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The American University in Cairo

School of Global Affairs and Public Policy

**WOMEN THROUGH THE DEVELOPMENT GAZE OF THE
WORLD BANK: LEGAL REFORMS AND THE MYTH OF
EMPOWERMENT IN THE GLOBAL SOUTH**

A Thesis Submitted to the

Department of Law

**in partial fulfillment of the requirements for
the LL.M. Degree in International and Comparative Law**

By

Mariam Salem

September 2019

The American University in Cairo
School of Global Affairs and Public Policy

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DEDICATION

This thesis is dedicated to my beloved family and to the beautiful soul of grandmother, who taught me the true definition of love and sacrifice. It is their constant support and motivation every single day that inspired me to believe in myself and shine bright to achieve my dreams no matter how tough the path might be.

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LEGAL REFORMS AND THE MYTH OF EMPOWERMENT IN THE GLOBAL
SOUTH

Mariam Salem

Supervised by Professor Mai Taha

ABSTRACT

Historically, women were largely invisible to early development planners and they were only discussed in passive terms. This was based on the assumptions about the gendered division of labor and women's supposed absence from the productive labor. However, development discourses today are full of images of the empowered women in the Global South; she is the selfless mother, the strong entrepreneur and the resourceful breadwinner. The World Bank in particular depicts women in the Global South as vulnerable, marginalized, yet a major "untapped resource". The key is to acquire them with appropriate means along with the necessary legal reforms that would empower them against the traditional barriers and enable them access to the labor market. This depicts the gender equality as smart economics, which represents the primary modes by which women in the Global South became visible through the development gaze of the World Bank. The idea here is to show how the World Bank has redefined feminism to resonate with its neoliberal agenda. In order to understand how these legal reforms legitimize the work of the World Bank's private partners and the underlying reasons behind framing women in the Global South to become visible in those specific characteristics, it is helpful to analyze World Bank Gender and Development reports, starting from 2012 to 2018. This paper argues that this specific feminism that is promoted by the World Bank has its costs and those legal reforms maximize the profits of their private partners. It has left those women suffering from a new kind of violence caused by the neoliberal agenda in addition to their already existing oppression from their unpaid work. This analysis will demonstrate the World Bank's construction of women in the Global South and the true cost of those legal reforms on their lives.

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INTRODUCTION

March 8 marks the celebration of Women's International Day. This year, 2019, the World Bank took this as an opportunity to shed light on their main accomplishments with respect to gender equality and women's empowerment in the Global South, which they are committed to achieving on the international plane.¹ The main message delivered here is that investment in women does not only contribute to gender equality, but also reduces poverty and improves the overall wellbeing of their families and the society as a whole over the long run.² This basically depicts the gender equality as smart economics discourse implemented by the World Bank to empower women in the Global South.

Throughout the different cases that were shared by the World Bank gender advisors on that day, women were depicted as a powerful economic force and significant actors that contribute to the economic growth of their countries, for they make important contributions as entrepreneurs and employees.³ In addition, they support development more broadly through the care and attention they bring to the welfare of their families.⁴ Ellen Goldstein, the World Bank country director of Bangladesh discusses the particular success of the gender equality as smart economics model in Bangladesh: "those poor, illiterate women represent the world's most untapped resources and when they were supported with the appropriate legal reforms and provided with the necessary trainings they were able to break free from their religious and traditional barriers and join the labor market."⁵ Bangladeshi women now dominate more than eighty percent of the garment industry and "seeing those women every morning in the streets of Dhaka, as young as twelve is the best way to achieve gender equality and empower them with waged jobs to put an end to all forms of violence and oppression that they suffer from at their homes."⁶ Goldstein ended on the note that the World Bank will continue to foster collaboration with private entities

¹ The World Bank Group, *International Women's Day 2019: Bridging the Remaining Gaps between Women and Men*, 2019, available at: <http://www.worldbank.org/en/topic/gender/brief/international-womens-day-2019-bridging-the-gap-between-women-and-men>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

to enhance gender equality and provide them with more dedicated labor, which is a win-win situation.

On the other hand the “*True Cost*” documentary depicts the case of Sabina, who has been working in the Bangladesh garment industry for the past three years, since completing the trainings that were provided by the World Bank. She explains: “All my life I have been suffering from physical violence and oppression from my dad and my husband and now I am suffering from the violence of this new inhumane job, which is contradictory to the kind of empowerment that we were promised at the beginning of the program.”⁷ This documentary reveals the hidden truth behind these new jobs in the assembly lines that women in the Global South are “empowered” to join in addition to their household chores and taking care of their children. Those women actually end up working for very long hours and under very harsh conditions and ill treatment simply to meet the deadlines and targets of those private corporate, partners of the World Bank, who are mainly seeking to maximize their targets. Sabina stresses that they simply risk their lives and are exposed to a different kind of violence, for they are not paid for overtime and they are always at risk of losing their jobs because of the newly established “flexible” contracts. “If only those consumers in the West know the real story behind the made in Bangladesh clothes”.⁸

Both of the above scenarios describe the same phenomenon, but from very different standpoints. The first is from the perspective of the World Bank who are celebrating the success of their accomplishments with respect to gender equality and particularly shedding light on the empowered women in the textile industry of Bangladesh. Whereas the second is from the perspective of those newly “empowered” women in the textile industry, narrating the unspoken reality of the kind of the feminism promoted by the World Bank.

In this thesis, I unpack the violence associated with the feminism of the World Bank. Typically, this violence is an indirect consequence of the attempts to achieve economic development and economic progress that usually frame women in the

⁷ Andrew Morgan, *True Cost Documentary: A story of Clothes, Power and Poverty and its Complex*, 2017.

⁸*Id.*

Global South at the center of their development discourse and agenda. The shifting visibility of women in development discourses – from a marginal to a central position – is central to what is now known as ‘smart economics’. My objective here is to show how the World Bank’s feminism of development and smart economics has had violent consequence on women in the Global South.

The idea behind this thesis has developed over the past few years, particularly since I joined the field of development after graduation from the university. I have been handling an economic empowerment project, for women in Dahshour Egypt that followed the principles of gender equality and smart economics framework prescribed by the World Bank. Basically those women were given a set of vocational trainings and awareness campaigns to be able to join one of the factories. Most of these women at the end of the trainings got jobs at factories in 6th of October mostly owned by multinational companies. However, seeing those women unhappy, exhausted and further burdened, made me question the actual target behind this discourse and the underlying agenda disguised under this new feminist agenda. Those reports from the World Bank typically portray women smiling at the camera either engaged in a certain handicraft, physical labor, crafting or perhaps carrying a child and dressed in a certain authentic, brightly colored outfit.⁹ This is associated with the overall image of her being from the Global South that she has been made visible to the rest of the world through the lens of the World Bank. This particular image is of a woman who is an important catalyst in the building of her country that only needs the appropriate means to become empowered to enter the labor market. She is sold to the corporates to be the ideal employee because of her patience and her maternal characteristics that will enable her to withstand the burden of these newly established assembly lines to provide for the overall wellbeing of her family and break free from the oppression of her male guardians at home.

This is different from the image of the strong independent already empowered woman in the Global North. Here, through the World Bank’s “development gaze”, women in the Global South become visible and useful actors from the perspective of smart economics. Are these the characteristics that those women actually want to become

⁹ World Bank Report, *Supra Note*, at 1.

visible through and why are women in the Global South particularly ideal from the perspective of the smart economics discourse? Moreover, how are they being empowered, and at the same time restricted to this new set of conditional legal reforms? How are these legal reforms beneficial for those women when they enable them to work for more hours, with less benefits, and lower wages and further increasing their burden?

This thesis argues that this particular framing process could not have been achieved without these newly prescribed legal reforms that come as a precondition with this smart economics discourse under the myth that they will empower women in the Global South against their social and religious barriers, and enable them to enter the market. Thus, the core argument here is that the underlying idea behind these legal reforms, particularly those associated with the labor market, goes beyond establishing gender equality and actually benefiting those women in the Global South. In fact the World Bank has redefined feminist knowledge to resonate with its core commitment under the neoliberal agenda that aims to expand capitalist markets while at the same time maintaining the existing patriarchal system. These laws actually legitimize the work of those corporates and maintain the World Bank's agenda, which allows them to celebrate their success and accomplishments with respect to gender equality and hide the true cost of this feminism on the Global South. In this way, law becomes a precondition for development and a way to lure more private businesses to collaborate, which depicts what David Harvey described as another form of capitalism and form of empowering the dominant ones.¹⁰

This thesis is divided into two main chapters. Chapter one focuses on the analysis of the feminism of the World Bank, by presenting the main means through which women in the Global South were made visible through the development gaze of the World Bank. In addition, to the conditional reforms that were prescribed under this smart economics model to understand how the World Bank used this model to justify and legitimize the work of their private partners. Finally, I conclude this chapter with the case of Bangladesh, which is considered as a success story from the perspective of the World Bank feminists. Chapter two responds to the first part by presenting the

¹⁰ David Harvey, *A Brief History of Neoliberalism*, Oxford University Press, Ch3, (2005).

true cost of this gender equality as a smart economics discourse on the women in the Global South by first narrating the case of Bangladesh from a different perspective as a starting point of the chapter. I then use the theoretical framework of critical feminists who have resisted this neoliberal feminism, which enables this thesis to situate historically gendered relations of power accumulation and thus draw the similarities to the current feminism of the World Bank.

Notably, my thesis here should not be interpreted as merely an attempt to depict the kind of misery that results to those women in the Global South. My intention here is to reveal the true cost of the feminism that is promoted by the World Bank on those women in the Global South. The World Bank was particularly chosen because it is an institution where both human rights and economic development intersect and the main contributor to the smart economics model. The World Bank has greatly contributed to shaping and constructing the lives of many of those women in the Global South due to the way they were made visible. It is also crucial to pinpoint that I use the illustration of those women in the textile industry in Bangladesh as an illustration and not a case study. This thesis is not confined to the women in Bangladesh, but to the women in the Global South. The main aim is to show how these reports of the World Bank justify and legitimize the work of their private partners under the myth of “empowerment” and achieving gender equality in the Global South.

Chapter I. FEMINISM OF THE WORLD BANK

The process by which women in the Global South have gained visibility in the development discourse is the result of a particular institutional, hegemonic, political and discursive context.¹¹ The main discourse representing the primary modes by which women in the Global South became visible through the development gaze is “Gender Equality as Smart Economics” and corporate-led gender equality.¹² This began with the recognition that women’s empowerment occupies a central position in development discourses, where empowerment is imagined as a universal process driven by development interventions to make women economically powerful.¹³ Women in the Global South have not only been depicted as a significant source of investment potential, but also as the main channel to solve the current global crisis and world poverty.¹⁴

In this chapter, I investigate the means by which corporate power is constructed and legitimized through the new “feminism of the World Bank”. I also trace the mounting interest in and visibility of young girls and women in the Global South in development programs, especially since the turn of the 21st century, when the smart economics rationale for promoting gender equality and female empowerment strongly emerged, as a byproduct of the engendering development policy of 2001. This will be done by analyzing World Bank Gender and Development reports, starting from 2012 to 2018. Representing the new development discourse that promoted gender equality as smart economics. These reports include Gender Equality and Development (2012); Gender Strategy, Poverty Reduction and Inclusive Growth (2016); and Women, Business, and the Law (2018).

A. Women through the World Bank’s ‘Development Gaze’

Borrowing from feminist theory, I understand the verb “to gaze” as the act of looking intently at a specific object. The eyes have the power to observe, to intimidate, or to desire another person. More significantly, this power can objectify, categorize, and

¹¹ Arturo Escobar, *Encountering Development: The Making and Unmaking of the Third World*, Princeton University Press, Ch1, (1995).

¹² Adrienne Roberts, *The Political Economy of “Transnational Business Feminism”*: *Problematizing the Corporate-Led Gender Equality Agenda*, International Feminist Journal of Politics,(2014).

¹³ *Id.*

¹⁴ *Id.*

even take control of the person being looked.¹⁵ Consequently, the very act of “gazing” by the beholder has the power to threaten and subordinate the targeted object.

The gaze is a key element in the constitution of modern subjectivity, filtering ways of understanding and ordering the surrounding world.¹⁶ Laura Mulvey begins her essay by viewing women symbolically as “the bleeding wound of castration and unconsciously raising her child in this image.”¹⁷ The woman becomes a spectacle through the male gaze, as Mulvey argues.¹⁸ The male gaze can have active and passive roles that satisfy the spectator.¹⁹ Typically, it is a focused stare at a sexualized body part, which objectifies women and positions men as the subject of the gaze. Thus sexual objectification here is related to the “male gaze” by dint of viewing the person as a sexual object for the pleasure of the audience while disregarding this person’s character and human identity.²⁰ In film, this is what happens to women’s bodies, for the media simply highlights their sexual attractiveness solely for the pleasure of the public male community, which further empowers men who believe that women are mainly there for their pleasure. Therefore, the camera plays a central role in the formation of the disciplines among the viewed.²¹ This gaze of camera production thus reproduces women’s image from the perspective of the male gaze.

In line with Mulvey, I argue that the World Bank exerts a “development gaze” – the manner in which objects become visible or invisible within a development gaze context. This entails a “framing process” that frames gender through pre-existing discourses of economic development. Moreover, women’s visibility as subjects of the development gaze has long been predicted on particular narratives of reproductivity and productivity. Thus, the core idea here is that it is crucial for those women to remain visible to the rest of the world through these particular characteristics that have been framed upon them through the World Bank’s development gaze to justify the need and the importance of those economic development discourses in their lives.

¹⁵ Laura Mulvey, *Unmasking the Gaze: Some Thoughts on New Feminist Film theory and History*, University of London-Birkbeck College, 2001.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* The author here is explaining the gaze from the perspective of the male and how this had an impact on the media.

²⁰ *Id.*

²¹ *Id.*

Those particular characteristics play a great role in shaping the lives of those women in the Global South. Furthermore, they become trapped in those identities that have been constructed for them throughout those World Bank reports and campaigns. By objectifying them and classifying them the World Bank has inconsiderately set expectations for them and created the path and norms that they should abide by.

In raising questions about who produces knowledge about women in the Global South in these development discourses, Chandra Mohanty posits that they are represented in most feminist literature on development as having “needs” and “problems” but few choices and no freedom to act.²² The woman in the Global South emerges as a figure that leads an essentially curtailed life based on two givens: her gender, and her “Global South” affiliation. This representation sharply contrasts with the image of the Western women as being educated, modern, in control over their own bodies and sexualities, and free to make their own decisions.²³ These representations assume Western standards as the benchmark against which to measure the situation of women in the Global South and establish universal frameworks to achieve development and economic growth.²⁴

Accordingly, it becomes easy to identify those women in the Global South although we do not know their names. Even though their ethnicity, clothing, location and activity may vary, they become known to the rest of the world through the gaze of those development discourses whose audio, visuals and textual materials surrounds us. The repetition and accumulation of images of those vulnerable women in the Global South produce a sense of the Global South as a place where “poor women” are constantly, diligently, happily engaged in the labor for global markets. Consequently, they appear to the rest of the world as major sources that can contribute to the overall economic development if only they were acquired with the appropriate channels that empower them and this should be done through the support of those set of legal and economic reforms prescribed by the World Bank.

²² Chandra Mohanty, *Feminism Without Border: Decolonizing Theory, Practicing Solidarity*, Duke University Press, 2003. Mohanty describes here the impact of development from western countries in framing women of the Third world and how the present them as passive actors.

²³ *Id.*

²⁴ *Id.*

Thus this justifies the importance of the intervention of the World Bank to improve the lives of those women in the Global South to the rest of the world. Hence it is crucial for those women to remain visible in those particular characteristics that have been framed upon them for the survival of this entire smart economics discourse. This masks the true identity and knowledge about those women in the Global South and they remain trapped under this new identity that has been framed upon them through the World Bank's development gaze. This is in line with Mulvey's argument in how women were objectified by the gaze of the camera in media for the pleasure of the dominating male audience.

B. Historical Shift Occurring in the World Bank's Agenda and the Rise of Neoliberalism

It is crucial to start by understanding the shift that occurred gradually in the World Bank's agenda and the historical fundamental changes that took place that contributed in shaping the dynamics of our world up until today. This is just a starting point to be able to understand the entire background of how those countries in the Global South became completely subjected to the control of those development reforms and will also lead to how women became the central actors in development policies. The World Bank is an international organization that is considered one of the most powerful development institutions functioning today. It frames the world with regard to economic policy in global governance together with the remaining international financial institutions (IFIs). It is a place where both international human rights law and international development intersect.²⁵ Through technical expertise, funding and influential allies, the World Bank has implemented many significant policies and interventions which have been influential in shaping developing countries.²⁶

The World Bank is an International financial Institution that was founded in 1944 at the Bretton Woods Conference that is officially known as the United Nations Monetary and financial Conference in Bretton Woods, New Hampshire, in the United

²⁵ Drucilla Barker and Edith Kuper, *Feminist Economics and the World Bank: History Theory and Policy*, Routledge, 2006, chapter 1. The authors start by explaining the strategic importance that the World Bank gained globally and stressed that it is a place where both international human rights and economic development meet.

²⁶ *Id.*

States. The main purpose was to agree upon a series of new rules for the post-WWII international monetary system.²⁷ The two major accomplishments of the conference were the creation of the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD).²⁸ The IBRD and its concessional lending arm, the International Development Association, are collectively known as the World Bank.²⁹ The World Bank's initial aim was to help rebuild European countries that were devastated by World War II.³⁰ The first loan was to France in 1947 for post-war reconstruction.³¹

1. The Rise of the Newly Established States and the Changing Scope of the World Bank's Agenda

The turning point for IFIs scope of work was mainly with the emergence of those newly established nation states in Africa, Asia, the Caribbean and the Pacific in the 1950s and the 1960s, which had just recently gained their independence as a result of the decolonization process.³² These countries became known as the "Third World" countries and more recently developing countries or the "Global South". The process of decolonization coincided with the Cold War between the Soviet Union and the United States, and with the early development of the United Nations.³³ Decolonization was often affected by superpower competition, and had a definite impact on the evolution of that competition.³⁴ It also significantly changed the pattern of international relations. The creation of so many new countries, some of which occupied strategic locations, others of which possessed significant natural resources, and most of which were desperately poor, altered the composition of the United Nations and political complexity of every region of the globe.³⁵ Thus this historical context acts as a foundation to understand the dynamics that have contributed to shaping our world and hierarchy between states up until today.

²⁷ The World Bank Group, History and the Origins of the World Bank, available at: <http://www.worldbank.org/en/about/archives/history>.

²⁸ *Id.*

²⁹ *Id.* IBRD provides loans credits and grants while the IDA provides low or no interest loans to low-income countries and they collectively create the World Bank institution, which is composed of five institutions all together.

³⁰ *Id.*

³¹ *Id.*

³² Antony Best, Joseph Maiolo and Kirsten Schulze, *International History of the Twentieth Century and Beyond*, Second Edition, Routledge, Ch17, 2008.

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

Unfortunately, those newly established states did not enjoy their independence for long, which was mainly due to the series of events that took place in the 1970s causing the debt crisis that affected the whole world and left those newly established countries particularly vulnerable.³⁶ Moreover, the 1970s was not only characterized by a global crisis of stagflation, but this was the period when the power of the upper class was most seriously threatened and Neoliberalism arose after putting an end to the Keynesian model and monetary policy.³⁷ This crisis was different from many previous recessions by being a stagflation, where high unemployment and high inflation existed simultaneously.³⁸ The main causes that contributed to it were 1973 oil crisis and the fall of the Bretton wood system after the Nixon Shock. The crash of the stock market that made the recession evident and emergence of those newly industrialized countries' increased competition in the metal industry, which triggered a steel crisis, where core areas in North America and Europe were forced to restructure.³⁹

As a result, a difficult global economic situation confronted the world as it entered the 1980s a situation characterized by both internal and external imbalances. There was high inflation and unemployment in developed countries and large deficits in the current account of the balance of payments in both developed and developing countries. Lower demand in developed countries led to a decline in commodity prices and a deterioration of the terms of trade for many developing countries dependent on commodity exports.⁴⁰ Thus all of this shows how the level of debts accumulated and slowed down economic growth that were particularly harsh on those newly established countries leaving them with no option, but to seek loans from those International Financial Institutions as they were no longer able to pay back their debts and they had to accept them with all their conditions. Consequently, this debt crisis contributed to the rise of neoliberalism and provided the IMF and the World Bank

³⁶ *Id.*

³⁷ *Id.* The authors particularly focus on the set of factors and series of events that contributed to the fall of the Keynesian model and the rise of the Neoliberalism due to the severe global crisis that was particularly challenging on those newly established countries.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

with the necessary leverage to impose very similar comprehensive neoliberal reforms in over seventy developing countries, thereby entirely restructuring their economies.⁴¹

All of this depicts the shift that occurred in the World Bank's scope of work from simply providing funds to those economies emerging from WWII to becoming the main center for the propagation and enforcement of neoliberal theories. This is mainly by providing those set of long-term adjustment loans to those developing countries that require them to adjust specific policies and reforms in order to achieve economic development, which are known as structural adjustment policies.⁴²

David Harvey describes neoliberalism as a unique phenomenon that includes a definite turn in political economic practices and thinking.⁴³ It proposes that human well-being can best be achieved by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade.⁴⁴ The role of neoliberal states is to institute and maintain an institutional structure to ensure that this goal is achieved. Thus the state has to guarantee, for example the quality and integrity of money it must also set up those military, defense, legal structures and functions required to secure private property rights and to guarantee the proper functioning of the market.⁴⁵ Therefore, the public sector is encouraged to rival the behavior of the market and to govern and structure itself according to the market-like incentives. But beyond these tasks the state should not intervene and allow the markets to interact freely, hence the state is directed to provide a supportive role for the market and to shrink in the areas that might be regarded as a competition.⁴⁶

The argument here is that once state interventions in markets come about, they must be kept to a bare minimum to avoid market failure and distortion. Rittich describes this as the re-organization and the restructuring of the market that is built on the belief

⁴¹ B.S. Chimini, *International Institutions Today: An Imperial Global State in the Making*, EJIL, Volume 15, 2004.

⁴² *Id.*

⁴³ Harvey, *Supra Note*, at 10, Ch3.

⁴⁴ *Id.*

⁴⁵ *Id.* The author explains the role of the state and the idea of good governance based on the neoliberal prescribed theories.

⁴⁶ Kerry Rittich, *Restructuring Recharacterizing: Law, Distribution and Gender in Market Reform*, Kluwer Law International, the Hague, 2002

that the quality of life is dependent on economic growth and the main goal for states lies in improving the conditions for this material progress.⁴⁷ This economic growth is linked to successful integration into the global economy and the ability to attract capital and foreign investment, which cannot be achieved without those prescribed set of reforms and conditions.

Harvey argues that this is mainly “a political project to achieve the restoration of class power in the wake of the economic crisis of the 1970s.”⁴⁸ From this perspective, neoliberalism can be interpreted as a project to re-establish the conditions for capital accumulation and restore the power of the economic elites. Thus those newly established states, which were previously controlled by their colonizers, who seized their land resources and enforced their own form of education as a form of civilizing those nations within their own colonies, are now subjected to a new form of control under those structural adjustments. Moreover, it does not require physical presence of colonialists, but prescribes for them a set of conditional reforms to follow under the umbrella of economic development and those states are forced to accept them to be able to overcome their debts. All of this acts as a base to this thesis as it explains how the World Bank acquired its strategic power and why those countries of the Global South were forced to accept those loans from the first place.

2. The World Bank’s Approach to Development

In the following decades, the focus of the World Bank has shifted from post-war reconstruction to development and anti-poverty lending due to the fundamental changes that took places in the operating environment of these International Organizations. Accordingly, it has become known as the “world’s premier development institution.”⁴⁹ The Bank has sought to position itself as a knowledge bank, broadening its mandate from the transfer of capital to the production and transfer of knowledge about and for development. In fact, its mission statement stresses that today knowledge, rather than capital, is the greatest foundation for global development. This belief is incorporated in the World Bank’s Development Report on “*Knowledge for Development*”. In it the Bank also highlights the main reason behind

⁴⁷ *Id.*

⁴⁸ Harvey, *Supra Note*, at 10, Ch3.

⁴⁹ Barker and Kuper, *Supra Note*, at 25.

underdevelopment, which is that North and South are separated by a wide gap in knowledge.⁵⁰ Consequently, the Bank's principal role is to facilitate the spread of knowledge and tools as a foundation for development.

It is vital here to start by understanding the World Bank's theory of development to be able to analyze how the Global South has been constructed by these discourse and practices of development ever since they got swamped into the ongoing control of those structural adjustments. To be able to see development as a historically produced discourse it is important to examine why those newly established countries were actually labeled as "underdeveloped" and forced to undergo those systematic interventions of economic development. Development is usually treated as a problem that began with decolonization and concerns the Global South, for there exists a genuine underdeveloped subjectivity pictured with features such as powerlessness, passivity, poverty and lacking historical agency.⁵¹ Consequently, this establishes a homogenous image of those backward "developing" countries, who are oppressed by their own traditions, stubbornness and lack of initiative. This is basically the image that has been drawn throughout those development reports and literature from the Western perspective to highlight and justify the need of those development reforms by the West in the lives of those countries in the Global South.

Development has relied exclusively on one knowledge system, which is the modern Western one. The dominance of this knowledge system has dictated the marginalization and disqualification of the non-Western knowledge systems.⁵² The word development is frequently used in its transition form as actions performed by a subject upon an object.⁵³ Moreover, it is crucial here to acknowledge who is actually evaluating those practices of development, for it would vary greatly from the perspective of those who are transmitting the knowledge and practices to the countries who are actually being developed and forced to modify their practices in order to enter the promised land one day. Thus the World Bank acts as a platform that integrates countries in the Global South into the U.S dominated global system by transferring the knowledge and practices through those set of conditional reforms and

⁵⁰ *Id.*

⁵¹ Escobar, *Supra Note*, at 11.

⁵² *Id.*

⁵³ *Id.*

those countries in the Global South are forced to accept given their harsh economic conditions.

The Bank sees the causes of underdevelopment in those countries of the Global South as the lack of desire or absence of will to make material progress and to modernize the society.⁵⁴ Consequently, the Bank's approach to development is to acquaint those underdeveloped countries with the necessary tools that can enable them to enter the global market and be able to create for them a better life and community to live in through those set of established reforms and practices. This does not only include economic growth, but also human development providing for health, nutrition, education and a clean environment. This will enable them to interact in the global market and enhance their overall productivity, which will contribute to creating more jobs and eventually decrease the overall level of poverty.⁵⁵

Hence the Bank's role is to facilitate the spread of knowledge and tools as a foundation for development and those countries in the Global South have no choice, but to follow this path that has been paved for them. Consequently, those newly established states are now governed by a new discipline called development, which replaced the colonizer-colonized relationship with the developed-underdeveloped one. All of this lays the foundation and the chronological order of events that occurred historically contributing to the shift in the World Bank's agenda and expansion of its work to become the main transmitter of those neoliberal theories and structural adjustment policies in the developing world. This is hidden under the umbrella of "development", which later on frames women in the Global South into those already preexisting development discourses to become the main actors of their development policies.

C. The Neoliberal Agenda with its New Feminist Face and Women Moving from Marginal to Central Actors in Development Policies of the World Bank

Women were largely invisible to early development planners of the 1950s and 60s and, they were only discussed in passive terms. This invisibility stemmed from basic

⁵⁴ The World Bank Group, *World Bank Development Report 2002: Building Institutions for Markets*, available at: <http://documents.worldbank.org/curated/en/850161468336075630/World-development-report-2002-building-institutions-for-markets>.

⁵⁵ *Id.*

assumptions about the gendered division of labor and women's supposed absence from productive labor market.⁵⁶ While the family as an economic institution has traditionally been neglected by development policy, the World Bank and other development institutions now promote a range of legal and policy reforms, particularly those related to land, labor, credit and assets that touch on the family and the household. The key here is to focus on the connection between gender equality and development, which the Bank argues enhances the overall economic growth through a market-centered approach.⁵⁷ These are reflected in new policies incorporating human rights discourse and gender-related legal reforms that specifically highlight the importance of the inclusion of women and their right to development. I am particularly interested here in demonstrating how women moved from marginal to central actors in development discourses and why the World Bank in particular started framing them as the main catalyst to achieving economic growth and development in the Global South.

1. The Right to Development and the Rise of Women's Rights on the International Plane

The main turning point for women's rights on the international plane was when the first United Nations-sponsored women's conference was held in 1975 in Mexico. This event signaled a major turning point reflected in the central themes of equality, peace, and development. Since the number of women in governmental delegations was small, women's organizations and movements played an important role in bringing the views of women into the United Nations.⁵⁸ This conference also called for the drafting of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the main convention focusing on women's rights until today.⁵⁹ It set a target for the passing of equality legislation and declared the following decade as the United Nations Decade for Women. The latter emphasized the goal of bringing about an overall improvement in women's access to economic, social and cultural rights. In this way, women's right to development became identified as a universal right.

⁵⁶ Jane Parpart, Patricia Connelly, and V. Eudine Barriteau, *Feminism and Development: Theoretical Perspectives on Gender and Development*, 2000.

⁵⁷ Kerry Rittich, *Engendering Development/Marketing Equality*, HeinOnline, 2004.

⁵⁸ Parpart, Connelly and Barriteau *Supra Note*, at 56.

⁵⁹ *Id.*

The emphasis placed on women's right to development was also particularly significant for the World Bank in its new role as the knowledge bank, to transfer the knowledge about development to the Global South. Accordingly, it has aligned itself with the new changes taking place to frame women into the center of development by providing the necessary laws supporting this integration. The World Bank is a place where both human rights and economic development are integrated to create a specific agenda as neoliberal theory implies that economic liberalization required by structural adjustment agreements improves economic performance. This agenda focuses on establishing human rights, and incorporating practices providing stronger protection of workers' rights, particularly those of women, with the express aim of enhancing gender equality.⁶⁰

These goals were further cemented in 1986, with the adoption of the Declaration on the Right to Development. It is clearly defined as “an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”⁶¹ Furthermore, Article 8 clearly states “all effective measures should be undertaken to ensure that women have an active role in the development process.”⁶² All of this depicts the process of how women slowly started becoming the main face of economic development programs path to achieve economic growth.

The above declaration presents the right to development as an umbrella right under which all other internationally recognized human rights fall. In addition, it also introduces two crucial elements in the process of development, which are popular participation and equal distribution.⁶³ Article 2(3) indicates that, “ States have the right and obligation to formulate appropriate national development policies that aim at the constant improvement of the well-being of the population and all individuals on the basis of their active and free participation in development and in the fair

⁶⁰ *Id.* Chapter 5.

⁶¹ The United Nations Declaration on the Right to Development of 1986, article 8, available at: <http://www.un.org/documents/ga/res/41/a41r128.htm>.

⁶² *Id.*

⁶³ *Id.*

distribution of the resulting benefits.’’⁶⁴ This declaration basically ensures that development should be broadly participatory and one that obliges states to take the necessary measures to make sure that women are an integral part of it, such as signing the CEDAW. This is to ensure that states will commit themselves to promotion of women’s rights and establish for them the necessary platforms to empower them in the economy. It presumes that the distribution of resources cannot be accomplished without the inclusion of women as well as men in the process.

2. From WID to Engendering Development: the World Bank’s Evolving Approach to Gender and Development

All of those conferences and developments with respect to women’s economic integration and human rights contributed to the creation of new models specifically framing the importance of women in development. The Women in Development framework is considered as the first major model that is directed chiefly towards women and this is when women first became visible through the development gaze. A key development within the World Bank was the creation of the Bank’s Advisor on Women in Development in 1977, which was first, held by Gloria Scott and was strongly influenced by Boserup’s book.⁶⁵

It was the first to highlight the marginalization of women from economic structures by their confinement to reproductive and non-wage labor, which was mainly due to the idea of the male gaze. It depicted men as the more powerful and responsible to work in the labor market to provide their families with money, whereas women were associated with the idea of nurturing and caring for their households to support their children and husbands. In 1984, the Bank officially included the importance of the inclusion of women in development programs in its mandate thus keeping its commitments with respect to gender equality and inclusion on the international plane.

WID stressed the importance of women in development as, Boserup clearly states, “As long as girls remain under the two-fold handicap of a family education which suppresses their self-confidence and of training facilities in schools and elsewhere

⁶⁴ *Id.* Article 2.

⁶⁵ Parpart, Connelly and Barriteau *Supra Note*, at 56.

which are inferior to those given to boys, they are bound to be inferior workers.”⁶⁶ Consequently, Scott reviewed all the Bank’s education projects and other types of projects that most commonly have significant impacts on women, which are mainly in the sectors of agriculture and rural development, urban development, industry and population, health and nutrition.

The main aim at that time was to improve conditions of those who were living under conditions of extreme poverty and enhance their productivity. Scott highlights the importance of shedding awareness on the role that women should play in development of the economy. The second aspect that was also highlighted by WID was that women are mostly responsible for raising the children in most countries and the future labor force, so this is strongly dependent on the health and education of their mothers. Therefore, if women continue to be left out of the mainstream of development and deprived of opportunities to realize their full potential, serious inefficiencies in the use of resources would persist. Thus women’s reproductive characteristics were particularly highlighted throughout those development discourses, which stressed on the importance of women in development for the well-being of their children and future generations.

WID advocacy drew its ideas about equality from the liberal philosophical belief that despite differences of culture and class, there is a universal and unique argument for equality between human beings.⁶⁷ Accordingly, WID advocates have created a powerful and influential liberal feminist paradigm that has influenced institutional organizations and agendas. This is due to the belief that women not only improve the function of existing development models and institutions, but also are crucial instruments of production and an untapped labor market.⁶⁸ This is how women in the Global South slowly became visible through the development gaze discourse.

Consequently, governments in developing countries were encouraged to seek advice and consultation with WID advisors and women groups to be able to set their priorities and involve women in their economy. While it is true that WID has

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

increased awareness and raised the concerns of women and the need to bring them into policy areas. Many feminists actually criticized WID, arguing that this policy did not consider reproductive work as women's work.⁶⁹

The next stage in the evolution of the feminism of the World Bank's thinking in terms of development saw an emphasis on policies that facilitate the integration of women into the economic system by combating gender-based discrimination. As gender equality concerns began to enter the mainstream of development policy, there were various attempts to conceptualize women's empowerment in ways that spoke to the mainstream policy discourse. Based on the criticism leveled against WID, women advocates attempted to re-focus the discourse on gender and power relations between men and women.

This established the framework of gender and development also known as "empowerment of women" in 1994.⁷⁰ GAD marks the shift from a focus on women to gender, meaning both gender as a social construction and gender relations between men and women.⁷¹ GAD advocates argued that the oppression of women was integrated within capitalist growth models where unequal distribution of power hinders equality. Moreover, the GAD team also focused on the gendered division of labor within the household, the inequality found in wages, control over resources and the social status of women. Cynthia Enloe maintains that this perspective has pinpointed the ways that the modern economy is actually highly dependent on the old traditional gender roles.⁷² Basically, GAD stressed the promotion of women's right to education, access to credit and legal reforms that promote their rights and end their exclusion.

GAD continues to remain the dominant approach until today in International institutions, such as the World Bank, in feminist human rights jurisprudence and the approach adopted by CEDAW. GAD is also the main approach adopted in all the World Bank reports that relate to gender. The turning point for GAD was the

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.* The authors refer to Cynthia's words on GAD and how it changes the old traditional perspectives of development.

introduction of the term “empowerment” which has had tremendous influence on policy makers quickly becoming a buzzword since the 1990s. It became an important tool used by feminists activists who drew upon its origins in the philosophy of radical women’s visibility under the idea that the object under the development “gaze” has experienced major shift from the early years. When they were seen as passive recipients of welfare to becoming the focal point of recent development theories, which focus on the idea of women’s empowerment.⁷³

Empowerment was first defined under GAD as the processes through which women gained the capacity for exercising strategic forms of agency in relation to their own lives as well as in relation to the larger structures of constraint that positioned them as subordinate to men. This definition was further altered by World Bank advisors to be “about making markets work for women at the policy level and empowering women to compete in markets at the agency level.”⁷⁴

The next evolution and turning point in the evolution for the feminism of the World Bank was the “Engendering Development” report that was issued in 2001 that was also built on the previous work from GAD. Rittich believes that this report is particularly significant because it represents the most ambitious attempt by the Bank to explore the relationship between the two goals that have often been in tension, which are gender equality and the pursuit of economic growth.⁷⁵ This report basically stresses on the importance of gender equality as an international norm and on the institutional level.⁷⁶ Furthermore, it makes the case for gender equality in market-centered reform agendas and encourages the private sector to invest more in gender claiming that this enhances the overall efficiency of the market and contributes to gender equality so it is a win-win situation.⁷⁷

The Engendering Development Report is particularly significant to this thesis, because it depicts how the World Bank started using “gender” in debates over market

⁷³ Mohanty, *Supra Note*, at 22.

⁷⁴ Kuper and Barker, *Supra Note*, at 25.

⁷⁵ Rittich, *Supra Note*, at 57.

⁷⁶ World Bank, *Engendering Development: Through Gender Equality in Rights, Resources and Voice*, 2001, available at <http://documents.worldbank.org/curated/en/512911468327401785/Engendering-development-through-gender-equality-in-rights-resources-and-voice>.

⁷⁷ *Id.* This report basically reframes the analysis of gender equality and the strategies used to promote it in a market-friendly way.

efficiency and development to persuade their private partners to invest in those women in the Global South. The key argument here is that it is directly connected to economic growth and enhances profits for the private sector. This specifically shows how women became the central catalysts of development discourses in the World Bank. Engendering development moves gender equality project in a new direction because it places the role of the states as an “enabler” to gender equality and relies directly on the market incentives to achieve gender equality.⁷⁸ This is mainly because the state here is considered as a weak instrument to change those cultural and traditional beliefs that hinder gender equality in those developing countries and the role of the World Bank here is transfer the knowledge from those already developed Western countries.⁷⁹ It also falls in line with the main role of the states according to the neoliberal theories, hence states and markets are no longer antagonistic, but should form an important partnership in achieving development. Therefore, all of this depicts the World Bank’s evolution with respect to women and the newly established neoliberal agenda with its feminist face.

D. Gender Equality as Smart Economics

Gender equality as “smart economics” represents the main discourse through which women in the Global South are framed through the development gaze of the World Bank until today. In 2012, the World Bank issued its first ever World Bank Report on Gender Equality and Development. This report builds on the Bank’s Engendering Development report of 2001 and on the Bank’s policy framework positing that investing in women and girls is “smart economics.”⁸⁰ Roberts describes this as the politico-economic project of transnational business feminism, which remains strongly engraved until today.⁸¹ This actually represents the main idea behind the feminism that is promoted by the World Bank, which is investing in the skills and labor of young girls and women is the key to stimulating growth and reducing poverty.

1. The Importance of the Role of the Corporates in Achieving Gender Equality and “Empowering” Women in the Global South

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ World Bank, *World Bank Development Report 2012: Gender Equality and Development, 2012*, available at: <file:///Users/mariam/Downloads/646650WDR0201200Box364543B00PUBLIC0.pdf>.

⁸¹ Roberts, *Supra Note*, at 12.

This smart economics discourse, the fruit of a coalition of states, financial institutions, the UN, multinational corporations and others establishes the business case for gender equality by claiming that investments made in women can and should be measured in terms of the cost savings to families and communities, as well as in terms of boasting corporate profitability and national competitiveness.⁸² Given that women are the world's most underutilized resource investing in women and girls just makes good business sense.⁸³ Former World Bank president, Robert Zoellick stresses that the financial crisis has rendered the business case for gender equality even more pressing for women in the most poverty-stricken countries.⁸⁴ This depicts the main image that the World Bank is trying to promote in making women in the Global South visible to pave the way for their corporate partners. This discourse actually frames corporate citizenship as neutral, inevitable and rational feature in development in which market-led incentives can create equal opportunities for women and businesses alike. Furthermore, it justifies the presences of those development discourses by the World Bank to the rest of the world as they get to know those women in the Global South based on the images and knowledge that they see from those reports and campaigns. Essentially, women became a resource through the World Bank's gaze. Neoliberal corporatization of development thus came with its new feminist face.

This development framework centers on establishing entrepreneurial women with sufficient competency to lead the labor market in the Global South, thereby serving as a useful asset for corporates. Entrepreneurialism, according to World Bank feminist thinking, is not only a market-related ethic, the reason being that individuals are encouraged to take responsibility for themselves and to produce themselves as entrepreneurial citizens, demonstrating the ability to take the initiative to cope with precarious times.

Accordingly, the ideal neoliberal "enterprising self" is optimistic, creative, adept in taking the initiative, able to seize opportunities, and autonomy-driven.⁸⁵ The prescribed framework is a precondition to be able to achieve these characteristics in the women in the Global South. It is the route to development from the perception of

⁸² World Bank Development Report, *Supra Note*, at 80.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

the World Bank that is transmitting the knowledge from those Western developed countries to those in the Global South. This framework, as Harvey described it, is a political economic project that “proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade.”⁸⁶

The feminism of the World Bank particularly stresses on the importance of the role of the private sector in enhancing gender equality and creating more jobs and economic opportunities for women. In addition to creating awareness campaigns and programs that “empower” those women starting from a very young age, which increases the chances of their altering the norms against women participating in the labor market.⁸⁷ The girl effect, is an ideal example for this scenario, was an initiative that the World Bank worked on in collaboration with Nike. This initiative was mainly designed to inspire the world’s most influential leaders to get girls on to the global development agenda and to drive massive resources to them.⁸⁸ Furthermore, the main aim is to create a unique girl hub that empowers those girls who are living in poverty, particularly those who were in Afghanistan, Jordan, Lao PDR, Liberia, Haiti, Nepal, Rwanda, and South Sudan.⁸⁹

The girl effect was so named due to the claim that when given the opportunity, women and girls are more effective at lifting themselves and their families out of poverty, thereby having a multiple effect within their nations, villages and cities.⁹⁰ This, in particular, depicts how those women in the Global South have been framed under the development gaze as being a major “untapped resources”. Thus this girl effect is only imposed on young girls in the Global South, who need to be developed starting from a very young age to lead the future labor market and this in comparison to the young girls in the North, who are already raised by developed, educated and independent women.

⁸⁶ Harvey, *Supra Note*, at 11.

⁸⁷ World Bank Development Report, *Supra Note*, at 59.

⁸⁸ World Bank, *The Adolescent Initiative*, available at: <http://www.worldbank.org/en/programs/adolescent-girls-initiative>

⁸⁹ *Id.*

⁹⁰ *Id.*

This is principally why women in the Global South are the ones who perfectly fit into this newly tailored program. The main idea here, from the perspective of the World Bank feminists, is to mainly bring the expertise of both organizations to transform the lives of these girls starting from a young age to empower them through education, confidence and programs of self-esteem and vocational trainings. According to the former president of the World Bank “during this formative period in their lives, it is important to provide adolescent girls with the tools they need to become economically empowered young women and investment in young girls is even smarter economics.”⁹¹ This simply depicts the means by which corporate power is constructed under this particular smart economics discourse.

In contrast to this opinion critical feminists argue that this girl effect movement draws on colonial stereotypes of girls as sexually and culturally constrained, but works around these through discourses of neoliberal development to construct girls as good investment potential.⁹² This thesis further argues that in doing so, it reproduces a dominant narrative that highlights the cultural causes of poverty, but obscures structural relations of exploitation and privilege. These young girls are depicted as underutilized and powerful agents of social change and even as solutions for the global crisis and world poverty. All they need to actualize their lofty goals is the right opportunity and framework; in fact this how the representational package of girls are made visible and how they are sold to private businesses.⁹³

These girls have emerged as visible subjects that are worthy of investment. This specifically why it is crucial for those girls to remain visible to the rest of the world within those particular characteristics that have constructed their identity through the development gaze for the success and continuity of this entire discourse. Thus those newly established states remain subjected to the control and objectification of the West even after the process of decolonization that comes under the form of “development”, which draws for them specific routes to follow and pictures them in specific ways that would guarantee the success of their underlying agenda. This is similar to how women were objectified through the gaze of the camera in film for the

⁹¹ *Id.*

⁹² Roberts, *Supra Note*, at 12.

⁹³ *Id.*

pleasure of the male audience. This condensed embracing of gender in institutions like the World Bank depicts the idea of neoliberalisation of feminism, which entails the translation of feminist ideas into a common sense that favors the commodification of nonmarket, values and processes. This is in addition to, the casting of human endeavor in entrepreneurial terms and the construction of subjectivities that lend themselves to being governed through the market.

2. The Rise of the Newly Formed Assembly Lines and the Creation of New Jobs for Women in the Global South

The “smart economics” discourse particularly highlights the significance of trade liberalization in empowering women in the Global South. The early years of trade liberalization were known as the move of textile and information technology manufacturing from developed to developing countries.⁹⁴ New employment in manufacturing often relied on labor-intensive assembly line jobs and the initial gains in manufacturing employment were the most in countries with plenty of unskilled labor and comparative advantage in producing basic manufactures.⁹⁵ This is the main approach associated with neoliberalism where each country specializes in the product that it has a comparative advantage in order to maximize efficiency and profits.⁹⁶

The smart economics discourse highlights that the liberalization of trade and rapidly spreading technologies has dramatically increased economic opportunities greatly. Consequently, the demand for female workers in the export and ICT enabled sectors has increased and the gender distribution of employment across sectors changed gradually.⁹⁷ Women moved out of the agriculture and into manufacturing services. These changes took place globally, but the female and male employment in the manufacturing sector has grown more rapidly in developing than developed countries reflecting broader changes in the global distribution of production and labor.⁹⁸ In addition, ICT technology has allowed women and men around the world to access markets in growing numbers by lowering information barriers and reducing the transaction costs, which is part of the free market approach.

⁹⁴ *Id.*

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *Id.* The report stresses on the positive impact of globalization and the creation of jobs for females as a result of ICT.

⁹⁸ *Id.*

Feminists of the World Bank stress that is actually very beneficial to women who suffer more from time and mobility constraints, so they benefit from these developments.⁹⁹ The key argument here is that greater access to economic opportunities and some case, high returns to economic activity provide stronger incentives to accumulate human capital particularly for women and are likely to increase investments in the skills of girls and young women.

This shift in geographic location of production has served to promote female labor force participation and the feminization of employment in manufacturing in developing countries particularly in Asia and Central America.¹⁰⁰ This is mainly because corporates are relocating to developing countries or free trade zones, which are cheaper, more lucrative and favorable to the creation of a new division of labor, with females specializing in the manufacturing industry and export services.¹⁰¹

Hence, economic integration and foreign direct investment promote the movement from the North to the South world, which could not have been achieved with out globalization and ICT.¹⁰² Higher female employment in exports has often been accompanied by an increase in wages, as these corporates may be able to pay more than the local companies. In Malaysia, women made up to 80 percent of the manufacturing workers in the first phase.¹⁰³

Alongside the growing economic globalization increased international pressure was applied on developing countries to enforce formal rights for women. These have been translated into the ILO/UN Agreement accompanied by further pressure from the international community on those countries to formally adhere to this agreement, either directly or indirectly as part of a broader trade and other economic agreement.¹⁰⁴ The feminists of the World Bank argue that the feminization of labor is a source of immense support for women.¹⁰⁵ This support includes increased decision-making powers inside and outside the home, and control over the allocation of time

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ *Id.* This part highlights the important role of the international community that came along with globalization.

¹⁰⁵ *Id.*

and resources. Empowerment by globalization and technology demonstrates that gender equality is smart economics, according to the World Bank gender advisors.

This shows how the process of globalization has profoundly changed the traditional society and agriculture, where all citizens, particularly women in the Global South, have no option but to become part of this new technological system under the newly established divisions of labor in the new business world. In addition, to how the World Bank has described the whole process of globalization and the appearance of the new assembly lines to be a “win-win” situation for both countries of the North and the South and to be a new source of jobs for women of the Global South, who are in great need of these jobs to empower themselves and their families.

3. The Characteristics that are attributed to Women in the Global South through the World Bank’s “Development Gaze”

The prevailing neoliberal orthodoxy has a distinctly feminized character. The World Bank targets women and girls as the desired beneficiaries and agents of progress, for they highlight the capacity of women to carry the burden of the societal change.¹⁰⁶ This actually represents the core idea behind the feminism of the World Bank. Representations of gender in mainstream development are usually those of women portrayed as peace-loving nurturers, closer to the earth and inherently less corrupt than men.¹⁰⁷ Such representations of women often take the shape of powerful and inspiring gender myths where protagonists are portrayed as object victims, the poorest of the poor or the brave heroines who battle against all odds to create a better life for their children and communities.

It is in this particular narrative that the World Bank has constructed women of the Global South in the development discourse, which is depicted in the 2012 WDR report. Gender becomes fixed as a sexual difference, where men are equated with power while women are associated with beauty, lack of power, and a boundless capacity for selflessness, that falls in line with Mulvey’s description of on-screen depictions through which women become visible in the film industry. Anything that

¹⁰⁶ *Id.*

¹⁰⁷ Anne Goetz, *Feminism and the limits of the claim to know: Contradictions in the feminist approach to women in Development*, *Millennium Journal of International Studies*, 1988.

fails to fit into this frame is firmly cast aside while the naturalized assumptions are strictly retained to exclude the possibility of dissonance.

As Robert argues, such a selective representation actually produces a powerful combination of norms that are often shaped more by the preoccupations of development actors than the women they seek to help. That is, these specific characteristics are fixed to women in the Global South, whose visibility solely depends on these characteristics.¹⁰⁸

4. The Human Capital Approach and its Influence on the Smart Economics Discourse

The human capital is a popular framework among international institution and within the World Bank specifically. Moreover, it represents an important aspect of the World Bank's efforts to integrate social policy into its economic framework and constitutes a particularly important site for the analysis of dominant gender and development discourse. This is considered as one of the main means of visibility for women in development. Ever since they were framed through the development gaze women in the Global South have been particularly targeted by the World Bank for Human capital building interventions. It is interesting to see how power could be exercised upon the viewed through the gaze, towards gaining a deeper understanding about the ways and reasons women in the Global South were framed by the World Bank to fulfill their model. According to Mulvey, the gaze is a key element in the construction of modern subjectivity, filtering ways of understanding and ordering the surrounding world.¹⁰⁹

The concept of human capital re-imagines the self, as a form of capital, where a person can invest in herself to increase the income she earns.¹¹⁰ Therefore, human capital encompasses the acquisition of skills and knowledge as an investment in one's labor productivity.¹¹¹ The core argument presented by World Bank feminists here is that the application of this particular framework in the smart economics discourse is crucial to "empower" those women in the Global South, who need the appropriate

¹⁰⁸ Roberts, *Supra Note*, at 12.

¹⁰⁹ Mulvey, *Supra Note*, at 15.

¹¹⁰ WDR 2012, *Supra Note*, at 80.

¹¹¹ *Id.*

means and channels to be able to prepare them for the market and create the ideal workforce for the corporates. However, this thesis adds that this has just enabled the World Bank to provide the ideal justification by which gender can be sold to both policymakers and corporates.

This approach particularly focuses on investing in the most disadvantaged group, which is women and girls, to aid them in taking advantage of their economic opportunities.¹¹² What makes women the ideal targets is their role as the mothers who mold future human capital, an endeavor best described as “human capital in the making.”¹¹³ Accordingly, development policies have focused on girls and women, especially policies related to health and education.¹¹⁴

Feminists of the World Bank believe that this will promote the productive means of women and equip them with the necessary market skills they need for economic participation; that is investment in education and health will contribute to higher income, reduced poverty and economic growth.¹¹⁵ As Gloria Scott, who was the first female advisor at the World Bank, clearly stated, “it is crucial to invest in women because they are the mothers who shape the quality of future human capital and girls because they constitute the human capital that is in the making.”¹¹⁶ Therefore, investments in women’s health is linked to lower fertility, higher life expectancy and better nutrition levels, which is beneficial to both their families and the society as a whole. In such way gender equity advocates promote their programs and highlight the importance of the integration of women in the development discourse. This explains why the Bank’s funding for projects with gender related components has increased substantially in areas of health, population and education.

This abuse of vulnerable people for economic gain through the processes and practices of microfinance has been widely criticized for advancing neoliberal economic globalization at the same time as exacerbating existing poverty and inequalities. As Harvey argues, the purported aims of microfinance schemes offering

¹¹² *Id.*

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.* This part was included in the report to show by Gloria Scott who was the first female advisor at that time to stress on the importance of the World Bank’s investment in women the coming period.

small amounts of credit to collectives, usually involving small groups of poor rural women, purportedly aim to permit the population to raise themselves out of poverty and latch on to the more lucrative business of capital accumulation. “Some succeed, but for the majority it means debt peonage.”¹¹⁷ This translates to a form of slavery given the desperate need to pay off debts.

E. The Importance of the Role of the Legal Reforms and how it is Framed by the World Bank Feminist

The last decade has witnessed an increased emphasis on legal reforms by the World Bank and its partners in the development community. These reforms are particularly emphasized throughout this current model of gender equality as smart economics. Building on the perspective that the World Bank is a place where both international human rights and economic growth intersect, which is particularly important to maintain its position in the international community. In order to promote women’s right to development and gender equality as agreed on the international plane.

This becomes particularly evident in the way the World Bank feminists promote a dual narrative about why gender equality as a legal norm is crucial for development. First of all, reforming discriminatory laws is considered the main way to overcome all the social barriers and violence against women within their households and empower them in the labor market.¹¹⁸ This is because gender differences in the legal status and property rights pose severe constraints on women’s entrepreneurship. Second, “gender equality matters in its own right, because the ability to live the life of one’s own choosing and be freed from absolute deprivation is a basic human right, to be enjoyed by everyone.”¹¹⁹ This establishes a gender gap that requires intervention through these conditional legal reforms to be able to eventually fix the constructed “female deficit” that is attributed to the social norms, so that women’s endowments be raised to the level of men.

These laws are actually what enable the World Bank to achieve their neoliberal agenda, for they are intentional to legitimize the work of their private partners. Hence

¹¹⁷ Harvey, *Supra Note*, at 10.

¹¹⁸ WDR 2012, *Supra Note*, at 80.

¹¹⁹ *Id.* This builds on the idea of the women’s right to development that the World Bank has supported as a part of the international community.

these laws further strengthen the development gaze that is exerted by the World Bank and frame those women in the Global South as being weak and waiting for those legal reforms to empower their lives, to hide their underlying goals.

1. The “Rule of Law Project” and the World Bank’s Underlying Neoliberal Agenda

The Feminists of the World Bank stress that these legal institutions are necessary to stimulate economic growth targeted by reform projects that are often justified by the World Bank and incorporated into the general rubric of the “rule of law projects”.¹²⁰

The rule of law discourse justifies these reforms in developing countries on the grounds that the rule of law being a neutral device or mechanism that guarantees formal integrity of the process of politics, governance, and economic development.¹²¹

This process is subsequently riddled with local politics and conditions within a highly competitive process. The task of the World Bank here is first to determine which of these legal institutions increase economic growth and then to sponsor efforts to install such institutions through legal reforms projects.

The recipient country is obliged to accept these changes as a precondition for the loan and the development model.¹²² So under this perception, rule of law has no substantive morality that it seeks to impose on a given policy, but only ensures the integrity of the formal procedures that allow individual actors to shape their own decisions in the market place.¹²³ Thus these laws are framed by the World Bank to be the main source of empowering women in the Global South, who suffer greatly from the violence that they are subjected to within their households that is in comparison to the already developed and independent women in the Global North. Those women in the Global North are depicted as role models throughout those reports of the World Bank and this attributed to the equal rights that they are given in ownership of assets, property and most importantly laws related to employment.¹²⁴ Meanwhile, women in the Global South still face restrictions in acquiring, selling property and suffer from restrictions that limit their ability to work outside their homes. All of this explains

¹²⁰ Cameron Stewart, *The Rule of Law and the Tinkerbelle Effect: Theoretical Considerations, Criticism and Justifications for the Rule of law*, *Macquarie Law Journal*, 2004.

¹²¹ *Id.*

¹²² *Id.*

¹²³ *Id.*

¹²⁴ *Id.*

why women in the Global South in Particular serve as ideal subjects for this smart economics discourse, for the particular characteristics that they made visible under the development gaze as well as the particular justifications that are made for those legal reforms. The question that falls here is where in the legal order have feminists gained inclusion and who actually benefits from these reforms.

These reforms are not about establishing gender equality and benefiting women in the Global South. In fact, the bank has redefined feminist knowledge to resonate with its core commitment under the neoliberal agenda that aims to expand capitalist markets while at the same time maintain the existing patriarchal system.

Rittich believes that the international transmission of legal rules, institutions and norms to promote both economic and social development has resulted in the revival of a strong interest in law and development, comparative legal developments, and legal transplants globally associated with the interventions designed by international financial institutions, all of which are arguably the face of international law in the Global South.¹²⁵ In this way, laws become a pre-condition for development and a way to lure more private businesses to collaborate, which depicts what Harvey described as another form of capitalism and form of empowering the dominant class.

The law here plays a crucial ideology function in liberal capitalist societies, as discussed earlier, for it creates the appearance for the formal illusion of equality. This project seeks to harmonize all the laws pertaining to gender mainstreaming.¹²⁶ In addition, the smart economics strategy normalizes all the areas of insecurities posing a threat to the free trade system; it also ensures the maximization of profit for the corporates, which is disguised under the umbrella of achieving gender equality and the empowerment of women in the labor market.

2. The Required Legal Reforms to Achieve Gender Equality as Smart Economics and the Use of Quantitative Data by the World Bank

Building on the particular importance that was given to legal reforms, the World Bank advisors decided to create a report that is specially focused on the connection between

¹²⁵ Kerry Rittich, *Black Sites: Locating the Family and Family Law in Development*, HeinOnline, *The American Journal of Comparative Law*, 2010.

¹²⁶ *Id.*

women, business and the legal framework to further stress on the importance of legal reforms in the smart economics model. I am particularly interested in analyzing these legal reforms that legitimized the work of those multinational corporates under this feminism that this promoted by the World Bank. This report stresses that, “Globally, over 2.7 billion women are legally restricted from having the same choice of jobs as men.”¹²⁷ The main idea behind this report has been to inform research and policy discussions on how laws and regulations influence women’s economic activity. Meanwhile, Rittich argues that this report represents an attempt by the World Bank and its corporate partners to deepen and consolidate the fundamental values and tenets of their capitalist interests.¹²⁸

The World Bank and other international organizations rely greatly on quantitative indicators to make the case that investing in women and girls yields not only beneficial outcomes for themselves, but also for the community as a whole, to eradicate poverty and overall sustainability. This strategy as claimed by the World Bank Feminism is more efficient use of resources than previous development strategies had failed to incorporate gender as a “pathway for scarce targeted resources.”¹²⁹ However, Powell maintains that it is crucial here to consider the ways that these numbers hinder certain forms of gender dominance and subordination that are not easily reducible to numbers.¹³⁰

Furthermore, these “indicators are a basic technology of corporate management and control the spread of its techniques of auditing and control to the state and international organizations is an instance of the corporate form.”¹³¹ Thus using their same methodology helps to mask the underlying objectives and the structure of gender inequality in the private sphere by private actors. Numbers often hide a large degree of subjectivity and ideology. Feminists of the World Bank keep on calling for more advanced methodologies to collect the data, but this is not the solution.¹³² This

¹²⁷ World Bank, *Women Business and Law* of 2018, available at: <file:///Users/mariam/Downloads/9781464812521.pdf>

¹²⁸ Rittich, *Supra Note*, at 46.

¹²⁹ Catherine Powell, *Gender Indicators as Global Governance: Not Your Father’s World Bank*, Fordham Law School Archive of Scholarship and History, 2016.

¹³⁰ *Id.* The author here pinpoints the underlying truth that these numerical data fail to indicate.

¹³¹ *Id.*

¹³² *Id.*

is clearly depicted throughout the report of Women, Business and Law, for the problem is not with the methodological arguments on these indicators, but rather the arguments questioning the normative implications of relying on indicators as a way to evaluate gender equality.

From the perspective of the World Bank's feminism: not enough has been done to reach legal gender equity. The main reason is that many laws still prevent women from working or running a business.¹³³ For example, 104 economies still have laws that prevent women from working in specific jobs, 59 economies have no laws on sexual harassment; and 18 economies give husbands can legally prevent their wives from working.¹³⁴ The core argument here is that economic growth needs to be supported by policy commitments that entails the appropriate legal reforms in order to achieve gender equality. In fact, legal gender differences are estimated to decrease female labor force participation and undermine GDP growth. This is based on the detailed research and statistics that were done for this report and presents the core argument of the feminism of the World Bank.

In the United States, for example, more women started getting patents in the 19th century after some states passed laws granting women property rights in their own name as well as granting the ability for women to act as sole traders and retain their own earning. This is yet another example that shows the distinction that is made between the women in the Global North and the Global South. This same set of legal changes also led to families investing more in their daughters' secondary education.¹³⁵ According to feminists of the World Bank, equality of opportunity under the law allows women to make the choices that are best for them, their families, and their communities.¹³⁶ Since this will also promote foreign investment and create better jobs for women, the World Bank argues that the law has significant "instrumental value" in the overall success of the development project, the reforms of which apply equally to all nations, both developing and those that are already developed.¹³⁷ Promoting the idea of a market friendly environment can eventually improve the overall well-being of the recipient country further emphasizing the idea of gender as smart economics.

¹³³ *Id.*

¹³⁴ World Bank, *Supra* Note at 127. These are the latest statistics with respect to legal status in the World Bank.

¹³⁵ *Id.*

¹³⁶ *Id.*

¹³⁷ *Id.*

This aims to prepare women for the economic arena by empowering them in the labor market, land, credit and access, none of which can be achieved without these reforms.

During the World Bank's first conference on Comprehensive Legal and Judicial Development, Amartya Sen noted the importance of including the legal reforms as a part of their collective agenda,¹³⁸ as "legal reform is interrelated with other constitutive elements of development. By acting as a platform providing both the poor segments and women with equal voice and by creating the backbone of the capitalist system, a sound legal system is necessary to advance political and economic development."¹³⁹In this sense, the idea of legal reforms is a necessary factor for the actual success of the entire development program without which no state can achieve economic growth and ensure that the market can function freely.

Hence, the main areas requiring legal reform and specific attention from policy makers, in developing countries in particular according to this report are: institutions, property or assets, job restrictions or getting a job and they claim that the laws associated with jobs in the labor market need to be more "flexible", going to court, protecting women from violence, and obtaining credit.¹⁴⁰ These were the seven main aspects that this report scored and assessed thoroughly and suggested that they are crucial for reform to be able to achieve gender equality and economic growth and encourage the private sector to enhance more economic opportunities for women. In some cases, the legislation focuses on gender; examples include restrictions on the working hours, industry of employment and paternal leave.¹⁴¹ In other case, such employment protection laws were justified on the grounds of providing protection for women in certain jobs in the formal areas which include, job segregation, industry and location segregation and those all affect the hiring and the jobs available for them in the newly formed assembly lines.¹⁴²

¹³⁸ Amartya Sen, *What is the Role of Legal and Judicial Reform in the Development Process?*, World Bank Conference on Comprehensive Legal and Judicial Development, 2000.

¹³⁹ *Id.* The author stresses on the importance of including legal reforms in the comprehensive agenda of development and strongly believes that this acts as a foundation for economic growth and a huge success factor to the project as a whole.

¹⁴⁰ World Bank Women Business and law report, *Supra Note*, at 127.

¹⁴¹ *Id.*

¹⁴² *Id.*

All of this is in addition to the particular importance that is given to signing CEDAW and ratifying by all the recipient countries and without any reservations. The feminists of the World Bank indicate that most of these reservations act as a major barrier to gender equality in the MENA region.¹⁴³ Moreover, they also point out that legal pluralism is also considered, as another barrier for women in the Global South, which arises when the population recognizes more than one source of law, also exists in many countries.¹⁴⁴ This matters for women's exercise of agency because the interaction between multiple systems and norms usually influence critical areas such as family formation, divorce, assets and land ownership and inheritance.¹⁴⁵ As more than one system many establish different entitlements. Many statutory regimes give women more rights than customary laws do so in such cases customary law can weaken statutory rights and result in a situation that is very different from what the statutory regime describes.¹⁴⁶

For example, some countries recognize customary laws in their constitutions that also exempt such customary laws from the principle of nondiscrimination, which can be problematic for gender equality and for the World Bank Programs to be able to achieve its targets.¹⁴⁷ This does not mean that customary laws are necessarily discriminatory, but it can open the door for state sanctioned discrimination, which is why the Gender advisors of the World Bank stress on the importance of universal legal reforms to overcome all of those obstacles for the empowerment of women.

Accordingly, the World Bank pledged its commitment to enhancing these laws in all partner countries to achieve their goals towards women's right to development and gender equality by the end of 2030.¹⁴⁸ This will also put an end to poverty and enhance economic integration globally through corporate-led gender equality.

¹⁴³ *Id.*

¹⁴⁴ *Id.* The WDR 2012 highlights the specific reservations that are made in the MENA region when signing CEDAW and which greatly impact gender equality and the overall power of women within and outside their households.

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

Furthermore, many corporates released several campaigns and spoke publicly to support these reforms. Simona Scarpaleggia, CEO of IKEA Switzerland, stated that one way governments can work toward supporting women entering the workforce or owning assets is by changing laws that discriminate against women and addressing social norms that influence those laws.¹⁴⁹ Scarpaleggia added an insight on actions companies and institutions can take, mentioning that her own company has already achieved gender parity. She further stressed that it is vital to establish gender equality as an explicit corporate values. Strong and committed leadership demonstrates a willingness to look for and then acknowledge gaps between stated corporate values and actual behavior, and acquires a conscious decision to change.¹⁵⁰

Once the above commitment was made, the company focused on building awareness and inculcating the idea among staff internally to help overcome initial resistance, which usually accompanies such a big change, enabling the company to achieve a gender-neutral environment. This kind of collaboration promotes the idea of gender as smart economics, in turn, requiring the developing countries to follow the required conditions to provide the necessary platform to legitimize and facilitate the work and profits for multinationals, by framing women under the development gaze. All of this depicts all the conditional legal reforms that are prescribed under the smart economics discourse that are hidden under the myth of empowering those women in the Global South into those newly established assembly lines. Therefore, the World Bank has sought to mainstream gender throughout their organizational structures, but the way this discourse was positioned has served to frame those women in the Global South and give the deceiving impression that these changes are done to empower them whereas they are serving another purpose. This actually summarizes the whole morale behind the new feminism that the World Bank is trying to promote.

F. The Successful Case of Bangladesh from the Perspective of the World Bank Feminists

Bangladesh is one of the most important countries for the World Bank, for they had been providing them with financial support and development programs ever since

¹⁴⁹ The World Bank, *Accelerating Economic Empowerment*, 2017, available at: <http://www.worldbank.org/en/news/feature/2017/06/26/accelerating-womens-economic-empowerment>

¹⁵⁰ *Id.*

they gained their independence in 1972.¹⁵¹This is why it is significant to the World Bank and they usually share it a lot as a success story throughout their reports and events. Furthermore, they have particularly shifted their focus on investing in development discourse of women since 1991. They have dedicated programs to invest in their human skills, which would facilitate their entry into the new division of labor and provide them with jobs in one of those factories.¹⁵²There are many success stories issued by the World Bank feminists claiming that eighty percent of Bangladesh's total workers in the garments factories are women and that they were able to transform these passive, underdeveloped women into "empowered women" with access to paid jobs after they received trainings for a couple of months.¹⁵³However, this is only one side of the story that is delivered by the World Bank.

The World Bank particularly established a new program to achieve gender equality as smart economics for the unprivileged women in Bangladesh in collaboration with many famous private entities such as H&M, Nike and Walmart. They relocated their textile factories there as a part of their cost reduction, called Northern Area Reduction Initiative (NARI).¹⁵⁴ This project aims to support those women in poor areas by empowering them enter to the paid jobs sector by investing in their human skills and providing them with certain trainings on one specific job that will be assigned to them later on in the assembly lines of the factories. Only women until the age of twenty-six are allowed to join. Accordingly, this is the main way to empower these women against the violence that they face within their households and from their traditional patriarchal culture and religious norms.

The World Bank presents this initiative as a win-win situation as it secures jobs for the needy, unprivileged Bangladeshi women and also secures jobs in the textile factories of their corporate partners, who are waiting to maximize their profits. This is why it is smart economics.¹⁵⁵

¹⁵¹ The World Bank, *The World Bank in Bangladesh*, available at <https://www.worldbank.org/en/country/bangladesh/overview>.

¹⁵² *Id.*

¹⁵³ *Id.*

¹⁵⁴ The World Bank *Projects in Bangladesh: Northern Area Reduction Poverty Initiative and Women's Economic Empowerment Project*, 2018, available at, <http://projects.worldbank.org/P114841/northern-areas-reduction-of-poverty-initiative-project-womens-economic-empowerment-project?lang=en>.

¹⁵⁵ *Id.*

Feminists of the World Bank believe that this program is a great success and turning point in the lives of these Bangladeshi women. This particular success could not have been achieved without the accompanying set of legal reforms that empower those women and enabled them to break through the social, religious and legal barriers to lead a new life for themselves and their families.¹⁵⁶ Ellen Goldstein, the World Bank country director of NARI in Bangladesh describes those women as “being often vulnerable, young, deprived and usually illiterate women that present a key untapped resources.”¹⁵⁷ In addition, she stresses that these women can play a major role in the economic development of their country and end the ongoing poverty if only provided with the appropriate channels that can empower them using the necessary legal and economic reforms to prepare them for the market and achieve gender equality.¹⁵⁸

This program focuses greatly on the application of legal reforms that were described above, for they come as a precondition for the success of the entire program. The main reforms are those associated with job access, which require more “flexibility” in the contracts, working hours and overall benefits.¹⁵⁹ Goldstein argues that this enables corporates to hire more workers, which creates more jobs and opportunities for those women and this increases their bargaining power due to their increase in autonomy and financial inclusion.¹⁶⁰

All of this depicts the new feminism that the World Bank is trying to promote and the main idea behind gender equality as smart economics, which cannot be achieved without framing those women in the Global South under the development gaze and those conditional legal reforms.

In conclusion, the lengthy process by which women have become visible actors in development resembles the shifting and overlapping subject positions that they have occupied: burdened wife, dutiful mother, and empowered entrepreneur. The shifting visibility of women in development discourses and the process by which they have

¹⁵⁶ The World Bank Group, Bangladesh Country Snapshot, October 2015, available at <http://documents.worldbank.org/curated/en/190391468190764030/pdf/100113-WP-PUBLIC-Box393225B-Bangladesh-Country-Snapshot.pdf>.

¹⁵⁷ *Id.*

¹⁵⁸ *Id.*

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

moved from a marginal to a central position, provides an essential context for understanding the influence of particular narratives leading the current movement of economic growth or smart economics and how women have become framed under the development gaze. The particular attention given to gender issues on the international plane is considered a “strategically crucial moment” for feminists.¹⁶¹ It marks a turning point in the decades-long struggle to convince policy makers that development hinges on gender equality and that women are agents rather than merely victims in global political, economic, and legal processes. Women’s equal right to development has been called a universal right.¹⁶² Therefore, the efforts of feminists have been largely successful in developing narratives that attract policy makers, as seen in the widespread endorsement of gender language and public-facing gender equality messages from international financial institutions, such as the case of the World Bank.

Chapter II. The True Cost of Gender Equality as Smart Economics on the Women of the Global South: Feminist Critique of the World Bank Reforms

The previous chapter presented the feminism of the World Bank and narrated the discourse of gender equality placed for women in the Global South through their gaze. Whereas the main purpose of this chapter is to depict the real impact of this development discourse on the women in the Global South from the perspective of critical feminists who have resisted this neoliberal feminism. And here, I am influenced by autonomist feminism, black feminism, and critical feminist legal scholarship. Through these critical feminist traditions, I situate the World Bank’s feminism within a continuum of historically gendered relations of power and accumulation. I use the case of women in the garment industry in Bangladesh to illustrate the truth behind waged assembly line jobs through a critical reading of the documentaries *The Hidden Face of Globalization*, and *The True Cost*. This is not

¹⁶¹ Goetz, *Supra Note*, at 107.

¹⁶² *Id.*

meant to be a case study, rather as a starting point to contextualize the workings of the World Bank's feminism in practice.

In this chapter, I build on important and influential feminist scholarship to critically engage with the impact and the subjects of the feminism of the World Bank. I show how this feminism – framed by the development gaze – whitewashes and legitimates the violence inflicted upon women in the Global South through the policies of the World Bank.

Thus the idea here is to show the difference between the type of feminism that the World Bank is trying to promote. That can be actually sold in the market because it resonates with the popular beliefs of promoting gender equality and encouraging women to join the market and the feminism that will tackled in this chapter. The solution here is for women to reject this fake universal sisterhood that does not actually unite feminists, but establishes further divisions between them globally and within their societies.

A. Fast Fashion and the Ongoing Misery of the Textile Industries in the Newly Formed Assembly Lines in Bangladesh

As indicated in the previous chapter, the feminists of the World Bank consider Bangladesh as a successful model of gender equality as smart economics discourse. This is particularly due to the legal reforms, which have enabled those women to break free from all the social, religious and patriarchal barriers, which in turn have empowered them into those new assembly lines and textile industries.

Thus from this perspective employing more women and the removal of all discriminatory laws is the key to achieving economic growth and a source of liberation for women in the Global South from all their oppression. But this is only one side of the story that is narrated by the World Bank. It is true that it is an accomplishment seeing all of those women in the streets and taking an active part in the labor market, but this has come at very harsh cost on them that has left them with greater sufferings both within and outside their households.

On the other hand according to critical feminists and feminist NGOs in Bangladesh, the growth of Bangladesh's garment industry has been characterized by low wages, harsh working conditions due to the new "flexible" labor contracts, and major infringement of human rights due to the abuse of these women in order to maximize the profit of the corporate.¹⁶³ While the feminists of the World Bank have viewed the feminization of the garment sector as a positive step towards women's emancipation, this has only occurred within a highly manipulative context.

Women entering the field of textile and clothing industry can be considered an extension to women's natural home-making abilities as sewing and mending are perceived as inherently feminine activities by many cultures.¹⁶⁴ This goes back to the idea of how women in the Global South were initially framed and also how the male gaze has a profound impact on this misrepresentation. As males are associated with harder tasks that align with notions of masculinity while sewing is linked to feminine and reproductive tasks that were imposed on women. This explains why most of the newly established divisions of labor predominantly include women in the Global South factories and sweatshops.¹⁶⁵ In fact, women become the preferred workforce because they are perceived as obedient, easily deployed, and willing to do boring and repetitive assembly work. As explained earlier, in the minds of employers, these skills are not acquired through cultural traditions or worker training, but rather intrinsically present within all women.¹⁶⁶ The specificity of global connections is an ever-present reminder that universal claims do not actually render all things equal.¹⁶⁷

1. Outsourcing Factories in the Global South and the Feminization of Labor

With the rise of fast fashion, production is predominantly outsourced in the Global South Factories, where there are fewer restrictions. Those at the top of the chain are

¹⁶³ Barbara Briggs, *The Hidden Face of Globalization: What the Corporates do not want us to know*, Documentary, National Labor Commission, 2003. Feminists from NGOs speak about the truth of those factories and what the real conditions that those women who are supposedly being empowered go through.

¹⁶⁴ *Id.* The author stresses how women are confined to this particular field due to the characteristics that had been attributed to them by Western advisors who develop those programs that are supposedly meant to empower them.

¹⁶⁵ *Id.* The author and the narrator begin by actually describing the characteristics that enable women to become the most suitable for those jobs in the textile industry.

¹⁶⁶ *Id.*

¹⁶⁷ Silvia Federici, *Violence against Women: Women, the Body and Primitive Accumulation*, Brooklyn: Autonomedia, 2004.

the ones who set the conditions of these factories to be able to reap vast profits and goods that are attractive to budget shoppers due to the affordable price tag.¹⁶⁸ This falls in line with the main arguments that had been laid throughout this thesis, that this is a predominant condition and ongoing phenomenon for the survival of this neoliberal system, which is hiding under the face of feminism. The reproductive and productive work of those women is the main reason of the survival of this system and the maximization of profit for those corporate organizations. Who are setting the rules based on their demands since they are the more powerful ones and those women, who are framed as passive simply because the “Global South” are the submissive ones.

Moreover, fast fashion requires the production of goods on a weekly basis instead of just two seasons in order to attract even more buyers. Customers based in the West are deliberately kept in the dark regarding the main source of these goods that consume the health and the lives of other women because the cost of affordable and endlessly available fast fashion falls on the most vulnerable ones.¹⁶⁹ The “*True Cost*” documentary depicts the life of a young female worker in one of the textile factories in Bangladesh, whose only choice was to work under inhuman conditions in order to support her family of six children. She miserably stresses that “I am exhausted to death now, none of us have time to go to the toilet or drink water...we are all tired, dirty because we work continuous hours and are heavily beaten and abused by our male supervisors.”¹⁷⁰

Women in these documentaries are shown as working in extremely harsh working conditions in these sweatshops with no appropriate fire exits, ventilation, or even a safe work environment. This is due to the chemicals and very old buildings housing these factories, all of which produce the literal meaning of sweatshops.¹⁷¹ Even pregnant women are forced to work overtime that risks both her life and her child’s and they are even denied any sick leaves during their pregnancy. Unfortunately, since they do not have any insurance or enough money the delivery usually takes place at home or in public hospitals with very poor conditions, which affects the babies who

¹⁶⁸ *Id.*

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ Morgan, *Supra Note*, 7.

usually turn out to be underweight.¹⁷² Bangladesh is the second largest producer of textiles after China due to its very weak unions.¹⁷³

2. Informal Recruitment Policies and the Real Impact of Legal Reforms Associated with the Smart Economics Discourse

Female textile workers are paid extremely low wages with overtime imposed on them to meet deadlines. Under pressure from their supervisors, these workers are routinely beaten over the head with sticks or shoved against the wall when they are behind schedule or even if they ask to go to the toilet more than twice, the maximum allowed number of bathroom visits.¹⁷⁴ In addition, most of these women have no voice in the assembly or supply chain; they merely go to work each day to repeat the same job over and over again, for the tasks are divided among all the women in the factory with each one of them responsible for one specific task.¹⁷⁵ This was the desired outcome of those legal reforms that accompany those development programs as Rittich described it, to create the ideal legitimate environment that would secure the employers and further burden those women. As those new legal reforms particularly the new flexible contracts entitle them to less benefits and add on to their working hours. This enables the employers to maximize their profits with the least cost and this is the particular rationale behind “smart economics”.

In these documentaries, a typical working day for such women tells a dismal story: they are up at daybreak to prepare food for their families as the stove is usually shared between several households; then they either travel great distances to leave their children with their mothers or are forced to take these youngsters with them, exposing them to suffocating conditions that affect the lungs and eyes due to the toxic and airless environment.¹⁷⁶ Unless consumers frequenting stores such as H&M, Walmart, Primark, Nike and others become aware that they are a big part of this exploitation, no one will ever do anything to change this chain.¹⁷⁷

¹⁷² *Id.*

¹⁷³ *Id.*

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ *Id.*

¹⁷⁷ *Id.*

During high seasons and Black Friday days, the situation deteriorates even further: in the frantic rush to meet orders and deadlines, the women barely sleep and work non-stop to finish the products with no appropriate food and wages to compensate for their ordeal. The whole situation draws a grim picture of flexible labor in action, which works in favor of the corporates while slave driving millions of female workers.¹⁷⁸ The problem is that those workers are so desperate for such jobs that they live in constant fear that the multinational corporations might relocate elsewhere. “People who are wearing those clothes actually have no idea is it produced by our blood and all our energy leaving us with family dying in front of us everyday, we protest but nothing happens we are beaten and forced back into the factories with no change.”¹⁷⁹ This was said by one of the women who lost both her daughter and two sisters in the H&M Rana Plaza factory incident in 2013. This is only one of the countless horror stories resulting in the death of workers in Bangladesh.

The Rana Plaza workers had previously protested against working in this factory because of the old and damaged structure of its building.¹⁸⁰ In response, they received a beating and were physically forced to continue working there. When the building inevitably collapsed, it resulted in the death of many women and young girls working in this factory.¹⁸¹ Not surprisingly, Western news agencies did not disseminate news of the tragedy, despite constantly boasting about creating new jobs and empowering women in the Global South. The Rana Plaza incident is a flagrant infringement of human and labor rights against the backdrop of the conditions of these women who were framed upon the development discourse. The solution apparently comes with Federici’s call for all women, both North and South, to collaborate to put an end to systems that enable great wealth for corporates at the expense of female workers’ blood, sweat, and tears.¹⁸²

The incident of the Disney factory in Bangladesh is also another case featured in the Hidden Face of Globalization documentary. Disney is always referred to as the “happiest place on earth”; yet, few people know the real story behind the garments

¹⁷⁸ *Id.*

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

¹⁸² Federici, *Supra Note*, at 167.

and gimmicks provided in the Disney story. Most of the female workers are 16 to 25 years old, but once they turn 30, they are no longer considered able to meet the requirements of the assembly line. Worse still, they receive no compensation or support after they were let go, despite all the youth and energy these workers invested in the factory.¹⁸³

Mapia, a Disney worker who spent over 20 years on the job developed vision problems and fired because age and ill health had caught up with her, meaning she was no longer an asset to the factory masters. Mapia stressed that, when she protested against this treatment, she was beaten and jailed for two months. Bangladesh workers are forbidden to form any labor unions as this is considered a major threat, which creates an ideal environment for the whole framework that is prescribed by the smart economics discourse to achieve its underlying neoliberal agenda and construct the power of their private partners. The fact that anyone attempting to challenge this law is severely beaten and tortured¹⁸⁴ represents the type of vulnerability described by Federici, one that is specifically experienced by older workers. Moreover the meager wage of 11 to 17 cents per day does not even enable workers to meet their basic living expenses, including paying rent in shared accommodation of five to ten people in each house. In Mapia's words, raising the wages to even 34 cents per day could make a big difference.¹⁸⁵

If a worker falls sick, furthermore, they simply do not go to the doctor because they cannot afford to pay the five-dollar examination fee, unlike those working in the developed countries, which offer insurance to cover employees' medical bills. Bangladesh workers put in almost a 100 hours a week with barely any overtime or days off; they are always ordered to work in order to meet the production targets, or else suffer the consequences.

All of this is just the exact opposite to the kind of "empowerment" and gender discrimination that those women were promised, for they are not even allowed to express their opinion. Any requests to improve the work conditions and environment

¹⁸³ Briggs, *Supra Note*, at 163.

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

are firmly rejected, despite the fire incident that resulted in the death of many girls, some of whom were children, and women as they attempted to escape the burning deathtrap down the narrow stairs. Shockingly, Disney's response was to simply shut down the factory without paying the workers or victims' families any compensation.¹⁸⁶ The same factory was rebuilt in collaboration with NGOs and international campaigns, but Disney refused to return even though the workers sent different calls and messages from them to reopen in their desperate need for these jobs.¹⁸⁷ A grim message is conveyed by these appalling incidents not only to Bangladesh workers but to all women in developing countries: workers disobeying orders or daring to ask for their basic rights will pay for the consequences.¹⁸⁸

The World Bank particularly started their Northern Area Reduction Initiative in Bangladesh that was discussed in the previous chapter, after the incident of the Rana Plaza, which was mainly aiming to enhance the skills of those women in the textile industry. After they were done with training the first batch of women were sent to Dhaka, to work for the H&M outsourced factory. They were shocked to find that nothing had changed from the previous conditions the exits, locking them into these factories and all the previous harsh conditions. Furthermore, when they tried to protest they were forced back into the office until another fire took place and resulted in the death of many young women.¹⁸⁹ According to Sultana Kamal, one of the prominent feminists and lawyers in Bangladesh, “ this job is not meant for humans and this new type of feminism achieves the exact opposite of what it promises for Bangladeshi women, for those women are always at risk and still go home after working for so many hours to cook for their children and complete their house chores.”¹⁹⁰ She further stresses that this not the type of feminism that she dreamt of in Bangladesh, in fact this feminism promoted by the World Bank further increases

¹⁸⁶ *Id.*

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ Three years after signing the Bangladesh Accord, H&M Factories are still not safe, available at <https://cleanclothes.org/news/2016/05/02/three-years-after-signing-bangladesh-accord-h-m-factories-still-not-safe>.

¹⁹⁰ Leela Fernandes, *Feminists Rethink the Neoliberal State: Inequality, Exclusion and Change*, New York University Press, 2018. The author here quotes Sultana Kamal who is one of the prominent feminists in Bangladesh and actively speaks on behalf of those women in the textile industry. She stresses on the fact that this type of feminism promoted by the World Bank further increases the burdens and oppression for those Bangladeshi women.

inequality and excludes those women in the textile industry.¹⁹¹ Those women are only trained to do one specific job based on their assigned jobs in the new assembly line, which does not enhance their skills or knowledge in any way as claimed by the World Bank.¹⁹²

Furthermore, the recruitment policies are still highly informal compared to Western standards and there are no written formal contracts indicating the exact benefits, duration of the hiring period, working hours and appointment letters.¹⁹³ Therefore, workers are vulnerable to losing their jobs at anytime which all increase their mental and physical stress in addition to their unpaid housework that they still have to do. All of this explains why women in the Global South became the core of the development policies focus and why they were made visible in this specific way, for the end result is contradictory to the image of the “empowered” women that was portrayed in those World Bank reports in the previous chapter. Moreover, those legal reforms that were claimed to achieve gender equality further increased the burden of those women and paved the way for the Western corporates to maximize their profits.

B. The Myth about Empowering Women in the Global South and the Solution Provided by Critical Feminists

The illustration of Bangladesh depicts the true cost of the feminism of the World Bank on the women of the Global South. There is no doubt that those women in Bangladesh have earned a certain degree of financial independence and autonomy from their participation in the garment industry, but the great degree of exploitation including both physical and mental actually outweigh anything else.

All of this is under covered under the “myth of achieving gender equality”. However, as Kamal stresses in the case of Bangladesh this is not the type of feminism that will benefit the women in the Global South, for it is a trap that utilizes and exploits those women.¹⁹⁴ The main argument here is that liberating projects such as this one may be sapped of their emancipatory potential when confronting an organization’s dominant

¹⁹¹ *Id.*

¹⁹² *Id.*

¹⁹³ *Id.*

¹⁹⁴ *Id.* Kamal clearly indicates that this is not the kind of empowerment or feminism that they have been looking for all their lives, this kind of feminism is simply another form of feminism that will keep adding misery and violence to their lives.

ideology, such as the World Banks'. The solution provided by critical feminists in this chapter is to become break free from this vicious cycle and for Women in the Global South to become visible through their own eyes rather than remain oppressed under the gaze of this toxic discourse. A great example to this would be the words that Audre Lorde used to call those people in the Global South to start redefining themselves to be in control of their own future to break the vicious cycle of always being oppressed and surrendering to the roles that are being imposed to them by the more superior Western world.¹⁹⁵

Black and Third World people are expected to educate White people as to our humanity. Women are expected to educate men. The oppressors maintain their positions and evade their responsibility for their actions. There is a constant drain of energy that might be better used in redefining ourselves and devising realistic scenarios for altering the present and constructing the future.¹⁹⁶

Thus there always has to be a group that is submissive and more inferior, in a society where the "good" is defined in terms of profit instead of human needs.¹⁹⁷ This is particularly the case of women in the Global South impacted by the World Bank feminism, which calls for gender equality, but is in reality using those underutilized women to maximize the profits of the more powerful corporates dominating the market.

Therefore, neoliberal feminism's false claim to universality is a threat to true feminists who understand the complexities and the intersections between race, class, and gender. Moreover, it is not accidental that those women in the Global South are suppressed and are not given the chance to define themselves and produce their own knowledge about themselves in their own journey of development.¹⁹⁸ Lorde stresses that suppressing the knowledge produced by any oppressed group makes it easier for the dominant groups to rule because the seeming absence of the dissent suggests that the subordinate groups willingly collaborate in their own victimization.¹⁹⁹

¹⁹⁵ *Id.*

¹⁹⁶ Audre Lorde, *Age, Race, Class and Sex: Women Redefining Differences*, in *sister outsider essays and freedom speech*: CA Crossing Press, 1984, pp.114-123.

¹⁹⁷ *Id.*

¹⁹⁸ *Id.*

¹⁹⁹ *Id.* The author here stresses that this a crucial part for the success of all of these programs to hide the real knowledge about the inferior and only allow them to be viewed through the eyes of the dominant.

This is exactly the case with women in the Global South, who are being framed through the development gaze and are becoming visible to the rest of the world as weak, underdeveloped and untapped resources. This is based on the knowledge produced by those Western First World feminists, who are more developed and will be able to draw their path of empowerment and equality. Therefore, the main solution to break out of this cycle is that women in the Global South have to define themselves and reject this homogenous discourse that increases their oppression and micromanages their lives.

1. Separation rather than Integration and the Problematic Side of Neoliberal Feminism

The main way to empower women in developing countries, according to the feminism of the World Bank, is by involving them in paid economic activities.²⁰⁰ This argument ignores the fact that the means by which women are incorporated into the development process is crucial to understanding whether women's ability to shape and share values in the community is enhanced or inhibited.²⁰¹ This thesis argues that while feminism has shaped the way the Bank pursues law and development, the transformative potential of feminism within the Bank has been limited by the parameters of the formal equality doctrine and the formal economy. Even though feminism has influenced the Bank's policies and funding, it has done so on the Bank's terms. In fact, the Bank has co-opted feminism to advance the Bank's economic growth rather than the other way round.

First world feminists have devoted most of their attention towards carving a space for women in the institutions by shedding light on the inclusion of feminism in the international plane and creating special treaties, laws and conferences specifically focusing on gender. But the question here is whether they adequately represent the rights of all women equally. Federici highlights that these women who celebrate the UN decade for women, particularly the gender advisors from the World Bank, fail to speak on behalf of the rest of the women and do not see the dark side of this new

²⁰⁰ WDR 2012, *Supra Note*, at 80.

²⁰¹ Adrienne Roberts and Susanne Soederberg, *Gender as Smart Economics, A Critique of the 2012 World Bank's Development Report*, The Third World Quarterly, Routledge Taylor and Francis Group 2012.

feminism that is being drawn.²⁰² These Global Conferences devoted to women's issues have failed to produce any real solution towards improving the livelihood of women. The new modern woman that is being represented in this neoliberal feminism still remains separate from the traditional overworked housewife, which further adds to the exploitation of women.

Neoliberal feminism has achieved contradictory results. It resulted in separation rather than integration for women because not all the women were impacted in the same way. As depicted in the case of Bangladesh these reforms were very harsh particularly on those low skilled women working in the textile industries. Collins explains that the main reason for that is that many feminists have missed the nature of the cooptation process of this neoliberal feminism. Most middle class and upper class women in developed countries have actually benefited from the rights to equal pay and non-discrimination at work.²⁰³ But they do not consider that not all women are the same and not all of them have the same social, cultural or economic conditions to be able to fit into this universal model. This has lured the majority of feminists into a liberal feminist view, which holds that reforms such as these will make women equal citizens and this is all that is needed to achieve gender equality.²⁰⁴

Meanwhile, they do not see the process of capitalist neoliberal agenda as a threat to feminist goals, which is the main core argument of this chapter. Collins indicates that neoliberal feminism has promised many things that are crucial to feminism: peace, prosperity, social justice, environmental protection, the elimination of racism and an increase in the status of women.²⁰⁵ However, these neoliberal policies and reforms have brought about the exact opposite in the Global South. Rather than prosperity and social justice, they have increased the gulf between the rich and the poor and between the rest of the women globally. Rather than economic protection they have led to privatization and destruction of publicly owned natural resources.²⁰⁶ The main

²⁰² *Id.*

²⁰³ Patricia Collins, *Black Feminists Thought: Knowledge, Consciousness and the politics of empowerment*, Routledge, 2000.

²⁰⁴ *Id.*

²⁰⁵ *Id.* The author here shows how none of the promised goals of this neoliberal feminism have been met and how it was only a fake myth of empowerment that failed to achieve any of its promised goals simply because this is just a camouflage to hide the underlying objectives of the world bank.

²⁰⁶ *Id.*

argument here is that this new form of neoliberal feminism that is being pioneered is actually serving quite different ends than the original targets that are actually being framed under the myth of development.

2. Critical Feminists Redefining Differences

In an attempt to explain feminism and the thorny path of its advocates, Maria Mies describes feminists as “those who dare to break the conspiracy of silence about the oppressive, unequal man-woman relationship and those who want to change it, but speaking about this system and giving it names like patriarchy has not decreased any of the exploitation but rather intensified it.”²⁰⁷

This particular description is very important as it builds on the self-defining argument of Lorde and pinpoints the main difference between the feminism and the delusionary feminism that has been created by the World Bank. It is significant here to note that the term subordination or oppression is widely used, mainly by Marxist feminists, to describe women’s position in hierarchal systems as well as the mechanisms that keep them down.²⁰⁸ As clearly stressed by Mies, most feminists from this school do not even aspire to equal status with men under this patriarchal system. This is because equality for such women suggests an unsettling similarity with patriarchal male figures.²⁰⁹ This argument was clearly depicted in the case of Bangladesh those paid jobs in the newly established assembly lines are not the tool to really empower women of the Global South. Those women were framed into this particular smart economics discourse to satisfy the World Bank’s agenda and not achieve gender equality.

Therefore, the notion that feminists seek to replace male dominance with female dominance does not represent the kind of feminism that the feminists in this chapter are calling for and does not actually achieve any kind of empowerment for those women in the Global South.²¹⁰ In fact, both Federici and Mies stress that the feminist movement is basically one that excludes the need to replace one male power elite by

²⁰⁷ Maria Mies, *Patriarchy and Accumulation on a World Scale, Women in the International Division of Labor*, Zed Books 1998, Chapter one.

²⁰⁸ *Id.*

²⁰⁹ *Id.*

²¹⁰ *Id.*

another female power elite; however, the main goal is to create a non-hierarchical, non-centralized society where no elite group thrives on the exploitation and dominance of others.²¹¹

Thus the main aim here is to understand the core motives behind this mainstreaming of feminism and know that it is exploitative and creates disproportionate results for the powerful ones to survive just like the old capitalist system. Federici also highlights that very few feminists actually acknowledge that globalization has resulted in a global feminization of poverty and has established a new “colonial order” which has created new divisions between women. The solution here is for feminists to oppose this system, because even those who criticize the policies that are applied by the World Bank and other institutions often settle for “reformist positions” that critique gender inequality, but do not address the global hegemony that is established by capitalist relations.²¹² Thus it is not simply a matter of gender inequality, but also a fragmentation within women and this is particularly the case under this new feminism of the World Bank, with its development gaze.

C. The Violence Emerging from Neoliberal Feminism that is promoted by the World Bank and the Exploitation of Women in the Global South

According to the World Bank, countless women around the world continue to suffer greatly from the severe consequences of violence.²¹³ Indeed, violence against women is a global phenomenon that affects one in three females in their lifetime.²¹⁴

However, one question that arises here concerns the forms of violence to which women are subjected to. The majority of World Bank reports and articles written by feminists of the World Bank typically scrutinize violence within the private sphere of women’s lives, where the perpetrators tend to be male family members such as fathers, brothers, and husbands. Thus, articles on violence against women tend to focus on female genital mutilation, crimes of honor, rape, and many other forms of physical violence targeting women, predominantly in the Global South.

²¹¹ *Id.*

²¹² *Id.*

²¹³ The World Bank, *Violence against Women and Girls, 2018*, available at <http://www.worldbank.org/en/topic/socialdevelopment/brief/violence-against-women-and-girls>.

²¹⁴ *Id.*

It is crucial to note, however, that violence does not necessarily have to be physical. Rather, another source of women's suffering stems from other forms of violence caused by the violence of neoliberalism. I am particularly interested in the violence of neoliberal feminism, with a specific focus on the World Bank. Typically, this form of violence emerges as an indirect consequence of attempts to achieve development and economic progress; such endeavors frame women through the development gaze, as explained in the previous chapter, as an object of smart economics.

1. Primitive Accumulation of Capital and its Connection to the Women in the Global South

Building on the idea that there has to always be a submissive group and more inferior one in a society that is particularly defined in terms of profit, which ensures the continuing accumulation of power by those dominant ones leading the market. The core argument here is that this process of accumulation of power instigates new forms of violence against those women in the Global South, other than rape and physical violence that are typically portrayed throughout the World Bank development reports.

The idea of "flexible labor in action" with harsh working conditions, low wages, long working hours, treating those women as if they are some sort of machines, which is all added to the burden of their unpaid work is another form of exploitation against those women in the process of accumulation of power. This depicts the idea of primitive accumulation. Women's unwaged work and their paid jobs in those newly formed assembly lines is the basis for maximization of profit and the success of the entire smart economics discourse.

Federici argues that primitive accumulation is a fundamental characteristic that has accompanied every phase of capitalist globalization, including the present one emerging under the neoliberal system that is reviving all the forms of violence associated with the accumulation of power.²¹⁵ That capitalism, in order to perpetuate itself requires a continuous transfusion of capital expropriation. Primitive accumulation entails the commodification and privatization of land and the forceful expulsion of peasant population, conversion of various forms property right common, collective state into exclusive private property rights suppression of rights into the

²¹⁵ Federici, *Supra Note*, at 167.

common and the commodification of labor power.²¹⁶ In addition to, the monetization of exchange, taxation, the building of national debt and ultimately credit.²¹⁷

Furthermore, autonomous feminists such as Federici and Mies have supplemented primitive accumulation to also include extra-economic spheres, namely women's unpaid and reproductive work.²¹⁸ This in particular was the main reason for the emerging violence against women historically and a precondition for the survival and growth of the entire capitalist system. This destroyed women's autonomy over their bodies and ensured the accumulation of wealth based on those women's unpaid labor that was serving those in the paid capitalist system and raising their future generations.

Thus gender relations are not a random principle, but constitutive for the accumulation of capital.²¹⁹ Moreover, Federici and Mies argue that primitive accumulation is still happening today, particularly with respect to women and to the newly established colonies that were labeled as "developing nations" and with regard to laying the basis of life and the forms of productions.²²⁰ Federici uses this understanding to provide a framework for the work of the World Bank and other institutions, which is very important to this thesis and provides the basis of the main argument.

The core argument here is that this process of primitive accumulation is still ongoing under the current neoliberal agenda that is depicted throughout the smart economics framework prescribed by the World Bank in the previous chapter. In this thesis, the main idea is to show that the policies and framework prescribed; under the gender equality as smart economics discourse carries a new surge of primitive accumulation. That is similar to that of the historical capitalist system, which particularly dispossess over the bodies of those women in the Global South to ensure the continuing

²¹⁶ *Id.* Federici explains her understanding of primitive accumulation of capital and draws clear distinction from what Marx previously argued.

²¹⁷ *Id.* The author here explains all the aspects of primitive accumulation and it is crucial here to be able to draw the connections between this and the current ongoing reforms of the world bank that are hiding under the notion of development and gender equality.

²¹⁸ Mies, *Supra Note*, at 207.

²¹⁹ *Id.*

²²⁰ *Id.*

accumulation of power of those private companies. This is why it is crucial for women to become visible through the World Bank's development gaze in those specific characteristics to remain suppressed and submissive to the requirements of those dominant ones.

Accordingly, this form of violence against women is an indirect outcome of the attempts to achieve economic development that usually frame women in the Global South at the core of their development discourse agenda. Federici, stresses that we should not ignore the violence caused by economic and social policy and the marketization of reproduction.²²¹ The integration of women into the global work force is a neoliberal strategy, which is deeply linked to the crisis of capitalism and the need for women as a cheap and dispensable workforce.

This image of the women who is a key catalyst in the building of her economy and those newly generated jobs for them to empower in those assembly lines is just a myth and undercover to further accumulate power. Those women are the “shock absorbers” of this newly established economy with its underlying neoliberal agenda.²²² Thus this seemingly liberating neoliberal feminism that is emerging in the Global South still strongly depends on the unwaged labor of women as a pillar for the continuation of the system.²²³ This new marketing campaign of the neoliberal feminism or globalization of care, according to Federici, explains how women in the Global South continue to be visible to the rest of the world and why they are the perfect subjects to be framed in this new project.²²⁴

Furthermore, those jobs in the newly formed assembly lines are a sort of extension to women's unpaid work due to the particular “feminine” characteristics that have been framed upon them through the development gaze. Most of those women end up either sewing, or mending, which a sort of extension to their home tasks, while the more technical tasks are considered to be more masculine, which restricts them within a certain criteria of jobs to do in this assembly line. Therefore, those women are not actually gaining any new skills and this human capital approach actually confines

²²¹ Federici, *Supra Note*, at 167.

²²² *Id.*

²²³ *Id.*

²²⁴ *Id.*

them to particular jobs that satisfy the needs of the market and not based on the needs of those women in the Global South.

This neoliberal notion of human capital is based on the identification of particular inherent qualities and their activation through interventions in order to unlock specific skills and qualities leading to economic productivity. Thus, these characteristics enable the transformation of humans into “machines” whose abilities will produce income.²²⁵ This is particularly the case with the framework provided by the World Bank under the Smart Economics perspective, which builds on the nature and reproductive characteristics of women in the Global South and their urgent need of money to overcome their debts and support their families.

Women’s subordination is imagined as a result of their lack of “sufficient contact” with modernity and markets. This is also why the World Bank collaborated with private entities to start empowering adolescent girls, whose youthful energy and resilience constitute the human capital of the upcoming generations, as exemplified by the case of Nike described in the previous chapter. This is how such girls are transformed into machines lacking sufficient training, simply to form a cheap chain of labor and maximize corporate profits and simply fits the model of marketization of reproduction, for we see now young girls all over the advertisement campaigns and new hashtags all over the internet and television calling with images of those girls from the Global South.

All of the above scenario was particularly depicted in the case of Bangladesh, those private corporates are now outsourcing factories and labor in the Global South to cut costs and maximize their profits. Thus it is not accidental that those women in the Global South have become visible through the World Bank’s development gaze under those particular characteristics, as vulnerable yet untapped assets, to be eventually transformed into cheap labor and machines that generate profit for those corporates in those newly established assembly lines.

²²⁵ Roberts, *Supra Note*, at 12.

Thus it is crucial for the consumers in the West to see the full side of the picture and not only hear those stories of success and figures from the side of the World Bank. One has to view the entire image to understand the true cost of this feminism that is promoted by the World Bank just like the illustration of Bangladesh, at the surface is the image of success of those women in the textile industry. But the hidden and invisible surface carries the entire harsh burden of this power accumulation and foundation of this entire discourse that is masked by those subjective numbers and success stories in the World Bank report.

The World Bank takes advantage of their country's need for those loans to pay the debts and applies those developmental programs that come with their conditional reforms and the country have no option but to accept the entire package, which is the case with the rest of those "developing" countries in the Global South. The perfect example for this is the NARIA initiative that was tackled at the beginning of this chapter and considered as a success model from the perspective of the World Bank.

The main logic driving the new forms of primitive accumulation under the particular smart economics discourse is one that creates a cheap labor force of women in the Global South, that are trained to do one specific job in the new assembly lines, with absolutely no labor power and no voice in the assembly line and no labor union to call for their rights or even reject anything. Furthermore, they live through continuous fear from their supervisors, to lose their jobs at anytime and for being able to provide their families with wages to pay for the rent and for the food to survive, which is all due to the new flexible contracts that they have no option but to accept.

This is ironic to the image of the "empowerable" women of Bangladesh who constitute more than 80 percent of the textile industry's workforce that was celebrated by the World Bank feminists in the previous chapter. This is just another wave of primitive accumulation that disposes on the productive and the reproductive labor of those feminists. In addition, this is also contradictory to the win-win scenario that was depicted by the feminism of the World Bank that frames the corporates to be neutral. It is simply a further accumulation of capital for the private corporates that comes on the expense of those women in the Global South under the myth of achieving gender equality.

All of this represents a reestablishment of former colonies created under capitalism for two reasons: the global division of labor produces redistribution of reproduction work that strengthens the hierarchies underlying the sexual division of labor; it also creates new divisions among women globally. This is where the roots of sexism, racism, and welfarism are based, as expressed by different labor markets and correspondingly different ways of regulating and dividing class.²²⁶

Federici argues that by ignoring this embedded capitalist in the wage division and the new division of labor, we are also ignoring the roots of the problem that will continue to persist.²²⁷ This is particularly the case with this gender equality as smart economics discourse that builds ignores the roots causes of gender equality and builds on the existing patriarchal system. This is why women in the Global South now face further violence and oppression from this newly paid job along with their already existing burden within their households. This has resulted in the major damage in the social reproduction of the population in Africa, Asia and Latin America.²²⁸ Hence, “Getting a second job does not change the role of years and years of female work outside the home have demonstrated, for this second job not only increases our exploitation, but it simply reproduces our role in different forms.”²²⁹

This is mainly because women are not only deprived of capabilities, but they also face severe challenges to transform their capabilities into well-being of others. All of this depicts why this whole feminism of the World Bank is problematic because it is built on the exact same foundation that remains to exploit women in the Global South. Thus those women’s paid and unpaid work act as a precondition for the survival and growth of the powerful corporates. This is the exact process of primitive accumulation of capital. Hence, the solution is for women to build new commons globally.

2. The Reproduction of Labor Commodity and the Misconception about Women’s Unpaid Work

²²⁶ *Id.*

²²⁷ Federici, *Supra Note*, at 167.

²²⁸ *Id.*

²²⁹ *Id.*

Under the smart economics discourse the image of this newly empowered working women still remains strongly separate from the housewife. As mentioned previously, this does not establish the kind empowerment or feminism that the feminists in this chapter are hoping to achieve. The *raison d'être* of market forces is to maximize profit in the business-oriented market, a given that cannot and does not address the real problems of women. No longer is the problem about the notion of women's absence from the narrative, but rather the way in which women are represented and the implications of policy response.

Hence, the use of those numbers throughout the World Bank reports often masks a great degree of subjectivity and ideology, which serves their underlying neoliberal agenda and constructs the corporate power. Those women in the Global South have become a resource through the World Bank's gaze and women's unpaid work will remain the invisible surface that sustains the entire foundation of this discourse. In this section, my aim is to actually define what constitutes unpaid work, as there is a great misconception about what falls under women's unpaid work until today. This is crucial to show the extent of the burden that falls on them, especially after they are integrated into the waged labor force under the smart economics discourse.

The reproduction of the labor commodity is a compulsory aspect required for capitalism.²³⁰ Autonomous feminists stress that Marx ignores the existence of women's reproductive work.²³¹ Thus no other work intervenes to prepare the goods the workers consume physically and emotionally or their capacity in work and no difference is made between commodity production and the production of the workforce.²³² One assembly line produces both, so the value of labor power is measured by the value of the commodity.²³³

On the other hand, Marxist feminists, indicate that women's unpaid domestic and nurturing work, described by scholars as "housewifization", actually subsidizes both

²³⁰ Mies, *Supra Note*, at 207.

²³¹ *Id.*

²³² *Id.*

²³³ *Id.*

the male wage and the entire capitalist system.²³⁴ Mies stresses that “this process of housewifization not only makes women’s unpaid work at home become invisible, unrecorded GDP and naturalized that is treated as a free good,” but also her waged work is viewed as a supplement to that of her ‘breadwinner’ husband, thereby devaluing the work of women and creating the basis of female labor.²³⁵

Furthermore, this form of unpaid and unacknowledged domestic work becomes a model for women’s labor, a “shadow economy” outside the protection of labor laws, trade unions, and collective bargaining.²³⁶ Because women’s labor is not founded on any proper form of contract, its invisibility ensures the survival of the entire system.²³⁷ Hence by aiming to integrate women into the paid workforce, reproductive activities are devalued and thereby create the precondition for their commodification. Women’s unpaid work at home remains secluded from the new image of the empowered workingwomen in the labor market.

There is a misconception about what is actually considered unpaid work by women. The housework done by women does not simply refer to cleaning or cooking, as described earlier; rather, it involves servicing the wage earners, both physically, sexually, and emotionally, and preparing family members to go to work. In addition to taking care of the future generation of workers, over and above the factory work awaiting them when they join the new division of labor. Federici stresses that, “to demand for housework wages is to make it visible that our minds, our bodies and emotions have all been distorted for specific functions that have been thrown to us as a model to which we must abide by if we want to be accepted by women in the society.”²³⁸ Thus by demanding wages for housework those feminists are highlighting the importance of unpaid household chores for capital accumulation. This is basically the way to break free from the historically-gendered society and the gaze framed around women in the Global South.

²³⁴ Mies, *Supra Note*, at 207.

²³⁵ *Id.* Maria Mies stresses that the construction of women as mother, wife and housewife is a trick that further exploits and adds to the responsibilities of women’s house work that is considered as a free labor and simply to support her husband who is the breadwinner and the main source of income of the family. This argument is still the very base until today.

²³⁶ *Id.*

²³⁷ *Id.*

²³⁸ Silvia Federici, *Revolution at point Zero: Housework, Reproduction and Feminist Struggle*, PM press, 2012.

To be able to understand the oppression that women face in the labor market, it is essential to first understand the exploitation from which they suffer within their households. “The zero point of revolution is where new social relations first burst forth, from which countless waves ripple outward into other domains.”²³⁹ Federici has argued that this zero point can only be the sphere of reproduction, for it is here where women experience the main “battlefield between an outside to capital and a capital that cannot abide by any outside.”²⁴⁰

The issue mainly starts with the division of labor originally established within the familial context, a division that is purely gendered and biased, strongly correlating with material and mental labor.²⁴¹ The cooperation of men and women in the sexual act and the work of women in child rearing, as Mies argues, derive from rather than the realm of productive forces of labor, industry, and exchange.²⁴² Maleness and femaleness are established as a result of a long historical process and not given biologically.²⁴³ The organic differences between men and women are differently interpreted and valued according to the dominant form of appropriation of natural matter, which is based on the satisfaction of human needs.²⁴⁴

The idea here is that those World Bank policies in the previous chapter that prescribe the gender equality as smart economics discourse are actually built on this patriarchal system. As discussed throughout this chapter they are calling for gender equality in the Global South when the very root cause is still not cured. Hence those policies are actually built on this patriarchal system, which does not help to solve the issue of gender equality or even empower those of women of the Global South, but actually further deepens their oppression due to the other forms of violence that they witness from those newly formed assembly lines. The feminists of the World Bank claim the integration of women into those paid jobs using the human capital approach and the appropriate legal reforms empowers them and enables them to create a better future

²³⁹ *Id.* Chapter 3.

²⁴⁰ *Id.*

²⁴¹ Mies, *Supra* Note, at 207.

²⁴² *Id.*

²⁴³ *Id.*

²⁴⁴ *Id.*

for them and their families, which also establishes a suitable labor force for the private corporates.

However, the truth is this actually masks the kind of violence and hardship that actually outweighs the benefits for those women in the Global South. I do not want to deny that the paid work has emancipatory effects for women and enables them a limited extent of freedom, but those policies that are prescribed under the smart economics discourse have a contradictory effect on their lives that outweighs the benefits and do not represent the kind of feminism that will actually benefit those women.

As depicted in the case of Bangladesh a typical “empowered” woman wakes up really early in the morning to cook the food for her family over those shared stove because they cannot afford to have one for their own. She then drops her children to her mother’s house or even takes them to the inhumane factories because they do not have anyone else to take care of them and after a very long and hectic day of work she still goes back to clean the house and cook the food for their families. After all of that they barely receive any money in return to enable them and their families to meet their basic needs in life, for they are very poorly paid and do not receive any extra overtime wages, which leaves them with barely any money to cover the rent and their food. This is contradictory to the actual image of empowered women who should be empowered into the labor market to enhance the overall well being of themselves and their families. Thus this new corporate led gender equality has increased the burden on those women, for they are now expected to bring money home and support their families, but are also abused if they fall short on their housework.

The idea here is that the particular characteristics that have been attributed to those women under the World Bank’s development gaze actually depict unpaid work as a natural characteristic and attribute of female personality rather than being actually recognized as work. Current personifications of empowerment in development discourse are underpinned by the assumption that women are “necessarily attached” by loving and humanistic bonds with their family members, from which springs the

natural impulse to share their income with them, as opposed to men.²⁴⁵ This raises the issue of a gendered division of labor and under-devaluation of social reproduction characterizing the patriarchal society historically established under capitalism.

In addition, even the work that is given to them in those newly established assembly lines is just another extension of their care and domestic tasks, which goes back to the particular way that they have been framed from the very beginning under this development gaze. Thus their integration into those newly established assembly lines can be considered as a further commodification of labor and this is how both the productive and reproductive work of those women act as a foundation for the accumulation of power for this entire smart economics discourse.

I argue that narratives of the “good mother” are not innocent of their political contexts; rather, these narratives perform an important legitimizing function for particular economic agendas.²⁴⁶ The image of the caring and self-sacrificing mother is powerful and culturally resonant across contexts, which makes it a salient and effective medium of visibility for women in development discourses. Discourses that validate motherhood easily gain traction across institutional and policy contexts, where comfortable and unquestioned terms of narrative can hide a range of possible meanings.²⁴⁷

These essentialist discourses around maternal care categorically equate womanhood with caring motherhood; in the process, such discourses normalize a gendered division of labor related to innate maternal nature, and also serve to legitimize a policy agenda of privatization of social reproduction. In such a way, the specific characteristics of women have been translated into the construction of a particular development subject, an ideal target for investment.

That is, the qualities bestowed on women explain their perception as moral agents well-equipped to mediate naturally between the market unpredictability and the male

²⁴⁵ Elisabeth Prugl, *Neoliberalising Feminism, New Political Economy*, Routledge Taylor and Francis Group, 2015.

²⁴⁶ *Id.*

²⁴⁷ *Id.*

desire for profit²⁴⁸, making them ideal agents for economic recovery in the Global South. While claiming to advance “gender equality and women’s empowerment”, this thesis argues that the “smart economics” discourse actually accomplishes the opposite by further reinforcing primitive accumulation against women and supporting the more dominant ones to further expand their profits.

Feminism has become the language of neoliberalism in our current modern world. This thesis warns that widely increasing phenomenon of mainstreaming feminism is insidiously replacing the feminism, that is represented by those critical feminists, as an economic project and neutralizing the need for a truly transformative agenda, that really speaks on behalf of those women and makes the visible in their own eyes to truly self-define themselves. Furthermore, in order to be able to actually empowerment for women one it is crucial to actually start from the very root of the problem, which is the reproductive labor not treat it as if it is invisible like this discourse.

D. The Impact of the Legal Reforms on the Women of the Global South and the Restructuring of the Economy

In the shift towards development as good governance, the role of law has gained particular significance regarding the urgent reforms by host states to allow the free market to interact efficiently, including removing all barriers to trade liberalization as well as gender equality in the underdeveloped countries in the Global South. As indicated in the previous chapter, the importance of legal reforms was also amplified with the creation of a unique World Bank report focusing on the removal of legal barriers to empower women in developing countries and further enhance their business-led gender equality model.

This shows how the World Bank’s role has changed from providing debtor countries with financial support to serving as the main channel of moderating legal reform projects and transforming the economies under the notion of development and economic investment.²⁴⁹ This role had begun ever since the World Bank proclaimed itself as the knowledge bank and started investing in human capital to enhance

²⁴⁸Prugl, *Supra Note*, at 245.

²⁴⁹ Rittich, *Supra Note*, at 46.

development. Accordingly, the entire development project can be approached through the lens of legal analysis, as discussed earlier. The main aim here is to reveal the truth cost of those legal reforms that are associated with this smart economics discourse on those women of the Global South and uncover the real intentions for imposing them.

1. The New Legal Reforms Legitimize the Work of the Private Corporates and Maintain their Dominant Power in the Market

The World Bank, in effect, is a place where both human rights and economic development intersect, with a particular emphasis on women's right to development as a universal right aided by the establishment of the legal tools supporting this such as CEDAW, which is strongly promoted by the World Bank model. Furthermore, the feminists of the World Bank hinge the entire success of the gender equality as smart economics framework on those conditional legal reforms that enhance the empowerment of those women in the Global South into the market and support them against their traditional and culture barriers. Thus from this point of view those legal reforms are supposed to enhance the overall lives of those women and end the violence that is they suffer from within their households.

However, as depicted throughout this chapter the end results are actually contradictory to this view and those women in the Global South actually end up suffering further violence that emerges from this framework, with those laws actually establishing the ideal environment for the private corporates to accumulate their power. The main argument here as Rittich emphasizes, that these legal reforms and conditions contribute to the restructuring of the society in a disproportionate manner.²⁵⁰

This particularly indicates how the power of the corporates is legitimized under the smart economics discourse. This is because the burden falls mainly on women in the Global South given their increased reliance on unpaid reproductive work or non-market sphere, as indicated in the case of Bangladesh earlier. Furthermore, these legal reforms are mainly implemented to remove all the barriers facing the corporates in maximizing their trade and profit with the cheap labor of these women. At another level, these legal reforms establish further divisions between local and global

²⁵⁰ *Id.*

communities as they benefit only a certain sector of women.²⁵¹ The main argument in here is that these legal reforms are the main reason for the success of this entire discourse.

They pave the way for the private sector and remove all the required barriers so that they can maximize their profits from those “underutilized” women that became visible under the development gaze and are now the main source of income generators in the newly formed assembly lines. Thus these legal reforms that are disguised under the myth of achieving gender equality and breaking the social barriers for women actually complement the transition of those “trained” young women into the waged labor market without affecting their unwaged labor in the household. Accordingly, this increases the burden and further exploits those women in the Global South, who became trapped in this new identity that has been created for them.

Critical feminists believe that women are currently suffering a “disproportionate cost” due to their countries’ integration into the global economy with all of its required universal reforms to achieve trade liberalization and reach the idea of free market.²⁵² As indicated earlier, the neoliberal agenda, which this feminism of the World Bank is built on, rests on the view that the benefits of liberal trade and open market are beyond dispute. The main reason is that alternatives to market-driven growth and participation in the global economy no longer represent viable routes to development.²⁵³

Accordingly, there is no room for government intervention in this new approach; moreover, since the Third World states are in severe debt, they had to comply with the entire package. The 2012 WDR stresses that the successful pursuit of economic development is now explicitly conceived as a matter of law, institutions, and good governance.²⁵⁴ Even though the main intention behind structural adjustment programs is to enhance the overall standard of living and achieve economic growth, critical feminists argue that they have actually destroyed women’s livelihood by making it

²⁵¹ *Id.*

²⁵² Adrienne Roberts, *Gendered States of Punishment and Welfare Feminist: Political Economy, Primitive Accumulation and the Law* (Routledge, 2017), pp. 20-44

²⁵³ Ismi Asad, *Impoverishing a Continent: The World Bank and IMF in Africa*, CCPA Monitor(2004).

²⁵⁴ *Id.*

impossible for them to reproduce their families and themselves.²⁵⁵The new gender related legislative changes actually sustained patriarchy at home.

All of this was depicted throughout the illustration of Bangladesh, after the application of those legal reforms under the NARIA initiative that was following the framework prescribed by smart economics, those women in the textile industry were left with no guarantees, short term contracts, low wages, no security and forced to work under very harsh conditions for very long hours to meet their targets and the situation is even worse during high seasons. In addition, they still remain bound to the tasks within their homes, which presents an ongoing process of primitive accumulation. There were no formal recruitment policies, health insurance or any benefits that should be given to the employees in the labor market, which is definitely not the case in the Global North.

The World Bank is taking advantage of the fact that those countries are in great need of those loans to cover their debts and are forced to accept all of those legal preconditions. Thus the only difference is that women under this discourse are forced to hold more than one job under the myth they that are being empowered and supported with these laws. These laws actually lure the private companies to invest more and maximize their profits. It also satisfies the underlying neoliberal agenda of the World Bank and also enables them to publish their success stories of those “empowered” women in the Global South and achieving their goals with respect to women’s right to development and gender equality on the international plane, hiding the invisible truth about the real impact of those legal reforms on those women.

Kennedy argues that law in liberal capitalist societies plays a dominant role in the ideology function, for it establishes the idea of formal equity and helps to “bind the interests and beliefs of subordinate groups to those of the dominant class.”²⁵⁶This builds on the previous arguments about the accumulation of power that were made throughout this chapter. Moreover, the perception of global universalization and

²⁵⁵*Id.*

²⁵⁶ Roberts, *Supra* Note, at 253. The author includes Kennedy’s perspective of law while tackling the idea of law as an ideology and expressing how law in the liberal agenda helps to maintain the power of those who are already dominant which in this case are men and women are the subordinate ones. This part will be discussed in more details under the theoretical framework, which is the next part in this prospectus.

promotion of freedom, democracy, and equality bestows on legal norms a wider authority unmatched by any other instrumental advantage previously given to the dominant class.²⁵⁷ Thus, legal reforms can be seen as a perfect tool that further empowers the already dominant class in the society while keeping the other segments in the weaker position. This guarantees the success of this whole program and keep further empower the dominant ones through these reforms. Thus those legal reforms in addition to the particular way that those women have become visible through the development gaze of the World Bank ensure the continuing accumulation of power of the private corporates who set the rules of the market and the subjectivity of those women in the Global South.

Law and institutions have not always been central to the development efforts of international financial institutions. It is only since the 1990s that the absence of adequate legal and regulator institutions has been identified as a barrier to overall targets of development projects.²⁵⁸ Rittich argues that legal reforms accompanying the development packages had several effects. First, they raised the importance of including law in rescue packages, resulting in the comparative legal developments and spread of legal transplants under the guise of economic growth.²⁵⁹ In reform projects freedom and democracy are linked to the presence of markets, the invocation of the rule of law and the deployment of the language that provides the basis for corporates.²⁶⁰

In addition, the operation also works in reverse neoliberal policies and institutional proposals then become embedded in dominant ideas about the rule of law simplicity associated with the legal requirements of a market economy thereby strengthened and normalized.²⁶¹ This in particular establishes a disadvantage for women in particular, as the neoliberal system is structured in away that allocates significant resources and power to investors, entrepreneurs and other capital holders, while other parties are left suffering the consequences of this unequally structured model.²⁶² Second these legal

²⁵⁷ *Id.*

²⁵⁸ *Id.*

²⁵⁹ Rittich, *Supra Note*, at 46.

²⁶⁰ Stewart, *Supra Note*, at 120. The author here explains clearly the impact that these reforms had on the society, particularly women.

²⁶¹ *Id.*

²⁶² Roberts, *Supra Note*, 252.

and economic reforms that are transmitted through financial institutions are actually considered to be “the most important face of international law in the Global South.”²⁶³

Therefore, this is just another form of capitalization and tool that is used to liberate the economies of the developing world in favor. This facilitates trade for foreign investor, regardless of its impacts on the recipient country and whether or not these actual transplants will be suitable with the conditions in these countries. Rittich uses this analysis as a foundation to explain how the neoliberal reforms can result in establishing a disadvantage for women during the transition phase, for their livelihoods becomes more vulnerable after being strongly dependent on the government’s services and employment previously.²⁶⁴

A widespread notion often promoted in the neoliberal agenda is that resources are equally shared among all household members. Refuting this idea, Rittich argues those external changes in the market and policies directly impact the household and affects the distribution of resources differently.²⁶⁵ Consequently, the burden of these reforms tends to fall heavily and unequally on women, both within the actual family unit and outside in the highly competitive labor market. A great part of the systematic disadvantage stems from the way that different productive activities, both paid and unpaid, are organized based on the naturally inherent characteristics attributed to women, as described earlier, that are dependent on the role of women in the productive and reproductive sphere.²⁶⁶ These disadvantages are then amplified by “efficiency-enhancing” strategies that increase the dependence required of individuals and households. In consequence, they increase the amount of unpaid labor and often the paid labor of women, thereby adding to women’s efforts and oppression. These gendered outcomes are a common feature of neoliberal reforms, as argued throughout this particular chapter.

In other words, these particular legal and institutional reforms support women’s oppression by re-allocating resources and entitlements and reducing the amount of

²⁶³ *Id.* The author stresses on the idea that there were more than just simple economic reforms behind the neoliberal agenda.

²⁶⁴ *Id.*

²⁶⁵ Rittich, *Supra Note*, at 125.

²⁶⁶ *Id.*

cross- subsidization for reproductive labor. Thus further increases the burden on women who are deeply affected by new policy decisions and legal entitlements. Roberts contends that the law plays an important role in the process of gendering economic activity.²⁶⁷ Therefore, this is why it becomes essential to understand the historical connection between the interdependence of the productive activity on the market and the uncompensated reproductive or non-productive forms of labor found within the household and naturally imposed on women. This is due to women's traditional role that confined them to the domestic sphere, giving rise to certain social and nurturing characteristics typical of the patriarchal system until today.

It follows, then, that such legislative reforms support the more powerful elements in the society, which is male-dominated and controlled by the multinational Western corporates. Thus the main argument here is that individuals are not randomly placed in this society; on the contrary, the distribution of people both within the private and public sphere is based on political and economic reasons for the success of the neoliberal system.²⁶⁸ These reforms actually generate further separation and divisions within women both globally and within a particular society. Furthermore, these new legal reforms actually benefited educated middle-class and upper class women, but the women in the low-skilled or unskilled factory and new assembly service sector jobs were not legally protected, but actually left vulnerable and exploited to the deadlines and meeting the desired targets of production. So instead of achieving gender equality those reforms actually further increased inequalities between women in the same society and globally. This was clearly indicated in the example of Bangladesh, those women suffered from harsh working condition and long working hours with almost nothing in return on top of their already existing unpaid job at home.

2. Direct Conditionalities and their Impact on Women in the Global South

The legal reforms are divided into two parts direct and indirect conditionalities and the impact of each of them on the shaping the lives of women in the Global South will be analyzed separately in the coming part. Structural adjustment policies and other forms of conditional lending have proved to be disruptive to both households and

²⁶⁷ Roberts, *Supra Note*, at 252.

²⁶⁸ Mervat Hatem, *State Feminism*, Cambridge University Press, 1991, pp. 231-251.

labor markets, as many of these reforms were introduced in recent decades.²⁶⁹ Not only do these reforms pose direct challenges to the household that further overwhelm women, but they may also force them to decrease their spending and several other aspects reliant on government subsidies.

Moreover, labor laws, in particular, are directly affected by these new reforms; where labor laws and regulations have traditionally been in the hands of state legislators and enforcers, they have been superseded by new international labor standards that are channeled through the structural adjustment programs of the World Bank.²⁷⁰ Again, the boundaries between domestic and international are increasingly blurred since environmental standards and labor regulation in the domestic domain are now influenced by the World Bank under the framework of gender equality as smart economics.

The consequences of conditionality have often been mistakenly believed to be primarily financial.²⁷¹ However, labor rights or labor law reforms have become a basis for dismantling and undermining labor law, despite also serving as a tool for the promotion and implementation of the same. But the main argument here is that conditionalities as imposed in the current framework of smart economics work to further undermine already vulnerable women while actually empowering those at the top of the socio-economic hierarchy, according to Federici.²⁷² Furthermore, these conditionalities are used to undermine and control debt-riddled states as a constant reminder of the dire consequences should they fail to meet these specific conditions.²⁷³

It is useful here to offer an explanation of the term ‘conditionalities’, as defined by the World Bank as a set of conditions in line with banks’ operational policy that must be satisfied for the World Bank to implement development policy operation.²⁷⁴ There is

²⁶⁹ *Id.*

²⁷⁰ Alvaro Santos, *Labor Flexibility, Legal Reform and Economic Development*, Virginia Journal of International Law (2009).

²⁷¹ *Id.* The author explains the reality behind the conditionalities that are imposed by the World Bank in their frameworks for development.

²⁷² Federici, *Supra Note*, at 46.

²⁷³ Santos, *Supra Note*, at 270.

²⁷⁴ *Id.*

no formal definition of conditionality in the World Bank's legal framework or operational policies, for the Bank was originally a project-lending institution and the Bank's Articles of Agreement do not include or specifically state conditionality in policy lending.²⁷⁵

Moreover, policy lending is actually an exception to the Articles, falling under "Special Circumstances". This exceptional clause enables the Bank to depart from its traditional policies of making and guaranteeing loans. However, it has been argued that the use of condition in the Bank's operations can be regarded as consistent with particular articles. The Bank's counsel has stressed that articles cannot be subjected to a strict literal meaning. Instead, these articles must include a purpose of interpretation to reflect the bank's role as a development institution.²⁷⁶ Therefore, in reciting its purposes, the World Bank's articles state that the institution may provide funding for productive purposes based on their "Suitable Conditions". With the introduction of SAP's in the 1980s, the borrower was required to follow a specific program as a pre-condition for the loan.²⁷⁷

3. Fragmentation, Labor Flexibility and Increased Oppression

Labor flexibility is another aspect that is associated with the World Bank's loans. It basically refers to the ability of the labor market to quickly adjust to the new economic conditions and in particular to the external shocks with limited adjustment costs.²⁷⁸ Thus from the neoliberal perspective this delivers better economic results, for the worker a flexible labor markets means the ability to find gainful employment without a lot of costs.

This requires availability of information on job opportunities, low mobility costs and short duration of job search, which is better and less costly for corporates.²⁷⁹ Hence the idea of labor flexibility allows more freedom to employers because it relaxes the restrictions and provides for more working hours, so this requirement of flexible labor markets is the bases for many of the conditionality's that were placed by the World

²⁷⁵ *Id.*

²⁷⁶ *Id.* The author provides the justification that is provided by the WB for the inclusion of conditionality.

²⁷⁷ *Id.*

²⁷⁸ *Id.*

²⁷⁹ *Id.*

Bank's framework and tackled in the previous chapter, particularly under the WDR of 2012 and the Law, Women and Business report. However, the main argument here is that these conditionalities directly increase the burden on women who are incorporated in the newly established division of labor and working in the factories of those multinational corporate, as indicated in the case of Bangladesh.

These new flexible laws are more attractive for corporate giving them more space to maximize profit with less restrictions and this decreases the stability for those women who are forced to work long tedious, jobs for longer hours and less pay. Gloria Scott clearly stated that “ our job is to help eliminate poverty and it is not our responsibility if the multinationals come in offer such low wages.²⁸⁰ This is actually contradictory to all the promises they make throughout their reports and under the feminism of the World Bank to create a better future for those women and enable them to lead a better life from them and their families.

This all resulted in a large number of employees, particularly women, who have no meaningful access to collective bargaining, employment standards are “ increasingly inadequate in both their reach and content and many workers including some of the most vulnerable ones are outside the law of work” entirely due to the fact that their legal status is independent contract.²⁸¹ This is perfectly describes the case of those women from the Global South, who are being incorporated into those new assembly lines and corporate factories. Accordingly, that all of this goes back to the restructuring that took place and the changed identity of a workforce that is increasingly feminized and diverse in a combination with a relatively stagnant set of workplace rules and norms.

This goes back to the newly established set of workplace governance structures that no longer reflects the needs and characteristics of the workers, for they are theoretically meant to empower, however, they are establishing a regulatory gap that is intentionally done to empower the corporates who are justifying their work by

²⁸⁰ WDR 2012, *Supra Note*, at 80.

²⁸¹ Kerry Rittich, *Between Workers Rights and Flexibility: Labor Law in an Uncertain World*, Hein Online, St. Louis University Law Journal, 2010. This argument here represents the core of this thesis.

corporate social responsibilities and hiring more women.²⁸² This thesis supports Rittich's argument that the failure to address this gap reflects the fact that the underlying objectives of protecting those women and empowerment are contested.

Rittich explains that this failure in employment and labor laws goes back to the intersection of two main forces.²⁸³ The first is the failure to ensure employment protection and economic security for these women in this newly rising division of labor. The second is the push for greater flexibility and employer power in the employment relationship.²⁸⁴ Moreover, the idea of creating more flexible contracts has restricted their access to insurance and modifications to the overall employment standards that reduce their compensation for overtime. This is despite the growing evidence that economic insecurity is growing and generating adverse consequences in the economy as a whole as well as within their households, which simply led to the increase of oppression of those women in the Global South instead of increased rights and equality. Furthermore, the labor market rules and institutions are not evaluated based on what will be best for the society as a whole and equally maximize the overall welfare. Instead they are based on the "assumption that we know the outcome of the cost-benefit calculation and we that labor markets fall on the cost side of the ledger despite outright uncertainty about the effects of the labor market institutions and reforms."²⁸⁵

Given the above scenario, women are further burdened and devalued rather than empowered, a fact that contradicts the results expected by both the GAD prescription and the smart economics framework. It must be conceded that many corporates do hire more women in recognition of the importance of their integration with accompanying laws provided through CEDAW and promoted through the UN Women Decade as well as the sustainable goals enabling liberal feminists to achieve gender equality. However, for numerous reasons detailed throughout this thesis, this discourse has failed to transform the dominant economic and political structures reinforcing the gender inequality deeply embedded in the patriarchal system

²⁸² *Id.*

²⁸³ *Id.* The author here is clarifying the main drivers of this current shift in the employment and labor laws.

²⁸⁴ *Id.*

²⁸⁵ *Id.*

historically. These empowerment interventions, following the GAD framework, actually transform women in the Global South for development, rather altering dominant nations of development.

In contrast to the World Bank empowerment definition discussed in the previous chapter, Black feminists describe female empowerment as “the ability to define the change for themselves negotiate change, understand and challenge, injustice and inequality and act towards the achievement of strategic goals that address issues of women’s status and position.”²⁸⁶ This suggests that the World Bank and other mainstream development entities position women’s empowerment within a particular framework rather than challenging or transforming the existing social order. Basically, women are still engaged in their traditional tasks and duties under a new name of empowerment, under the guise of modernity projects.

Reflecting on the intervention package promised in the Nigerian Economic Empowerment and Development Strategy, Charmine Pereira notes that it can be assumed that this package brings together single measures to address women’s concerns and achieve empowerment. According to Pereira, this approach is far removed from challenging the ideologies justifying gender inequality and prevailing patterns of access to and control over resources, as opposed to providing the resources themselves and transforming the institutions that reinforce existing power relations.”²⁸⁷ Thus, woman is portrayed as an object while at the same time an individual eager to improve herself and her situation provided she is empowered. She further observes that “White feminism has delivered for some professional women and other women have been left behind, for many of the advances for women at the top have masked inequality at the bottom.”²⁸⁸

Thus the main aim here was to show that such laws and models have not actually served to solve the issue of gender inequality; instead, they have worked to strengthen the collaborations between IFIs and their private entities to enable them to increase their profit through the re-colonization of both the human resources and the raw

²⁸⁶Collins, *Supra Note*, at 203.

²⁸⁷Parpart, Connelly and Barriteau, *Supra Note*, at 56.

²⁸⁸ *Id.*

materials in the Global South. In addition, women actually end up suffering from infringements against human rights under these newly established divisions of labor, as depicted earlier.

Critical feminists argue that women's international human rights must be developed on a number of fronts, including the relevance of the traditional patriarchal bias.²⁸⁹ It should not be a trial to integrate women into these systems that will not achieve equality. Therefore, women should collaborate to end this exploitive system and establish one that actually protects their rights as well as establish that women in the Global South are truly in control of their own bodies as they possess the accumulated knowledge passed down from one generation to the other.²⁹⁰ The potential of an individual complaints procedure under the Women's Convention should also be explored.²⁹¹

Therefore, when the monetary relations become hegemonic, women's reproductive activities and their contribution to the community are totally devalued.²⁹² This is especially true for elderly women, sometimes referred to as "sterile vaginas", who are subjected to a process of social degradation in addition to becoming the targets of a gender war, as is the case under the capitalist system where elderly women specifically suffer the most. This is mainly because this group can no longer produce children nor provide sexual services, resulting in their perception as a redundancy in the creation of wealth and human capital.²⁹³

The main problem here is that no laws are in place to protect elderly women in the newly added reforms or even under the CEDAW laws that are supposedly dedicated towards women's rights. At the same time, rights that focus on harms sustained by women need to be identified and developed, regardless of challenges from the public and private sphere, in order to re-orient the boundaries of the human rights law so that it incorporates a world view from the perspective of the socially vulnerable.²⁹⁴ In reality, current human rights dedicated towards women simply support the image of

²⁸⁹ Collins, *Supra Note*, at 203.

²⁹⁰ Federici, *Supra Note*, at 281.

²⁹¹ Goetz, *Supra Note*, at 107.

²⁹² *Id.*

²⁹³ *Id.*

²⁹⁴ *Id.*

the modern woman that is being established and imposed upon women in the Global South instead of actually protecting their real rights.

4. CEDAW in Bangladesh

The illustration of Bangladesh and what happened to those women in the textile industry was actually hypocritical to the main articles of CEDAW. But all of this ensures all the arguments that have been made throughout this chapter that these universal prescriptions simply do not work for all women as they do not include all the accurate knowledge about all those women, particularly those in the Global South, which these development programs are actually dedicated to supposedly empower them and achieve gender equality for them. This feminism of the World Bank failed to take into consideration the differences that exist between women and thus increased the gap even more between women in the North and the South. This international legal product has continuously affected the formation of class hierarches and maintaining the previous conditions of the capitalist system, which entailed the subordination of one group for the success of the other.

The UN system at the time saw women's rights only instrumentally that only focused on the idea of social development without connecting the entire issue to the larger context of international development. It is ironic that Bangladesh has actually ratified CEDAW in 1984 and all of this actually remained happening despite the fact that this convention was celebrated to be the first convention that calls for women's right and ensure gender equality particularly in the Work place.²⁹⁵The idea here is that the CEDAW itself is problematic, which falls in line with the main arguments of this chapter because it was also placed on the same patriarchal system that does not recognize the reproductive work of women. Hence it ignores the root cause of the problem and also it needs to allow those women in the Global South to define themselves for themselves and this is actually how feminists can be united and really become empowered rather than actually establishing further divisions within them.

All of this is a clear breach of CEDAW, which the World Bank advisors specifically have been promoting in all their reports that were highlighted in the previous chapter.

²⁹⁵ UN Women, Convention on the Elimination of all sorts of Discrimination Against Women, available at <http://www.un.org/womenwatch/daw/cedaw/>.

Article 11 in particular calls for equal rights for women at work, promotion, job security and benefits, equal pay, overtime, social security, sick leave and gives particular attention discrimination relating to pregnancy clearly stating that “ states must prohibit dismissal on the grounds of pregnancy or maternity leave and provide special attention to pregnant women in dangerous areas of work.”²⁹⁶

These corporates know what is happening in these factories and they still choose to outsource women from those factories, simply because this is the best way to maximize profits, which they will not be able to do if their factories were still based in the West.²⁹⁷ Thus all of this depicts the kind of violence that results from this feminism of the World Bank and contradicts their beautiful image of “empowered” women, those women in the Global South were simply framed into this discourse to satisfy the conditions and the agenda of the World Bank and their partners.

5. Indirect Conditionalities and the Further Increase of Oppression Resulting from the Smart Economics Discourse

Indirect conditionalities are those that also accompany structural adjustment reforms in order to balance the free market and enable it to function without the intervention of the government. This includes privatization, cuts in government expenditure, deregulation, and trade liberalization. In an attempt to map out this supposed natural progression, economic theorists, such as Walt W. Rostow and Myron Weiner, speculated about the barriers to development. According to Rostow, “traditional societies evolved within limited production functions... limitations of technology decreed a ceiling beyond which they could not penetrate... they did lack a systematic understanding of their physical environment capable of making invention a more or less regular current flow.”²⁹⁸

This statement basically expresses the main justification for why the Global South cannot prosper from this smart economics discourse that is imposed upon them, as they are considered still “ developing” economies in the free markets against the already industrialized countries seeking to maximize their profits. As a result, their

²⁹⁶ *Id.*

²⁹⁷ Briggs, *Supra Note*, at 163.

²⁹⁸ W. W. Rostow, *Stages of Economic Growth* in *The Economic History Review*, New Series, Vol. 12, No. 1 1959.

raw materials and human power are abused by the more powerful states leading and controlling the rules of this system. The World Bank claims that cutting government expenditure will close and eliminate the shortfall between revenues and expenditures, for government's work to reduce expenditure drives an obvious place to start the public sector wage bill. This frequently makes up the single largest budget item enabling the government to eventually adjust its expenditure while allowing the markets to freely interact with the global market and achieve sustainable growth.²⁹⁹

Therefore, the violence and suppression of women increases as they mainly rely on government's subsidies to sustain their households and their families, including the consumption of basic food, provision of health services, medicine and many other services catering for the family. In addition, the privatization of public sector entities results in the loss of many jobs, directly affecting women as they overwhelmingly prefer working in the public sector, for the obvious reasons of job stability, minimum risks, social insurance, and a host of other benefits.³⁰⁰ Moreover, privatization and trade liberalization mean the removal of trade barriers and the introduction of the new legal reforms described earlier, providing more flexibility for employers with diminished benefits that increase the vulnerability of women.

In conclusion, the main purpose of this chapter was to show the real feminism presented by using the theoretical framework of those autonomist feminists to uncover the truth behind the other feminism that is being presented by the World Bank and other international institutions, who are claiming to support gender equality and Women's right to development. This ongoing oppression of women under the hands of those corporates will remain as long as they remain satisfying their needs and using their power to set the rules that legitimize their actions.

The picture emerging here is women suffering from low wages, labor flexibility, no unions, and a harsh environment in the absence of government subsidies, along with their unpaid work at home. All of these ills represent the severe exploitation and violence from which women in the Global South suffer under the newly established framework and division of labor with its legal reforms that solely support the

²⁹⁹ Santos, *Supra Note*, at 270.

³⁰⁰ *Id.*

corporates and maximize their profit. It also shows the false myth of empowerment where women are framed to become objects under the development gaze, based on the specific characteristics attributed to them.

The very fact that they are underdeveloped acts as a precondition for the success of the system. Initially, the gender equality as smart economics seemed to be a milestone for the feminist movements; a closer look, however, uncovers the reality as it divides women globally, emerging as yet another form of colonization for the capitalist accumulation of wealth and male-dominated systems. This also falls in line with the main argument of this thesis that these legal reforms are nothing but a way to legitimize and ensure the rights of those dominant corporates, while stripping those women from all their employment rights and abusing them to meet their deadlines. This further risks their lives and adds to their burden from their unwaged work at home. This example depicts a perfect picture of the true cost of the feminism of the World Bank and ensures the exact words that were laid out by the feminists in this chapter, who ensured that this is nothing but another version of capitalism and colonialism.

The main argument here goes back to the way all of this development discourse was framed upon them those women in the Global South to the way and the knowledge through which they became visible to the rest of the world. Those characteristics that were attributed to them are not accidental. They are compulsory for the survival of this neoliberal system. Therefore, the solution to break-free from this vicious cycle is to reject those hegemonic programs that do not represent the real face of feminism and pretending to be covered under this “sisterhood” that does not exist in reality. It is crucial to define ourselves by ourselves and expose the truth behind the unwaged work of women; otherwise we will remain trapped under this form of colonialism that has objectified women in the Global South through the development gaze to sustain the neoliberal system.

CONCLUSION

In writing this thesis, my goal was not to simply describe the misery of the lives of those women in the Global South that result from this smart economics discourse. Rather, it was an attempt to reveal the invisible truth of the true cost of this kind of empowerment and legal reforms that are prescribed under the framework of this discourse on those women in the Global South.

The main dominating theme in those reports of the World Bank that prescribe gender equality as smart economics is that those women in the Global South appear to be marginalized, vulnerable. But at the same time as major “untapped” resources that need the appropriate training prescribed under the human capital approach to provide them with the necessary means that will prepare them to the market. This in return will decrease gender equality, solve other development issues such as poverty and provide labor to the corporates in the newly expanding assembly lines. It should be conceded that smart economics’ may have succeeded in increasing visibility for

gender issues, boosting funding of gender-mainstreaming policy initiatives, and gaining commitments for formal gender equality measures from states, organization and corporations. However, for the numerous reasons detailed throughout this thesis the system has failed to transform the dominant economic and political structures reinforcing the gender inequality deeply embedded in the patriarchal system.

Therefore, the main goal of this thesis was to show the truth behind this feminism that is promoted by the World Bank and the kind of violence that it establishes for those women in the Global South, which was done using the theoretical framework of those critical feminists. These reports and conferences by the World Bank hide the real cost of this feminism of those women in the Global South, for it used as a tool that enables them to sell those success stories to policy makers and corporates and by highlighting the needs of development from women rather than women's needs to develop. This further deepens their neoliberal agenda and legitimizes the work of their corporate partners through the support of those conditional legal reforms that are proclaimed to be enhancing the lives of those women. This was particularly depicted in the illustration of those women in the textile industry in Bangladesh. Nancy Fraser describes this entire phenomenon as “faux feminism”, for it has revived feminist language in popular media and political discourse, despite rearticulating feminist claims through neoliberal values.³⁰¹ Thus the main argument in this thesis is that these characteristics that those women became visible through the development gaze are crucial for the success of this entire model. It has long been predicated on particular narratives of reproductivity and productivity.

Another controlling theme in those reports of the World Bank is that it pictures those corporates as neutral, inevitable and rational feature in development in which market-led initiatives can create equal opportunities and rewards for both women and businesses alike. This is actually just an under cover to hide their underlying agenda, which is just another form of capitalism and exploitation. This feminism has not only established inequalities between women globally, but also within the same societies. Not all the women benefited the same particularly those who are low skilled or unskilled in the factories and service sector were left legally unprotected. The solution

³⁰¹ Nancy Fraser, *Feminist Politics in the Age of Recognition: A Two-Dimensional Approach to Gender Justice*, New School for Social Science University, 2007.

as suggested by critical feminists is to break free from this vicious prison and for women in the Global South to define themselves to become visible through their own eyes rather than based on the knowledge that is produced through the development gaze.