By invitation

Organizing the Unorganized Workers : Lessons from SEWA Experiences

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This paper highlights the specificities of the unorganized sector workers in the context of ongoing modernization and development. It focuses on the varied facets that have to be grappled with in building their organizations as they struggle to survive. The paper draws on the experience of the author who has spent over three decades with workers of two particular sectors, the fish workers and self employed women, both of which developed their own national organizations. She critically examines how the wider support structures that the trade unions of these sectors related to, helped develop multi level interventions that brought the significance and issues of these sectors into the mainstream discourse and thereby challenged the conventional understanding of labor organizations and the State in relating to these sectors.

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Introduction

While in Asia and the developing world the unorganized workers have formed the bulk of the workforce in a country, an increasing number of workers seem to be falling into 'precarious work' and out of organized labor even in the developed world today. Advances in technology have changed the organization of work in the organized sector in the developed world and with the liberalization of economies in the developing world vast changes in production and labor organization have also taken place here. All these changes have not only changed the nature of work, but labor relations as well. Whereas there has grown a greater flexibilization of labor, there is also the invisibilization of labor relations – when labor relate to employers only through the internet. Such changes have also seen what has been referred to as the 'feminization of labor' whereby an increasing number of women have been drawn into the labor force although the data does not seem to reveal this in our country.

One of the major ways in which capital has expanded is therefore the further

disorganization of labor and labor relations. But even before the expansion of capital in the post World War II period and till the present time, one of the features that characterizes the developing world is that production and large sections of workers remain in the unorganized sector. They have either been self employed, eking out a living in sectors like small scale fisheries, forest product collection and traditional production, or just been laborers in very small household enterprises like food production, agriculture, coir making, coconut oil production, and other smithy and indigenous handicrafts etc. In the last few decades some of these workers got inducted into production chain processes while they continued to work at home receiving production inputs from agents who act like the middlemen between the worker and the employer. While these workers contribute to the creation of the GDP of our countries and the vast production of handicrafts that India is famous for, there are still several of their trades that are not recognized or scheduled and hence they remain unrecognized, come under no social security net and they remain invisible. Large sections of these workers never had or have any workers rights. In the narrative that follows, the focus will be on these sections of workers and the issues around organizing them in India.

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Some Characteristics

The unorganized sector is diverse and has varied features. Labor in one sub sector may receive a wage for work done, there are those who are self employed. Among the former, many may not come into contact with the actual employer, they may receive a piece rate wage and could be working in their own homes. In another sub sector of the self employed, many may be dependent on a natural resource or maybe dependent on just the public space, like a street vendor, and may or may not be dealing directly with a consumer. Hence work and production relations in this sector can also be very complex and succumb to various kinds of exploitative features.

Over the last 25 - 30 years, India has seen the development of a variety of movements and growth of organizations in these sectors. Most of these movements have sprung from the spontaneous mobilization of people against oppressive forces or regimes and projects that challenged their rights to livelihood. Some of these struggles have been sustained and remain dynamic, others have waned. Some of them have evolved as formal organizations with informal structures. Developing new structures is problematic as the livelihood issues are simultaneously community issues. Life in the community and livelihood are so intricately intertwined. Communities have their own norms that govern livelihood, even the access to resources and distribution of gains. What they assert through their struggles is the defence of a way of life and livelihood. The hierar-

chies of age and division of labor are very different from the way 'organizations' are structured today. Yet if the livelihoods have to be sustained in these communities, they have to organize as the modern state increasingly needs to appropriate resources or make use of cheap labor thereby dismantling communities and simultaneously livelihoods.

The access to the natural resource base like the forest, wetlands, rivers, oceans is complex. During these past centuries those who eke out a livelihood from these resources have also sustained these ecosystems with their communitarian norms of management and control. These resources are today being privatized on a massive scale despite the fact that the State had not earlier regularized the use of these resources; namely recognized the customary rights of the traditional users and streamlined other public use. Unlike in the case of the First Nation communities in the developed world, the Indian state had not negotiated the use rights of these resources very specifically. In some states of India, governments did recognize these rights, like the koliwadas (fishing community) in Mumbai for instance. But for a large part, it is only after they created a hue and cry on the promise of the Constitutional Rights that the government has begun recognizing the existence of these communities although not always legally provisioning for them vis a vis the resource on which their livelihoods depend. Despite its limitations, the Forest Rights Act of 2006 is one of the more positive results of collective action on the part of all the forest dwellers movements to get recognition of customary rights to forest users. Having been traditionally marginalized, workers in these natural resource based communities have also been on the periphery of other developments like education and hence have minimal access to information. They are therefore extremely vulnerable and in most cases they are being either forcefully ousted or have been cheated out of their rights and marginalized. Hence with no organizational base, the future of these communities is in jeopardy.

Organizing the Unorganized

Two organizational forms/movements are discussed here. One of them is the organization of artisanal fish workers and the other is the self employed women workers. The former commenced in a village community of fish workers in Trivandrum, Kerala – Marianad, and the other with women reed workers, fish vendors and agricultural small farmers and wage workers when SEWA was organized in Kerala. The work with the fish workers commenced in the early 1970s and with the SEWA in the mid 1980s. Whereas both these were unorganized sectors, the trajectories of the movements and organizational strategies were in many ways very different. Essentially, whereas the former involved both men and women in one specific trade, the latter included only women but of several trades. In both these organizations I was one among a larger team/group/process made up both of members of the sector and 'outsiders'. I will reflect on them separately below.

Among Fish Workers

In the fishing sector, we did not commence with any political organizational awareness in the early 1970s. It was only when we got deeply into the daily lives of this community that we understood not only the intricacies of the fishery but also the reasons for poverty in the community. While this community was humanly so inspiring – in the manner in which it cared both for the members of the community and the logic with which it fished, the fact that they were being exploited by the more shrewd members of the community and by their allegiance to their religious institution, was something they had thought could not be changed. While this angered them, they seemed to see no way out. The initial step was to break the myth that loans had to be repaid in kind and provide information that they could create joint economic ventures like cooperatives. The first step therefore was to help them organize to gain control of the fruits of their labor, exploited as they were by moneylenders and merchants. This was not an easy task as the forces against the fishers were more powerful and were not going to surrender their control so easily. Hence the creation of fisher's cooperatives was initially a physical struggle which was in itself a learning experience for the fishers as to how the powerful in the society held them captive. But finally with the successful fight and the organizing of cooperatives the fishers marketed their fish collectively and thereby got directly the fruits of their labor. Nevertheless, the process of sustaining the cooperatives, whereby the members themselves kept the control in their hands and helping them develop a democratic leadership style was a massive task in itself (Program for Community Organization 1989).[1] To put things in a nutshell, the cooperatives finally were able to develop data on the small scale sector that even the State did not have and with this data were eventually able to stake a claim for the small scale fisheries in the State and eventually find a place on the national and international agendas.

It was a deeper understanding of the economics and science of this sector that assisted in sustaining the spontaneous outbursts of resistance that evolved in the coastal communities in different parts of the country from the late 19970s onwards that consolidated into the National Fish workers' Forum – a trade union that represented the cause and demands of the small scale fish workers. It was this organization of the fish workers that managed through various struggles, to get a series of legislations that not only accepted the customary rights of the communities to their livelihoods but also to demarcate the fishing zones, The Marine Fisheries Regulation Act 1978, so that the artisanal fish workers would have access to resources in the oceans and be able to survive. By the late 1980s, the state governments, particularly of Kerala, Tamil Nadu and later the other states gradually began to recognize fishworkers as workers with rights and to provide budget allocations for them and legislate for their welfare. The departments of fisheries began to produce data on the

[1] Details separately documented in Program for Community Organization (1989)

fish workers and not only on the craft and gear as it did earlier in the animal census, and finally also to produce disaggregated gender specific data thereby highlighting the sexual division of labour in the community and gradually budgeting for women's activity in the fishery as well.

The specific focus on women as workers in fishery and their needs as workers was a very specific contribution of this movement to the understanding of the small scale fishery. Retaining the space of the women in the fishery was the focus and hence the issues that women faced in their work, the problems of transport to the market, high market taxes, the conditions of fish markets, including them in the social security schemes etc. were all issues on which fisher women in different states agitated for and got their rights. Trains from harbors in Valsad to Mumbai have special bogies for women fish vendors, special buses for women from harbors to markets were put on the roads by the Maltsya Fed in Kerala, in Tamil Nadu, the public transport buses were modified to carry the baskets of women fish vendors, markets were improved in several places like Goa, Kerala, Tamilnadu – in short where ever the movement took these issues up, agitated for their rights, some gains were achieved. The security and rights of migrant women workers in the processing plants was also highlighted by the Union thereby bringing the fish processing industry under the scanner.

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All along, the fish workers movement was supported by groups that were committed to the cause but outside the union. I was part of the organization called the Program for Community Organization (PCO) that was based in Trivandrum and also the International Collective in Support of Fish workers (ICSF) that was based in Chennai. There was thus a simultaneous awareness creation and lobby on the issues both at national and international levels. The small scale fisheries all over the world were in jeopardy. New frameworks for legislation were debated and created. Fisheries issues entered other mainstream debates on agriculture, food policy, environmental debates and the women's movement. This is how also the fish workers initially built support and thus got a space at the international fora like the FAO and various UN platforms to build international solidarity and highlight their issues[2]. Internationally, the FAO was urged to develop standards on small scale fisheries and the ILO also created the Work in Fishing Convention in 2008.

While the initial building up of the movement took place in Goa and Kerala, it gradually spread over the years and today has members in all the coastal states. In this way, the small scale fish workers found a place on the economic and political map of the country and they developed organizations to represent their cause. But it was only in Kerala that the economic organization of the coopera-

[2] These processes are well documented in publications of the NFF and the ICSF listed in the references.

tives of small fishers established a base and then gradually expanded to Tamilnadu. More recently, cooperatives have been organized in Gujarat as well. These cooperatives were very male dominated and did not want to take any particular feminist or ecological positions. They did not have any particular organic link with the union. In Maharashtra and Gujarat the cooperatives comprised larger fishing craft and were also politically quite powerful as economic entities and developed a logic of their own but were supportive of the union when it came to raising their demands of access to the oceans against the foreign trawlers and diesel subsidy from the central government. With the recognition of the fish workers by the state, a minimum of social security and access rights were established. But what the fish worker movement was unable to do was to parallelly build up the economic organizations particularly the production and marketing cooperatives as an integral part of their union and thereby link into the union the '*sangarsh* and *nirman*' approaches, so important for sustaining organization in the unorganized sector. Moreover when the union got national recognition, the leadership lost touch with the base and in this way was not able to reap the benefits from the very progressive legislation it had achieved for the sector. The lack of an active and cohesive base also meant that the movement was unable to implement the new development approaches of resource management and community participation that they succeeded to achieve at the policy level. This lack of ability to sustain the base, build local participatory structures and thereby develop new leaders was almost a natural consequence of separating the dual political and economic thrust of the sector. The inability to build alliances with other working class organizations also meant that fish workers remained out of the ambit of the wider Indian Labor Congress and therefore blunted its edge to lobby for the issues of unorganized workers in the mainstream labor movement.

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This was unlike in SEWA where the support structures were inbuilt in the union. In fact, it is imperative at this stage, that unions of the informal sector continue to be supported by like minded groups as unions in this sector cannot ruffle up the resources to develop research capacity in the start up phase and sustain it for a long period. Lobbying for their rights in the wider labor front is imperative if a larger share of government spending has to be invested in their social security. Moreover, building constructive economic alternatives is crucial to the sustenance of the struggles of this sector for which technical and training support is indispensable.

Self-employed Women Workers

The organizing of the self employed women workers in SEWA has also been

another experience. When we started in Kerala, we were inspired by the work of Elabhen. As is well known, the beginnings of SEWA were made in Gujarat by Elabhen Bhatt who saw the need of these workers in the city of Ahmedabad – initially a group of women workers that serviced the textile industry and who were not accepted and given their space among the organized workers in the industry. Hailing from a trade union background herself and Elabhen being the activist that she was and understanding the fate of other similar women workers she went into organizing them. While women began to organize as workers on the one hand, in the SEWA union, a series of services were also created within the organization to sustain them in their productive activity[3]. In this way, the members were assisted to collectively create their own production units be they cooperatives, producer companies or associations. No violent struggles took place as SEWA, true to Gandhian principles, found solutions through negotiation. The leadership was given by Elabhen herself as the secretary of the union and she was able to attract a large number of other women who desired to do similarly. Thus the organizational base grew in different states.

The eleven principles of SEWA[4] and the collectivization strategy were the building blocks. Collectivization not only gave women physical strength, as Elabhen wrote – "we are poor but we are many'(Bhatt, 2005), but helped them put their little monies together and sustain their economic activity when the State was oblivious to their needs. This grew into their bank and eventually took care of their other financial requirements. But this was not all, this unionization and collectivization also made them visible as workers who not only eke out their own living but who also contribute to the national domestic product and for whom the state does very little in return. The focus was on giving these workers a voice and it was through their collective deliberations that they sought to make their existence visible. Hence it was at one of their general body meetings that they decided to draw the attention of the Central Government to the existence and issues of the unorganized sector and they went as a delegation to the Prime Minister with a written request to bring out a status paper on this sector. Subsequently the Commission on the Study of the Unorganized Workers was set up with Elabhen as the Chairperson. It was the work of this Commission that produced the Shram Shakti Report in 1988 highlighting in detail all the work that women do as producers in the economy in this sector. This report became the base on which further studies on the unorganized workers were developed and there began to be a growing awareness and interest in the economic role of this sector in the economy. With this theoretical positioning and the growth of movements in the unorganized sector demanding their rights, the focus of the Second Labor

[3] These are well documented in SEWA publications listed in the references

[4] 11 principles of SEWA: Full employment, regular income, nutritious food, health care, housing, asset creation, organized strength, Self reliance, leadership, education, child care

Commission Report in 2002 creating an Umbrella Legislation for the Unorganized Sector Workers, was an important outcome. This draft legislation drew on the experiences and demands of various movements in the unorganized sector and therefore provided a new rights framework for these workers while also acknowledging the traditional access rights to the resources on which their livelihood depended. While the Second Labor Commission Report unfortunately heralded in damaging legislation for the organized workers, for the first time the contribution of the unorganized workers to the economy was acknowledged and thus gave a spurt to the demands of the unorganized workers. That representatives of the organized workers did not see the urgent need to transform their politics and combine the issues of the organized and unorganized workers to offset the impact of globalization I consider a grave historical mistake.

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Over the years, SEWA Gujarat established itself by evolving autonomous work and life cycle subsidiary and support institutions for its members in health care, child care, home and sanitation, health insurance, a workers academy for research, training and audio visual documentation of their issues. The marketing chain for its handicraft, particularly the agriculture and food products with its own brand name has given the members a sense of sisterhood as they produce for each other and market locally thereby giving the women workers in the unorganized sector an entire grasp and hold over the various institutions on which their work and livelihood depended. This in reality is what a social union movement is about.

In the early 1980s, SEWA in Madhya Pradesh was also established and grew with an initial base among the *tendu* leaf gathers and spread rapidly to other sectors. SEWA Kerala also set roots in the mid 1980s. Its members were initially direct members of the Gujarat union but was eventually registered as a trade union in Kerala only in 2009. It concentrated initially on getting the rights and recognition of domestic workers while simultaneously taking up the issues of fish vendors, reed workers and street vendors. Subsequently SEWA was invited by various governments and local individuals to commence organizing women workers in several states. Hence by the end of the last century, SEWA planted itself in various states in north India and by the end of 2010 it grew into a banyan tree forest as the number of trades of different kinds of workers joined the union and the workers in the union in turn established their different production or marketing units. But above all, all these workers in one way or another began to have an identity as workers and different states had to begin declaring minimum wages for them and establishing different kinds of schemes for their welfare. With the increase in membership of workers from different trades and with the establish-

ing of the unions in different states, the SEWA Union finally applied for recognition as a Central Trade Union, a status that it finally got despite being opposed by other Central trade unions because of its focus only on women and workers in the unorganized sector. This finally gave SEWA a say in the Indian Labor Congress which continues to be the tripartite body where labor issues are discussed and deliberated upon. It was this edge that SEWA was also able to use in highlighting the issue of domestic workers in the Labor Congress. When workers from around the world were demanding standards for domestic workers at the ILO, SEWA was able to rally other mainstream unions on this cause and together we were able to change the decision of the Indian Government and get a positive vote for a Convention on Domestic Workers in 2011. In both Kerala and Gujarat, SEWA demonstrates how domestic workers can get their recognition and rights by collectivising as workers in a sector in which there are clear employer-employee relationships but in a very dispersed and otherwise private workplace. The struggle to get a comprehensive legislation for domestic workers in India is on the anvil.

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At the global level too, SEWA has spearheaded several discussions on the informal sector creating international platforms where important positions are articulated. The ILO launched the concept of the informal sector three decades ago(Bangasser, 2002) and finally launched a process to discuss Decent Work for workers in this sector. All these processes led to an ILO Convention 177 in 1996 on Home Workers and several other international networks like Street Net and Home Net focusing on issues like street vendors and home based workers – all in the informal sector. The creation of the international research network in which SEWA also played a prime role, called Women in the Informal Economy Globalizing and Organizing - WIEGO which collated and analyzed data on this sector globally has also given impetus to women workers organizing globally. The most significant of these has been the build up to the international struggle of the domestic workers who were able to speak for themselves at the ILO and impress upon the governments that they were not going to take 'no' for an answer and finally got the ILO Convention 189 on Decent Work for Domestic Workers passed in 2011. The support of a trade union like the International Food Workers Union, of which SEWA is a member, that made this historical Convention possible must also be acknowledged here. Several of these positions were difficult for the mainstream trade unions to accept as they felt focusing on the demands and issues of this sector would divert the focus from the organized sector that was beginning to loose out in the process of globalization. Eventually, because of the pressure of SEWA and a few other unions of the unorganized sector in other parts of Africa and Latin America, even the International Federation of Trade Unions (ITUC) has

created a desk for the concerns of this sector with SEWA as the Vice Chair in 2011.

While the organizational strength of SEWA has thus to be acknowledged, the struggle has been many pronged – from collectivisation of workers, to data gathering, to visibilization and finally to policy impact with legislation and budgets for this sector.

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In 2009, SEWA finally got recognized as a Central trade union. As a Central trade union the mission of SEWA is now to introduce the discourse on informality and women's issues in the labor front in the country. This is certainly a very challenging task given the way the Labor Conference is structured and organized and being so overwhelmingly male dominated. Now that India has an Act on the Unorganized Sector – though only a welfare Act at that, many trade unions are content to take recourse to the welfare measures and increase their membership. But the task is still unfinished as the unions of such workers in this sector have to focus on the regulation of work and to get the rightful share of social security and rights to labor standards like all other workers as they continue to contribute to the cake of capitalism that gives India the competitive edge it has gained in the post globalization period. Moreover, protecting the rights to livelihood is the major task of trade unions towards the unorganized sector workers. This is not an area that the mainstream unions are willing to focus on unless circumstances push them to do so.

This is probably where the issues like those taken up by the Fish Workers Union and those of a union like SEWA actually intertwine. It is basically the impact of development on the environment and on women that take a toll on the life and livelihoods of these sections of workers which are also the most contentious issues in global development today. While speaking of green politics or combating climate change, or even combating 'terrorism'/revolt for that matter, the only logic that economists seem to focus on is 'growth' based on accumulation and exploitation, hoping that it will trickle down. But that growth can also be based on distributive justice and well being makes no 'economic sense', it appears. The growth of the last decade in India has essentially been jobless growth. Such growth is neither sustainable nor just and does not trickle down very far. It is an alternate development paradigm that focuses on people's needs and develops an infrastructure that supports their local production – "the bubbling up effect" (Jain, 2011), that will certainly deliver better social and economic dividends. The demonstration of a 'people's sector" as SEWA likes to call it, where people produce for their needs and have control over their production while mutually supporting each other, is what some countries begin to see as an alternative to ongoing capitalism – "the solidarity

economy''. Nevertheless, we all know that an alternative to capitalism involves more than this as it is the State that maintains the system and the process of taking over state power is a much larger political task.

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The Challenges

Organizing this section of workers nevertheless has its own challenges both from within and from without. Being dispersed as they are over large expanses of the territory itself makes contact between workers difficult. Moreover having lived in their own isolated worlds, getting an understanding of the macro processes, until they are hit, is another great hurdle in getting together. There always has to be some entry point and this could be any burning issue experienced by the community like lack of drinking water, lack of raw material etc. around which unity is first built. It is the workers who are first hit by an issue and struggling to find a remedy that leadership among the workers develops. Such workers then become the aagyvans/animators/contact point for further mobilization. SEWA's approach has always been to link such initial issues with constructive work: no water in the bore well then teaches the women how to repair the bore wells; no access to finance then creates your own savings and develops micro finance organizations; no bank in your area then starts a bank extension service; no proper returns for products you grow then collectivizes and organizes producer cooperatives and bargain for better prices. While thus organizing, gets aware of your rights as workers and joins the union. It is through collectivization that the strength of this disorganized sector has finally become a force to reckon with in certain sectors.

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Keeping production units economically viable is a task that requires support initially particularly to build the capacity of the workers. Such support initially has to come from without. Being able to sustain this support structure is also a responsibility and unless the workers economic organizations rapidly stand on their own feet, this can develop into a white elephant. Given that this is possible, the dynamics between the producers themselves and the support staff in terms of leadership and 'voice' is another area that has to be kept in mind. Over a certain period of time, the producer leaders/ aagyavans do develop their own capacity but then they should also be willing to let other younger leaders grow as well. Most of the time, young women are so busy with their livelihood activities that they can hardly find the time to participate in meetings leave alone training sessions. Relieving such burdens in order to find the time and space to grow has to be consciously created. Our experience in the fish workers movement was that

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the male leaders initially were unwilling to accept women leaders in their own right and to take up the issues that related to women workers. Again, as the male leaders grew, they found it difficult to accept the supporters whom they felt stole the limelight and so they disassociated themselves from us. So eventually, maintaining internal democracy within the movements and permitting the young leadership to grow and simultaneously sustaining the base was difficult for the organization to do creatively. On the other hand, SEWA is an all women's organization and there is no gender divide. Women's issues and leadership are a fait accompli. Moreover, the support structures are an integral part of the union and a huge effort is made to see that local and younger leadership develops. But this is not a given and we cannot say that SEWA succeeds in this everywhere. Leadership struggles can develop in any human context and SEWA has to beware of this happening. While democratic institutional mechanisms are in place, keeping such mechanisms fruitfully and creatively alive is a time consuming and expensive job in a large country like ours. Hence the challenge. While Elabhen has made a very graceful exit from the Union, fully trusting the younger leadership and always available for council, keeping alive her legacy is certainly not an easy task.

Maintaining the balance between political work as a union and constructive work simultaneously, is at the same time a challenging and seemingly 'misrepresenting' approach. The fact that the SEWA members are involved in constructive economic activity tends to take away from the image as a trade union. Where as this dual strategy is an essential element of organizing workers in this unorganized sector, the struggle dimension for recognition and rights at state level does not receive media coverage. Nevertheless, if other central trade unions do not see SEWA responding to issues at the national level we have only ourselves to blame for this. Despite being a Central trade union, until very recently SEWA was relatively silent on national issues that affect workers and also kept some distance from the larger trade union movement. But being based in Kerala, where the trade union movement is extremely alive, SEWA is finding a niche for itself on bringing the issues of the women workers to the wider labor front. This is simultaneously happening at national level and hopefully it will grow.

It needs emphasize that rapid organizing among the unorganized sector workers is the need of the hour. It certainly is not easy but it calls for greater focus and many more hands to build broad based alliances and thereby a louder and concerted voice for this sector.

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