caste-based discrimination in employment opportunities:

*'My daughter was selected in the BTC service, and the news spread in the village. In the room, where a person the dominant caste (Mahendra Srivastava) took her counselling, he told her: 'Who is this "aheer" (OBC) in Kanjadwa who has come for counselling?' This is utter injustice'.* Key informant, Anganwadi School, Kanjadwa GP

The panchayat level staff revealed that during training sessions and surveillance visits, there were instances of apathy among the dominant caste officials towards their fellows from the marginalised castes on the basis of purity, pollution, filth and smell. The following quote makes it clearer:

*'A very big meeting was held in our block, by Yogi ji and Vidhayak ji (the CM and the MLA) and chairs were laid for it. Some people [belonging to the marginalised castes] were standing at the back. The sidekicks of the*

MLA called out to them from the stage and asked them to sit where they were standing, saying: “I know which caste you belong to; you can tolerate the heat”. Key informant, Kanjadwa GP

It was also revealed that the post of a sanitation worker is usually perceived as a job best suited for the marginalised castes. However, the salary of a sanitation worker has been increased to Rs. 26,000 per month and offers a permanent position. As a result, these opportunities were often usurped by the dominant caste candidates. The actual task of cleaning, however, is outsourced to people belonging to the *Mehtar* community (the caste of sweepers and scavengers) in exchange for a meagre amount. The community is neither left with an employment opportunity nor a drive to apply for the position. The key informants belonging to the marginalised castes condemn the hypocrisy exhibited by the dominant caste, thus:

*‘Whenever there was a benefit to be had, they applied for the post and bagged the opportunity by paying bribes. They got the work done by giving money [to the people of the marginalised caste] and themselves sit on the chair. They would give the people of the marginalised caste Rs. 100 and tell them to clean the drains. And they themselves would be eating chai namkeen [snacks] at the Pradhan’s place’.* Key informant, Kanjadwa GP

Another factor that is often neglected in policy-making as well as implementation is gender. The toilets are named as *Ijrat Ghar* [a house of prestige] (Ministry of Drinking Water & Sanitation, 2017b), which is meant to uphold the honour of women that links toilet usage with the honour of the family. It is believed that women will encourage toilet use among the family, which ignores the prevailing power dynamics within the family structure, where most of the decisions are made by the male head of the family.

As a result, during CLTS triggering activities, regressive patriarchal notions were reinforced by making sure that women remained confined in order to uphold their ‘honour’ rather than becoming a self-aware user of the toilet. There is a common understanding that women are meant to be kept in confinement with a *ghoonghat* (veil) and are not supposed to be ‘seen’ by other men. Hence, women were targeted more as compared to men, sending an impression that it was okay for men to practise open defecation. As revealed in the quote below, the IEC (Information, Education and, Communication) officials often deployed derogatory usage of words during mobilising activities:

*‘You will give money for muh dikhayi [a ritual of the bride showing her face after marriage] and when she will defecate with her sari up, then you will show her rear to people for free? He was insulted in this way...this is called triggering’.* Key informant, state office, SBM-R

Toilet provision and menstrual management utilities have indeed encouraged women to start talking about their private needs. However, preventing them from going outside is counterintuitive to women’s freedom of mobility. Women too have their social needs to attend to. Going together for open defecation is the only excuse they can use to go outside and socialise with one another without the need for anyone’s permission.

Quite interestingly, women too pushed back when these triggering activities would take place and continued going outside for defecation. The key informant at the district level narrates his difficulty in pushing women towards toilet use:

*‘We always used to feel that it would be easier to push the woman. You can make her understand that it is not safe to go outside – you have to go in the dark, you can’t relieve yourself in broad daylight if nature calls. You face a lot of problems and you should get a toilet constructed. But it was much more difficult to push them to do so’.* Key informant, district office, SBM-R

An act of claiming the public space to meet private needs is a welcome idea. On the one hand, for men, urinating/defecating in public is a way to assert their power, on the other hand, defecating in public is an act of liberation for women. However, open defecation in any case should be discouraged, since it attracts serious health problems and contaminates the environment.

### Slippage in sanitation as perceived by the state and non-state actors

Slippage in sanitation is understood as the condition where the household or an individual falls back to their previous unhygienic preferences despite having access to toilets (Reddy *et al.*, 2010). The question now is, how can we say that the processes adopted in the implementation of SBM were unfair in the first place? The answer lies in the identification of slippage among officials as well as through direct observation of the presence of faecal matter at the site of study.

The officials agreed that there are certain direct causes that determine slippage. They tend to have a restricted view of slippage and believe that it is applicable only to those households, which have a floating population, and newly divided households since these have yet-to-be-sanctioned toilets. Thus, slippage here is taken as an absence of toilets.

Additionally, the listing of gram panchayats as open defecation-free panchayats on the Ministry of Drinking Water and Sanitation website<sup>2</sup> is a clear misrepresentation of the existing situation at the grassroots level. In the Kanjadwa Gram Panchayat, which actually meets the physical and digital tally of almost full toilet coverage, 25% of households are still going outside to defecate. The workforce involved at the grassroots reveals the same in the following quote:

*'In fact, the GOI program is ongoing...Swachh Bharat is active...it is showing on the website as well [the 100% open defecation-free status], but if we look at the reality, it is actually not present on the ground. We feel bad too that we keep seeing the filth accumulate around the school'.* Key informant, Madhnagar Manoharpur GP

Very few officials acknowledge that slippage has a wider basis because there is limited information to evaluate the justifiability of the circumstances. As per the key informant at the district level, the programme kept shifting goalposts, so that even before people could understand the value of toilets, it moved to the next level:

*'Wherever we have focused only on giving them money and building structures, we have missed the point there. Where we have done it the other way round, that is, created enough sensitisation, done enough exercises on behavioural change, sensitised younger people the most, out of all stakeholders, there people are not slipping back'.* Key informant, district office, SBM-R

Officials also believe that behavioural change activities ended once the toilet construction was completed. If the goal of sustainability has to be achieved, follow-up on triggering activities should continue to happen. The key informant in the capacity building department at the state level observed that:

*'We have conjoined this scheme more with technology. Technology never sustains. We must sustain the behaviour. So, where we had started with human behaviour, we must bring it back to that point'.* Key informant, state office, SBM-R

<sup>2</sup> Ministry of Drinking Water and Sanitation 2020 Swachh Bharat Mission Target vs. Achievement on the Basis of Detail Entered. Available at: [https://sbm.gov.in/sbmReport/Report/Physical/SBM\\_TargetVsAchievementWithout1314.aspx](https://sbm.gov.in/sbmReport/Report/Physical/SBM_TargetVsAchievementWithout1314.aspx) (accessed 20 August 2021).

Therefore, we can see that although slippage is acknowledged among the officials, attributes that determine slippage go beyond the absence of toilets. Slippage can take place post the resource provision, which is after the monetary incentive for toilet construction has been made available to the implementation agency that led to the toilet construction in households. We use the Sanitation Well-being Framework (Khare & Suresh, 2021) to explore wider causes that determine slippage.

## DISCUSSION AND ANALYSIS

The study examines institutions and processes using Sen's conception of justice that reviews justice (*Nyaya*) once the *Niti* or the institutions are in place. Sen argues that in policy interventions, the mere presence/creation of institutions is considered an adequate measure of justice. He calls this the problem of institutional fundamentalism, where the manifestation of justice is equated with the active presence of the institution alone. Sen points out the significant conceptual difference between valuing institutions themselves versus the institution as being essential to justice because it is necessary for the realisation of something else, that is, individual well-being. This view remains confined to the arrangement-centred perspective alone, that is, the setting up of institutions and making resources available, whereas whether the institutions are producing anticipated results is neglected. He calls for a broader perspective of justice, which would mean what kind of consequences are generated out of that institutional base. It also involves calling for revisions based on the outcomes or the realisation that takes place post-institutional set-up. Therefore, he calls for examining 'comprehensive outcomes' where the assessment of justice is viewed as actual realizations that are impacted by the nature of agencies involved, processes used and relationships between people. The full characterisation of realisation will happen when the final outcomes are reviewed along with the processes involved in achieving those outcomes (Sen, 2009).

In this paper, the institution analysis is done in a way that point towards the state of affairs that emerge during the implementation of the SBM-R programme as informed by the state and non-state actors, occupying powerful positions. It is achieved by assessing the agencies, actions and processes that contribute to the 'well-being freedom' of an individual in the context of sanitation. The well-being freedom focuses on the freedom that is enabled by the state by offering opportunities that are constitutive of a person's well-being, which further determines the enabling environment for an individual to make choices and be able to act upon them (Sen, 1985, 1992, 2009). The Sanitation Well-being Framework (Khare & Suresh, 2021) is used as an analytical framework that focuses on the assessment of the sanitation environment facilitated by the state. It reviews the opportunities provided to an individual who is responsible for achieving sanitation well-being.

The Sanitation Well-being Framework identifies five sub-elements – personal, cultural, environmental, utilisation and structural levels, scaled along the sanitation life stages as the capability set. The capability expansion factors ensure that sanitation well-being is achieved when an individual is able to experience all five stages in a sanitation life cycle – acceptance of the need for building a toilet, constructing the toilet, utilisation of the toilet, maintenance and safe disposal. Sen's conception of justice entails the identification of 'manifested injustices' in actual society rather than focusing on a perfectly just notion of justice (Sen, 2009). By using this line of argument, the framework identifies slippage as a manifest injustice resulting from a failure in circumstances and procedures that occur at an institutional level. Slippage is depicted as a movement backward due to a failure in the achievement of the five corresponding elements, also called the capability constraints.

It is important to review the institutions and processes in the implementation of the SBM-R programme because it influences how the choices will be potentially made by an individual in determining their sanitation well-being. The Sanitation Well-being Framework (SWF) provides a wider informational base to judge the situation of sanitation emerging as an actual reality after the implementation has taken place. The analysis finds that slippage in sanitation manifests an injustice due to the unjust circumstances that emerge during programme

implementation, technology diffusion and neglect of social hierarchies by the agencies involved and their treatment to the lower level of fellow officials and the community they engaged with while meeting the objectives of the SBM-R programme. The formation of institutions and distribution of resources involved under the programme are oblivious to actual, social as well as institutional realisations since the implementation is done at the expense of those who are already marginalised, that is, women, fellow officials and community members belonging to the lower caste community. Table 1 sums up the potential capability constraints and expansion factors grouped as the personal, cultural, environmental, structural and service capability factors along with their corresponding influence on the sanitation life cycle stages. For instance, personal factors such as habit and preference for deeper pits, identified by the officials, constrain the accepting ability of an individual to construct and use toilets. A cultural factor such as associating women's honour with the construction of toilets promotes the usage of toilets that is gendered in nature. Officials' refusal to identify caste-based influences that forge the linkage between pollution and pit emptying affects the construction and usage stage of the sanitation life cycle. At the structural level, although the incentive provision and community participation in toilet construction are enabling factors, they are overridden by constraints such as coercive practices in forcing people to use toilets and a lack of compensation to poor people when they spearhead the CLTS activities. It leads to the forceful acceptance and construction of toilets, but utilisation is not ensured. Another illustration is from the environmental factors, where officials put an exclusive burden on the rural population for creating filth, forcing them to accept and construct the toilet, but its usage cannot be guaranteed. Also, under the service factors, even though there are enabling factors as identified by the officials – such as twin-pit technology being a panacea to all problems and retrofitting to aid the maintenance of toilets – these are overridden by factors such as a lack of awareness-building among people with the usage of twin-pit technology, coupled with an unfair expectation that rural communities should deploy sustainable means of safe disposal that involve manual pit emptying when the human waste decomposes. These factors affect the construction, utilisation and safe disposal stages. The lack of skilled labour to provide a service, if the toilet demands maintenance, in the long run, affects the maintenance and utilisation stages.

Therefore, from Table 1, it is evident that capability constraints outweigh the factors of capability expansion that lead to slippage. There is a likelihood of toilets being abandoned again in the long run if the inherent constraints in the processes are not identified and addressed. Therefore, slippage manifests as an injustice due to failure in the process of the implementation of the SBM-R programme. Therefore, justice in the sanitation interventions would mean the rightful acknowledgement of slippage among the policy-makers and implementation agencies that has been neglected in the previous sanitation interventions. The findings make an appeal for a correction of focus from the resource-led definition of sanitation progress by looking at the capability constraints that contribute to the degenerated sanitation environment facilitated by the state. It calls for the identification and removal of such factors that are likely to impinge on sanitation well-being among rural communities. Having said that, it is important to mention the limitations of the Sanitation Well-being Framework. The Sanitation Well-being Framework may prove as an instrument of enquiry enabling researchers, programme managers and policy-makers to understand the nuances behind slippage, being a recurring event in the sanitation interventions in India. The aggregation of capability constraints that influence slippage provides qualitative and context-specific factors that remain confined to the district of Shravasti, Uttar Pradesh. Hence, the study can be undertaken in other contexts to enable cross-contextual comparisons that will problematise slippage with wider informational attributes and explore how it impacts sanitation well-being. Further study can be done in quantifying the correlation between the capability factors and the sanitation life cycle stages that eventually determine sanitation well-being among the beneficiaries of sanitation interventions.

The programme assesses achievement as an aftermath, that is, the number of toilets constructed, while neglecting the processes involved in it. As per Sen, such assessments that focus only on the final outcomes are not



**Table 1.** | Potential areas of capability constraints and expansion determining the sanitation life cycle

| Sub-elements from SWF formed as capability set | Factors identified as capability constraints  | Factors identified as capability expansion  | Sanitation life cycle stages identified                   |
|--|---|---|---|
| Personal                                       | Habit; preference of larger toilets and deeper pits.  |   | Acceptance construction                                   |
| Cultural                                       | Associating toilet requirement with women's honour; women backlash to triggering activities; twin-pit filling and emptying – notions of purity and pollution; Dalit oppression – usurping employment opportunities.   |   | Acceptance; Construction and Utilisation                  |
| Environmental                                  | Condescending mind-set towards rural population for not adopting toilets.   |   | Acceptance and Construction                               |
| Structural                                     | Glorified perception of the programme by officials; coercive CLTS measures; poor incentive structure at grassroots; intra-departmental conflicts leading to delay; withdrawal of follow-up; caste discrimination during meetings; biased sanctioning of toilets; lack of meetings at the Panchayat level; lack of training to masons; repeated international visits hampering work. | Raised incentive amount; institution building at grassroots; awareness generation through positive CLTS triggers.   | Acceptance; Construction and Utilisation                  |
| Service  | Availability of skilled labour if the superstructure is broken; lack of awareness for twin-pit technology; poor adaptation to technology shift.   | Twin-pit technology to minimise human faecal interactions; economic benefits on faecal sludge recycling; provision of retrofitting and maintenance materials. | Construction; Utilisation; Maintenance; and Safe disposal |

'process-inclusive' (Sen, 2009, p. 309). The SBM-R aimed at the perfect goal of achieving open defecation-free India through full toilet coverage by providing individual household latrine construction incentives, guidance on building ideal toilet infrastructures, mason training, maintenance compensation and safe disposal option in villages. The goal resulted in the deployment of existing and the creation of new formal and informal institutions and awareness-building activities. Once these parameters were found to be fulfilled, it was assumed that open defecation-free status had been arrived at. However, the entire activity remained oblivious to actual realisations concerning social institution processes that gave rise to slippage in sanitation. It is evident how the implementation process was replete with instances of caste, class and gender biases that are bound to give unjust results.

## CONCLUSION

Our research presents a nuanced account of the analysis of institutions and processes on the implementation of the SBM-R programme through Sen's view of justice (Sen, 2009). Sen proposes a realisation-based understanding of justice and explains that only the setting of institutions (*Niti*) is not sufficient, but what actually emerges in the

society (*Nyaya*) – including the kind of lives people lead, given the institutions and rules –requires to be examined as well. The sanitation outcomes and processes are reviewed through the realisation perspective of justice and the findings are analysed using the Sanitation Well-being Framework. We found that there are 26 capability expansion and constraint factors that influence the sanitation life cycle stages of acceptance, construction, utilisation, structural, environment and safe disposal. Slippage in sanitation in rural Shravasti is confirmed as the capability constraints outweigh the expansion factors. It is further confirmed by the officials and through the direct observation of faecal matter in the region. The emerging capability constraints create a potential disparity in the process of choice for an individual that prevents them from experiencing sanitation well-being. Apart from an individual's own personal and implementation challenges identified by the officials, slippage is an outcome of the caste, class and gender bias present in the implementation of the programme extended by the state actors belonging to powerful positions. Furthermore, glorification of the programme by the government presents a political ideal that is assumed to have been realised by society. Therefore, it belies the expectation of certain behavioural responses, affirming that getting institutions right often does not comply with the needs of actual society.

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### DATA AVAILABILITY STATEMENT

All relevant data are included in the paper or its Supplementary Information.

### CONFLICT OF INTEREST

The authors declare there is no conflict.

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