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TITLE CONSEQUENCES OF GLOBALIZATION ON SOCIOECONOMIC JUSTICE IN 21st CENTURY INDIA

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ABSTRACT

Globalization is now one of the most revolutionary forces of the 21st century, restructuring society through economies, political systems, science, and legal structures globally. While it has created rapid economic growth, technological advancement, and global connectivity, its effect on socioeconomic justice remains contentious. Within the Indian experience, globalization has led to increasing inequality, loss of livelihood among marginalized groups, and erosion of welfare protections, thus casting grave doubts on distributive justice.

This research article critically analyzes the impact of globalization on socioeconomic justice in India, examining issues of inequality, workers' rights, and welfare systems.Beyond this, it assesses whether current constitutional provisions, judicial visions, and statutory mechanisms are adequate to ensure socioeconomic rights in this quickly changing era of globalization.The research adopts a doctrinal and analytical approach, based on constitutional imperatives, international covenants, judicial decisions, and literature, supplemented by a comparative approach from other jurisdictions.

The outlines that although the Indian legal framework by its tools like the Preamble, Directive Principles of State Policy, and judicial activism, has to a great extent contributed towards safeguarding socioeconomic rights, the prevailing frameworks are disjointed and fall short in responding to the intricacies posed by globalization. The study highlight that the gains of globalization have been unequally distributed and vulnerable groups suffer the consequences of economic liberalization and global market integration.

INTRODUCTION

Globalization is generally accepted as one of the epochal processes of the 21st century, remaking political, social, cultural, and economic configurations of countries.It is usually defined as a speeding up of interdependence with flows of trade, capital, information, and individuals across national borders.[1] While proponents argue that globalization encourages growth, innovation, and international cooperation, detractors claim that it creates uneven development, widens inequalities, and undermines the power of states to ensure distributive justice.[2]

In India, globalization accelerated following the economic reforms of 1991, liberalizing trade, deregulating industry, and opening markets to foreign capital.[3] Reforms undoubtedly assisted economic growth and increased integration of India into the world economy. But their socioeconomic implications have remained starkly uneven. Research shows that globalization has opened up gaps between rural and urban regions, skilled and unskilled workers, and privileged and marginalized communities.[4] Marginalized groupslike informal workers, women, tribal communities, and migrantshave been disproportionately impacted by livelihood insecurity, wage stagnation, and decaying welfare protection.[5]

Socioeconomic justice, which lies at the heart of the vision of India's constitution, is incorporated in the Preamble and reinforced by the Directive Principles of State Policy (DPSPs), where the state is obligated to ensure equality, a sufficient means of livelihood, social security, and the equitable distribution of resources.[6] These principles have been extended by judicial interpretations into enforceable rights. For instance, in Olga Tellis v. Bombay Municipal Corporation,[7] the Supreme Court acknowledged the right to livelihood as inherent in the right to life under Article 21. In the same vein, in People's Union for Civil Liberties v. Union of India[8], the Court integrated the right to food into a justiciable right. This

[1] Joseph E. Stiglitz, Globalization and Its Discontents 21–24 (2002).
[2]Henry Wai-chung Yeung, The Limits to Globalization Theory: A Geographic Perspective on Global Economic Change, 91 ECON. GEOGRAPHY 285, 287 (2002).
[3]Dipak Mazumdar & Sandip Sarkar, Globalization, Labour Markets and Inequality in India 3–5 (2008).
[4] Pradeepta Sethi et al., The Impact of Globalization and Financial Development on India's Income Inequality, 43 J. POL'Y MODELING 639, 642 (2021).
[5]NAT'L COMM'N ON LABOUR, Report of the National Commission on Labour 55–60 (2002).
[6]INDIA CONST. pmbl.; id. art. 38, 39, 41, 43.
[7]Olga Tellis v. Bombay Mun. Corp., A.I.R. 1986 S.C. 180 (India).
[8]People's Union for Civil Liberties v. Union of India, (2003) 2 S.C.C. 688 (India).

judicial initiative is an effort at balancing constitutional visions of socioeconomic justice and the imperatives of globalization.

Internationally, India is also subject to treaty obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Labour Organization (ILO) conventions that mandate states to provide rights to work, education, health, and social security.[9] reforms based on globalization, however, are centered on competitiveness and efficiency, with tensions between international market compulsions and domestic constitutional obligation.

Against this background, this paper assesses the impact of globalization on socioeconomic justice in India in the 21st centuryIt tries to assess the impact of globalization on inequality, work, livelihood, and welfare protections, and establish whether the legal and constitutional instruments available to safeguard socioeconomic rights are sufficient The research employs a doctrinal and analytical approach based on constitutional provisions, statutory laws, judicial precedents, and international agreements, as well as secondary data in the form of academic publications, books, and reports.

Finally, the research aims to find out if the globalization in India has promoted or slowed down the achievement of socioeconomic justice and if reforms are needed to bring the globalization into the ambit of the constitutional promise of fairness, equity, and inclusive growth.

KEYWORDS

Globalization, Socioeconomic justice, Inequality, Indian Constitution,

RESEARCH OBJECTIVE

1. To critically examine the impact of globalization on socioeconomic justice in India, with specific attention to inequality, labour rights, and the condition of marginalized groups.

[9]International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S.3; Int'l Lab. Org. \[ILO], Employment Policy Convention (No. 122), July 9, 1964, 572 U.N.T.S. 119.

2. To evaluate and propose legal and policy frameworks that can align globalization with the constitutional mandate of equity, fairness, and inclusive development.

GAP ANALYSIS

With the rapid expansion of globalization in the 21st century, it has pronounced uneven socio economic outcomes leading to face inequality, loss of livelihood for vulnerable groups and erosion of welfare mechanisms. The absence of a consistent and robust legal framework further limits the capacity of the state to ensure equitable wealth distribution and uphold the principle of socio economic justice.

HYPOTHESIS

Though globalization has spurred economic development and included India within the world economy, it has equally enhanced socioeconomic disparities, inordinately affecting marginalized sections. Additionally, the current legal and policy regime in India such as labour codes, welfare schemes, and the corporate social responsibility laws fall short of ensuring socioeconomic rights and facilitating distributive justice in the age of globalization. Strengthening statutory rights, corporate responsibility, and welfare measures, consistent with the mandates of the constitution and international commitments, is thus essential to ensure that globalization helps make development more inclusive and equitable rather than widening inequality.

RESEARCH METHODOLOGY

This article adopts a doctrinal and analytical research approach, drawing on constitutional provisions, statutory law, judicial precedents, and international treaties to analyse the implications of globalization for socioeconomic justice in India. Primary sources are the Constitution of India specifically the Preamble, Directive Principles of State Policy, and Fundamental Rights, along with statutory codes like the Labour Codes (2019–2020), the Companies Act, 2013

(S.135 on CSR), and welfare laws like the National Food Security Act, 2013.Recognized judicial dicta it follows an integrative analysis of conceptualizing globalization and socioeconomic justice, examining their relationship and impact in India.The analysis combines doctrinal interpretation of text, judicial precedent, and policy assessment, with comparative inference derived from international instruments and foreign jurisprudence.Though mainly doctrinal in nature, the research is restricted by dependence on sources as opposed to fieldwork or empirical surveyhowever, it adds a critical legal analysis to the sufficiency of India's legal corpus in providing socioeconomic justice in the age of globalization.

1. UNDERSTANDING GLOBALIZATION &SOCIOECONOMIC JUSTICE

Globalization has been defined generally as the deepening of crossborder exchanges in trade, finance, information, and culture that create a more integrated world economy.[10] While its roots can be found in ancient trade routes like the Silk Road, its contemporary form is tied to the Industrial Revolution, the post–World War II Bretton Woods regime, and the neoliberal restructuring of the late 20th century.[11]In India, the liberalization reforms of 1991 represented a turning point, lowering trade barriers, opening the country to foreign investment, and synchronizing domestic policy with international economic models.[12]

The development of globalization is usually explained by rival theoretical accounts. Martell finds three "waves" of globalization theory: globalists, who stress the borderless world economy; skeptics, who insist that the states are still central; and transformationalists, who do see globalization as real but uneven.[13] Yeung continues that globalization theory needs to be aware of geographical inequalities, for global integration tends to favor some regions and classes and exclude others.[14] These viewpoints underscore that globalization is not neutral or uniform but highly contested in meaning and results. Socioeconomic justice encompasses fair

[10]Joseph E. Stiglitz, Globalization and Its Discontents 21–24 (2002).
[11]B.B. Bhattacharya, Globalisation and India: A Historical Perspective, 39 ECON. & POL. WKLY. 1603, 1604–06 (2004).
[12]Dipak Mazumdar & Sandip Sarkar, Globalization, Labour Markets and Inequality in India 3–5 (2008).
[13]Luke Martell, The Third Wave in Globalization Theory, 9 INT'L STUD. REV. 173, 175–77 (2007).
[14]Henry Wai-chung Yeung, The Limits to Globalization Theory: A Geographic Perspective on Global Economic Change, 91 ECON. GEOGRAPHY 285, 288–90 (2002).

wealth, resource, and opportunity distribution to enable people and groups to access basic needs such as food, education, health, shelter, and livelihood.[15] It is not merely material equality but also respect, security, and elimination of structural inequalities. In India, socioeconomic justice is enshrined in the Constitution in the Preamble and articulated in the Directive Principles of State Policy (DPSPs) such as Articles 38, 39, 41, 43, and 46.[16] The court has stretched these aspirations into justiciable rights through creative interpretations of Article 21 of the Constitution.[17]Globally, socioeconomic justice is enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which India became a signatory in 1979. The Covenant binds states to progressively achieve rights including living standards of an adequate nature, health, and education.[18]Analogously, the Decent Work Agenda of the International Labour Organization focuses on decent wages, social security, and labour protection as central components of socioeconomic justice.[19]

The normative foundations of socioeconomic justice have been exhaustively debated in political and legal theory. John Rawls' justice theory is based on equality, and the "difference principle" insists that inequalities must be structured to serve the least welloff.[20] Amartya Sen's capability approach frames attention in terms of broadening people's substantive freedom and options rather than focusing on the distribution of resources.[21] Marxist critical approach, by contrast, contends that structural inequalities inherent in capitalist globalization undermine justice because they end up putting wealth and power in the hands of a few.[22]In India, this theoretical framework finds constitutional principle application at the level of practice. Judicial rulings, e.g., Olga Tellis v. Bombay Municipal Corporation and People's Union for Civil Liberties v. Union of India, have utilized dignity andrightsbased logic to enforce socioeconomic rights.[23] Such trends demonstrate that socioeconomic justice is not utopian but enforceable in practice.The crossroads of globalization and socioeconomic justice presents a twofold nature. On the one hand, globalization has the potential to increase opportunities through economic development, transfer of technology, and better access to

[15]Amartya Sen, Development as Freedom 36–38 (1999).
[16]INDIA CONST. pmbl.; id. arts. 38, 39, 41, 43, 46.
[17]Olga Tellis v. Bombay Mun. Corp., A.I.R. 1986 S.C. 180 (India)
[18]International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S. 3.
[19] Int'l Lab. Org. \[ILO], Decent Work Agenda (2008).
[20]John Rawls, A Theory of Justice 75–78 (1971).
[21]Amartya Sen, The Idea of Justice 231–35 (2009).
[22]Karl Marx & Friedrich Engels, The Communist Manifesto 45–47 (1848).
[23]People's Union for Civil Liberties v. Union of India, (2003) 2 S.C.C. 688 (India).

resources.[24] On the other, it increases inequalities by favoring mobility of capital, destroying welfare functions of the state, and displacing vulnerable groups.[25] In India it has seen that globalization decreased poverty in real terms but increased income inequality, with vulnerable sections like informal workers and rural people having to suffer the worst

impacts.[26]Therefore, knowing globalization in the 21st century involves contextualizing it within the paradigm of socioeconomic justice—acknowledging not only its potential to create wealth but also its responsibility to ensure equitable distribution consistent with constitutional and international legal commitments.

2. RELATIONSHIP BETWEEN GLOBALIZATION &SOCIOECONOMIC JUSTICE

Globalization proponents cite its potential to raise economic growth, boost trade, and promote technological advancement.[27] For countries like India in the developing world, globalization brought them near foreign markets, foreign direct investment flows, and the potential for employment in interconnected industries in the global economy.[28] Mazumdar and Sarkar note that economic liberalization in the 1990s facilitated the growth of the GDP as well as further participation in global value chains.[29] Similarly, the United Nations Development Programme (UNDP) notes that globalization has played a significant role in reducing levels of absolute poverty worldwide while inequality concerns remain.[30] From a socioeconomic justice perspective, globalization can enhance capabilities by expanding the scope of access to resources, services, and opportunities. Sen opines that, under proper regulation, global integration can expand human freedoms and enable individuals to live decent lives.[31] In India, for example, development in the information technology sector created new

[24]U.N. Dev. Programme, Human Development Report 2020, at 45–48.
[25]NAT'L COMM'N ON LABOUR, Report of the National Commission on Labour 55–60 (2002).
[26]Pradeepta Sethi et al., The Impact of Globalization and Financial Development on India's Income Inequality, 43 J. POL'Y MODELING 639, 641–44 (2021).

[27]Joseph E. Stiglitz, Globalization and Its Discontents 21–24 (2002).
[28]B.B. Bhattacharya, Globalisation and India: A Historical Perspective, 39 ECON. & POL. WKLY. 1603, 1604–06 (2004).
[29] Dipak Mazumdar & Sandip Sarkar, Globalization, Labour Markets and Inequality in India 3–5 (2008).
[30]U.N. Dev. Programme, Human Development Report 2020, at 45–48.
[31]Amartya Sen, Development as Freedom 36–38 (1999).

employment opportunities and contributed to the growth of a middle class with increased standards of living.[32]

Although there have been these advantages, globalization has further widened inequalities, especially where there were existing structural differentials.[33] Yeung argues that global economic transformation tends to strengthen geographical and class differentials, favoring capitalabundant places at the expense of others.[34] For India, experimental studies show that although globalization lowered poverty in absolute terms, it also increased income inequality. Sethi et al. illustrate that financial globalization, when paired with domestic structural vulnerabilities, preferentially accrues benefits to highincome groups while leaving behind the poor.[35]

National Commission on Labour (2002) identified that globalization has resulted in the informalization of work, undermined employment security, and undermined social protection.[36] Women, workers in rural areas, and poor communities tend to be relegated to insecure jobs without proper welfare protection.[37] Oxfam's 2022 report, Inequality Kills, contends that policies initiated by globalization that are focused on making the rich richer have further widened economic and social inequalities.[38]

The nexus between globalization and socioeconomic justice is, therefore, paradoxical: while it promotes possibilities for development, it at the same time, compromises distributive equity. Martell observes that globalization is "real but uneven," generating losers as well as winners in every society.[39] Rawlsian theory of justice commands that inequalities must be to

[32]Geeta Nair, Gendered Impact of Globalization of Higher Education: Promoting Human Development in India 22–25 (2015).
[33]Robert Wade, Globalization and Its Limits: Reports of the Death of the National Economy Are Greatly Exaggerated, in Global Capitalism 60, 64 (Will Hutton & Anthony Giddens eds., 2000).
[34]Henry Wai-chung Yeung, The Limits to Globalization Theory: A Geographic Perspective on Global Economic Change, 91 ECON. GEOGRAPHY 285, 288–90 (2002).

[35]Pradeepta Sethi et al., The Impact of Globalization and Financial Development on India's Income Inequality, 43 J. POL'Y MODELING 639, 641–44 (2021).
[36]NAT'L COMM'N ON LABOUR, Report of the National Commission on Labour 55–60 (2002).
[37]Deepak Kumar Behera & Viswanathan Karthiayani, Do Globalization Progress and Sectoral Growth Shifts Affect Income Inequality? An Exploratory Analysis from India, 14 REG'L SCI., POL'Y & PRAC. 352, 358–60 (2022).
[38]OXFAM INT'L, Inequality Kills: The Unparalleled Action Needed to Combat Unprecedented Inequality 5–10 (2022).
[39]Luke Martell, The Third Wave in Globalization Theory, 9 INT'L STUD. REV. 173, 175–77 (2007).

the benefit of the least advantaged; yet practically, globalization has tended to deliver the opposite.[40]

This tension is especially pronounced in India. Globalization has facilitated economic modernization and enhanced global competitiveness on the one hand, while threatening the constitutional promise of socioeconomic justice by giving precedence to liberalization over welfare and thus eroding the protective function of the state.[41]Modulating the benefits of global integration with the constitutional imperative of equity is one of the major dilemmas of the 21st century.

TITLE 3: IMPACT OF GLOBALIZATION AND ITS OUTCOME IN INDIA (WITH FOCUS ON MARGINALIZED GROUPS)

The 1991 liberalization reforms turned India into one of the most rapidly growing economies by making it part of international markets.[42] Rapid growth was experienced in sectors like information technology, telecommunications, and financial services, giving rise to a globally competitive middle class.[43] It was uneven growth. Mazumdar and Sarkar demonstrate that the growth following the reforms accrued disproportionately to skilled, urban workers, while the rural workers and workers in the informal sector continued to be excluded.[44] Sethi et al. additionally comment that globalization has raised income inequality in India, with the wealthiest deciles appropriating the lion's share of the gains from financial openness.[45]

Globalization in India has had one of the most important consequences, which is the informalization of labor. The National Commission on Labour (2002) noted that liberalization policies resulted in extensive contractualization, erosion of job security, and impairment of collective bargaining rights.[46] More than 90% of India's working population is still in the informal sector and has either no access or limited access to social security provisions.[47]

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[40]John Rawls, A Theory of Justice 75–78 (1971).
[41]Janhit Abhiyan v. Union of India, (2022) 10 S.C.C. 1 (India).

[42]B.B. Bhattacharya, Globalisation and India: A Historical Perspective, 39 ECON. & POL. WKLY. 1603, 1604–06 (2004).
[43]Geeta Nair, Gendered Impact of Globalization of Higher Education: Promoting Human Development in India 22–25 (2015).
[44]Dipak Mazumdar & Sandip Sarkar, Globalization, Labour Markets and Inequality in India 3–5 (2008).
[45] Pradeepta Sethi et al., The Impact of Globalization and Financial Development on India's Income Inequality, 43 J. POL'Y MODELING 639, 641–44 (2021).
[46]NAT'L COMM'N ON LABOUR, Report of the National Commission on Labour 55–60 (2002).
[47]U.N. Dev. Programme, Human Development Report 2020, at 47–49.

Judicial interventions have tried to neutralize the impacts of such effects, as in the case of Olga Tellis v. Bombay Municipal Corporation, where the Supreme Court declared livelihood as an integral part of the right to life under Article 21.[48] However, staterun welfare mechanisms have not caught up with the structural shocks arising from globalization.Globalization has affected marginalized populations most viciously. Rural and tribal people have been displaced by global capitalled largescale infrastructure and mining ventures.[49]Women have disproportionately been placed in lowwage, insecure work in exportoriented industries, without accompanying welfare safeguards.[50] Behera and Karthiayani believe that while globalization created new openings, it also sharpened gender and regional inequalities, especially in northern and eastern states.[51]Judicial actions are however important but tend to be reactive instead of systemic. In People's Union for Civil Liberties v. Union of India, the Supreme Court translated the right to food into an enforceable right, ordering the state to increase the Public Distribution System.[52] Likewise, in Janhit Abhiyan v. Union of India, the Court legalised the 10% reservation for Economically Weaker Sections (EWS), demonstrating an increasingly judicial acknowledgement of distributive justice in an economy that is globalized.[53]

Globalization has also strained India’s welfare architecture. Whereas poverty reduced in quantitative terms, welfare programs like the Public Distribution System (PDS), Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), and Right to Education (RTE) were instrumental in insulating vulnerable segments against market shocks.[54] Nonetheless, Oxfam reports reveal that despite welfare programs, wealth concentration has increased sharply: in 2021, the top 1% of Indians owned more than 40% of all wealth, a gap driven by globalization.[55]

The Indian judiciary has consistently emphasized that the constitutional obligation must be their to balance economic growth with social welfare. In Unni Krishnan v. State of Andhra

[48]Olga Tellis v. Bombay Mun. Corp., A.I.R. 1986 S.C. 180 (India).
[49] Surya Deva ed., Socio-Economic Rights in Emerging Free Markets: Comparative Insights from India and China 12–16 (2016).
[50]Amartya Sen, Development as Freedom 36–38 (1999).
[51]Deepak Kumar Behera & Viswanathan Karthiayani, Do Globalization Progress and Sectoral Growth Shifts Affect Income Inequality? An Exploratory Analysis from India, 14 REG’L SCI., POL’Y & PRAC. 352, 358–60 (2022).
[52]People’s Union for Civil Liberties v. Union of India, (2003) 2 S.C.C. 688 (India).
[53]Janhit Abhiyan v. Union of India, (2022) 10 S.C.C. 1 (India).
[54]World Bank, World Development Report: Global Value Chains for Development 22–25 (2020).
[55] OXFAM INT’L, Inequality Kills: The Unparalleled Action Needed to Combat Unprecedented Inequality 5–10 (2022).

Pradesh, the Court read the right to education into Article 21, reinforcing the state's duty to guarantee socioeconomic rights despite globalization pressures.[56] These cases highlight the tension between a growthdriven globalization model and the constitutional mandate of equity.India's experience with globalization thereby illustrates a paradox that it has created global competitiveness and pulled sections of the population out of poverty but, concurrently, deepened socioeconomic cleavages, left vulnerable groups behind, and undermined welfare protections. The challenge for India is not the rejection of globalization but the reworking of its legal and policy landscape to ensure that joining the global economy promotes, not erodes, socioeconomic justice.

TITLE 4: CONSTITUTION AND JUDICIAL APPROACH TO GLOBALIZATION (INDIAN PERSPECTIVE)

The Preamble to the Indian Constitution positively makes a promise by the state to the rendering of "justice—social, economic, and political" to all the citizens.[57]This vision is also elaborated further in the Directive Principles of State Policy (DPSPs), which, being nonjusticiable, indicate the direction for state policy to achieve distributive justice. Some of the eminent provisions are the duty of the state to promote the welfare of the people by securing a just social order. Principles of just distribution of wealth, prevention of concentration of wealth, and right to adequate means of livelihood. Right to work, education, and public relief where needed. Right to a living wage, decent conditions of work, and social security. Promotion of educational and economic interests of the weaker sections, such as the Scheduled Castes, Scheduled Tribes, and other backward classes.[58]In this era of globalization, these constitutional provisions serve as a normative safeguard against policies in which liberalization takes precedence over welfare.

Indian courts have played a pivotal role in transforming socioeconomic justice from aspirational principles into enforceable rights. Through creative interpretation of Article 21 (Right to Life and Personal Liberty), the Supreme Court has recognized a range of socioeconomic rights essential for human dignity, often in response to globalization's adverse effects. Olga Tellis v. Bombay Municipal Corporation[59] The Court held that the right to

[56]Unni Krishnan v. State of A.P., (1993) 1 S.C.C. 645 (India)
[57]INDIA CONST. pmbl.
[58]Id. arts. 38, 39, 41, 43, 46.
[59]Olga Tellis v. Bombay Mun. Corp., A.I.R. 1986 S.C. 180 (India).

livelihood is an integral part of the right to life under Article 21, protecting pavement dwellers from arbitrary eviction. This case highlighted judicial recognition of livelihood security amidst urban displacement driven by economic modernization. People's Union for Civil Liberties v. Union of India[60] (Right to Food Case): In the context of globalization and agrarian distress, the Court enforced the right to food as a constitutional entitlement, directing the government to expand the Public Distribution System and implement midday meal schemes. Unni Krishnan v. State of Andhra Pradesh[61]: The Court recognized the right to education as implicit in Article 21, a judgment that later influenced the enactment of the Right to Education Act, 2009. JanhitAbhiyan v. Union of India (2022)[62]: The Supreme Court upheld the 10% reservation for Economically Weaker Sections (EWS), emphasizing that distributive justice in a liberalizing economy requires affirmative state action to protect those excluded from globalization's benefits. The judiciary has consistently emphasized that economic growth cannot come at the cost of constitutional rights. In Kesavananda Bharati v. State of Kerala,[63]the Court declared that socioeconomic justice forms part of the Constitution's basic structure, thereby limiting the state's power to pursue economic reforms in ways that erode welfare commitments. At the same time, the Court has recognized the need to balance globalizationdriven development with rightsbased protections. For instance, in environmental cases linked to industrial globalization, such as M.C. Mehta v. Union of India,[64] the Court invoked the principle of sustainable development to reconcile economic modernization with the right to life.

The judicial response to globalization shares both strengths and weakness strengths are Widening Article 21 to encompass livelihood, food, health, education, and shelter; enforcement of welfare rights through public interest litigation (PILs); and acknowledgement of distributive justice in reservation policies.Judicial intervention has tended to be ad hoc, reactive, andPLdependent, with no assurance of systemic change. Courts have at times deferred to state policy when globalizationrelated reforms compromised socioeconomic safeguards.

[60]People's Union for Civil Liberties v. Union of India, (2003) 2 S.C.C. 688 (India).
[61]Unni Krishnan v. State of A.P., (1993) 1 S.C.C. 645 (India).
[62]Janhit Abhiyan v. Union of India, (2022) 10 S.C.C. 1 (India).
[63]Kesavananda Bharati v. State of Kerala, (1973) 4 S.C.C. 225 (India).
[64]M.C. Mehta v. Union of India, (1997) 3 S.C.C. 715 (India).

Therefore, even as the Indian judiciary has been an activist judiciary in the promotion of socioeconomic justice, its interventions are only as effective in a globalizing economy as the supporting legislative and policy framework.

TITLE 5: LEGAL REFORMS FOR EQUITABLE GLOBALIZATION (EXISTING POLICY AND RECOMMENDATIONS)

Globalization changes economic incentives, power relations and distributional consequences. Law and policy determine whether global integration yields widespread gains or concentrated benefits. In India, significant statutory reforms (labour codes, social security, CSR rules) and welfare schemes exist alongside constitutional promises of socioeconomic justice but implementation gaps and structural weaknesses continue. Reform must hence be both normative and instrumental

In spite of intensive policy and legislative efforts, India's equitable globalization legal architecture remains beset by continuing gaps. The integrated labour codes, though aimed at simplifying and widening protections, continue to exclude enormous parts of the informal labour force from their effective reach, with inspection and enforcement still weak — an issue underscored by the National Commission on Labour and compounded by empirical examinations of India's labour markets.[65] Writers in Economic and Political Weekly also warn that such reforms elevate employer convenience at the expense of worker protections, further entrenching precarity for marginalized populations.[66] No less urgent is the corporate accountability gap: India has no binding duediligence regime to oblige companies to detect and remediate human rights and environmental abuses along their supply chains, and it provides only modest remedies for victims of corporate violations, notwithstanding comparative jurisprudence like Nevsun Resources Ltd. v. Araya.[67] Journals in the Journal of International Business Studies stress that without obligatory corporate liability, globalization consolidates exploitative supplychain arrangements.[68]

[65]NAT'L COMM'N ON LABOUR, Report of the National Commission on Labour 55–60 (2002); Dipak Mazumdar & Sandip Sarkar, Globalization, Labour Markets and Inequality in India 3–5 (2008).
[66]See K.R. Shyam Sundar, Labour Law Reforms in India: All in the Name of Jobs, 52 ECON. & POL. WKLY. 46, 48–50 (2017) (EBSCO).
[67]Nevsun Resources Ltd. v. Araya, \[2020] 1 S.C.R. 166 (Can.); Surya Deva, Socio-Economic Rights in Emerging Free Markets: Comparative Insights from India and China 12–16 (2016).
[68]Peter J. Buckley & Mark Casson, The Future of the Multinational Enterprise in Retrospect and in Prospect, 40 J. INT'L BUS. STUD. 219, 221–24 (2009) (EBSCO).

Though such schemes of welfare like the Public Distribution System (PDS) and the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) offer valuable social security, they are dispersed, underfunded, and greatly susceptible to fiscal austerity and policy change under the pressures of globalization.[69] Oxfam's 2022 report, as well as recent Indian scholarship made available through EBSCO, registers how welfare institutions have been unable to offset wealth concentration and growing income inequality.[70]Lastly, there also exists a chronic implementationpolicy gap, given that even wellconceived legislation is negated by poor administrative capacity, inadequate political will, and absence of fiscal prioritization. According to scholars such as Amartya Sen and Joseph Stiglitz, good governance and solid institutions are key to transferring economic growth to actual socioeconomic justice.[71]

Policy Priorities & Recommendations

In order to synchronize globalization with the constitutional vision of socioeconomic justice, India needs to target reforms in five interconnected areas. First, in the area of labour and social protection, it is indispensable to enact a Universal Social Protection Floor consistent with the International Labour Organization's Recommendation on Social Protection Floors, which would extend to informal and platform workers, who constitute the lion's share of India's workforce.[72]

Legislation for Labour codes must be amended to establish essential rights like minimum wage, collective bargaining, and job security for subcontracted and gig workers, and compliance and inspection mechanisms must be strengthened through digital monitoring to reduce evasion.[73] Second, enhancing corporate responsibility requires enacting a Statutory Due Diligence Law that would oblige corporations to identify, prevent, and remedy human rights and environmental abuses across global supply chains. Comparative jurisprudence, such as Nevsun Resources Ltd. v. Araya, emphasizes the importance of binding corporate

[69]People's Union for Civil Liberties v. Union of India, (2003) 2 S.C.C. 688 (India); World Bank, World Development Report: Global Value Chains for Development 22–25 (2020).
[70]OXFAM INT'L, Inequality Kills: The Unparalleled Action Needed to Combat Unprecedented Inequality 5–10 (2022); S. Ghosh, Inequality in India: Trends, Causes, and Policy Options, 37 IND. J. LAB. ECON. 147, 149–51 (2020) (EBSCO).
[71]Amartya Sen, Development as Freedom 36–38 (1999); Joseph E. Stiglitz, Globalization and Its Discontents 21–24 (2002).

[72]Int'l Lab. Org. [ILO], *Social Protection Floors Recommendation* (No. 202) (2012).
[73]NAT'L COMM'N ON LABOUR, *Report of the National Commission on Labour* 55–60 (2002).

responsibility.[74] The CSR regime under Companies Act S.135 needs to be shifted from mere expenditure commitments to riskbased human rights effects assessments to make corporate responsibility effective.[75] Third, redistributive and fiscal policy are needed to reverse mounting inequality. Strengthening progressive taxation and shutting tax loopholes would create budget space for welfare, whereas public procurement policies must require living wages, hiring locally, and fair development benefits.[76]

Fourth, judicial and legislative actions must ensure socioeconomic rights by transforming some Directive Principles of State Policy (DPSPs), including minimum social security and basic health, into legal entitlements, while giving courts stronger legislative support to enforce distributive justice.[77] Lastly, under institutional and international convergence, India must have a National Policy for Equitable Globalization to harmonize trade, investment, and labour policies with justicefocused goals. At the same time, India must actively interact with global standards like the ILO Decent Work Agenda, the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the UN Guiding Principles on Business and Human Rights (UNGPs) to bring standards together and avoid a regulatory "racetothebottom."[78] Together, these changes can make globalization an engine of growth as well as of fairness, equity, and inclusive development.

The Expected Benefits & Potential Risks

The recommended reforms hold great promise for India's socioeconomic scenario. By covering informal and platform workers with social protection and labour rights, the reforms would lead to more inclusive growth and curb the extensive spread of labour market informalization. Enhancing corporate responsibility through statutory due diligence and CSR reform would give greater remedies against supplychain violations, putting India on par with international human rights standards. Fiscal policies, such as progressive taxation and fair procurement policies, would increase the state's ability to fund social protection and welfare programs, hence lessening inequality. Concurrently, inherent threats cannot be overlooked.

[74] *Nevsun Resources Ltd. v. Araya*, [2020] 1 S.C.R. 166 (Can.).
[75] Companies Act, 2013, § 135 (India).
[76] OXFAM INT'L, *Inequality Kills: The Unparalleled Action Needed to Combat Unprecedented Inequality* 5–10 (2022).
[77] INDIA CONST. arts. 38, 39, 41, 43, 46; *Unni Krishnan v. State of A.P.*, (1993) 1 S.C.C. 645 (India).

[78] Int'l Lab. Org. [ILO], *Decent Work Agenda* (2008); International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S. 3; U.N. Hum. Rts. Council, *Guiding Principles on Business and Human Rights*, U.N. Doc. A/HRC/17/31 (2011).

Political opposition from entrenched business interests, corporate transitional compliance costs, and administrative gridlocks in implementation are real challenges. These can be lessened by reforming in phases, consulting stakeholders, and building institutional capacity. As Amartya Sen strongly points out, good government is necessary to turn economic possibilities into actual freedoms,[79] whereas Joseph Stiglitz holds that redistribution and strong institutions are needed to make globalization deliver fair, not exploitative, results.[80]

Constitutional reform to bring about fair globalization in India needs a combination of rightsbased laws, enforceable corporate responsibilities, strong social protection, fiscal redistribution, and improved enforcement. Courts have a catalytic function but sustainable change also relies on consistent legislation, institutional capability, and political will to make globalization consistent with constitutional socioeconomic objectives.

CONCLUSION

Globalization has been a double edged force in 21st century India. In one hand, it has spurred economic growth, expanded trade, and integrated the country into global markets. On theother, it has intensified inequality, informalized labour, and marginalized vulnerable groups, thereby undermining the constitutional vision of socioeconomic justice. The research problem findsthe uneven distribution of globalization's benefits and the inadequacy of legal mechanisms tosafeguardfairness and remains pressing.

The judiciary has played a significant role in expanding socioeconomic rights under Article 21, through recognizing entitlements such as livelihood, food, and education yet judicial interventions alone are insufficient without systemic reforms. The analysis highlighted major gaps weak enforcement of labour protections, lack of corporate accountability, fragmented welfare systems, and limited administrative capacity to address such challenges, the paper recommends a reform agenda enacting a Universal Social Protection Floor, adopting a Statutory Corporate Due Diligence Law for strengthening progressive fiscal measures, converting select Directive Principles of State Policy into statutory entitlements, and aligning domestic frameworks with international commitments. Finally, globalization is neither just nor unjust in itself its effect will depend on the policy and legal frameworks under which it is taking place.

[79]Amartya Sen, Development as Freedom 36–38 (1999).
[80]Amartya Sen, Development as Freedom 36–38 (1999).