

# Formal Organising in the Informal Sector: The Hawker Sangram Committee and the Politics of Hawking in Kolkata, India

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## ABSTRACT

Drawing from ethnographic fieldwork, this article offers a close reading of the Hawker Sangram Committee (HSC), an independent street vendors' union in the city of Kolkata in the state of West Bengal in eastern India; I explore the manner in which the politics of the HSC expand or complicate our understanding of street vendor politics and informal worker organising in the Global South. I argue that the HSC's ability to implement its politics and successfully organise rests heavily on its dual strategy of organising (simultaneously building the struggle at the macro and micro level), which widened from space-bound little struggles to larger collective action (while still holding on to the former). I contend that the execution of this dual strategy is possible because of its structure, in which its member unions function autonomously, with member union organisers/leaders connecting the local hawkers to the central HSC leadership. Thus member unions comfortably negotiate a relationship where they participate as the HSC, with no political party banners, on work and livelihood issues related to hawking, while retaining their autonomy and various political identities at all other times. This parallel relationship has arguably built a stable base from which the HSC movement was able to scale city-wide, nationally and internationally, without disintegrating at the local level.

## KEYWORDS

Informal workers; street vendors; hawkers; Hawker Sangram Committee; Global South

## Introduction

This article attempts a close reading of the Hawker Sangram Committee (HSC), a powerful street vendors' union in the city of Kolkata in the state of West Bengal in eastern India, and explores the ways in which the union's politics of organising expand or complicate our understanding of street vendor politics in the Global South.

The HSC, formed in 1996, is the largest and most powerful federation of hawker unions in Kolkata, and is a founding member of the National Hawker Federation (NHF), which claims to be the largest federation of hawkers in India. ("Hawker" is used instead of "street vendor" henceforth.<sup>1</sup>) It articulates itself as a trade union and stays unaffiliated to political parties, though its member unions are free to do as they wish in this regard. My engagement with them began as

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<sup>1</sup> The terms "street vendor" and "hawker" are frequently understood differently in various global contexts. In India, however, they mean the same thing and are used interchangeably (Bhowmik, 2006), with the latter term being preferred in Kolkata among HSC members.

an ally in 2012, and then continued as a researcher.<sup>2</sup> I undertook ethnographic fieldwork with them from 2012 to 2015, followed by more fieldwork in 2017. I spoke with hawkers and the site organisers in their vast network of over fifty member unions in Kolkata, with the central leadership of the HSC, including extensive conversations with their founder and General Secretary Saktiman Ghosh, and participated in their events and internal meetings, among other forms of interaction. For material prior to 2012, I predominantly rely on secondary literature, including newspaper reports. Drawing from findings related to their membership profile, leadership structure, politics, internal dynamics and limitations of organising, I argue that a critical factor responsible for making the union work so well is its dual political strategy of organising – that is, a successful nurturing of struggles at both the micro and macro levels, of being attentive to militant, local space-based struggles, while also scaling up and expanding its scope of politics beyond immediate eviction-based concerns, including the pursuit of what became the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

This study is an attempt to address a gap in the literature on hawker politics, where there is a dearth of close studies of hawker unions. Indeed, some scholars argue that this – insufficient primary studies on union organising – is a problem that plagues research on organised informal workers’ movements in general (Schurman and Eaton, 2012). This gap leaves us with very little knowledge of the operational dynamics, trajectories and logic of organising of hawker unions, the factors that contribute to the building of strong, durable organisations and the limitations that prevent them from becoming more inclusive in their organising.

This research gap, I would argue, has self-evident implications for how we read and understand hawker movements. For example, scholars have noted that socio-economic hierarchies on the street tend to be reflected within hawker politics (Forkuor, Akuoko and Yeboah, 2017; Lindell, 2018), leading to gatekeeping and legitimate concerns about whose interests are represented (Bandyopadhyay, 2016; Lindell, 2018). I discuss later in the article how unions appear to have space and agency to choose how far they wish to accept these hierarchies in their structure, and that when asking questions about representation and exclusion it might be a good practice to differentiate between deliberate exclusionary political practices and more circumstantial ones (since the difference between the two could indicate future political direction and potential).

The research gap mentioned above has implications for our understanding of broader informal workers politics as well. I contend that if we are to research and theorise politics of informal workers, we must disaggregate the study of the urban poor and sharpen our focus, separately, on the politics of each of the various categories of informal workers who fall into that often catch-all phrase of “urban poor”. Although hawkers form a significant segment of workers within the urban informal sector (and of the urban poor), they have remained arguably understudied<sup>3</sup> and frequently subsumed under this category of urban poor (encompassing diverse occupation groups). Theorisations on the politics of the urban poor in the Global South do not always adequately capture hawker politics or explain the existence of unions like the HSC. For hawkers making legal, long-term claims for rights to livelihood security, mobilising on class politics in unions does not fit neatly within the explanatory frameworks. For example, Partha Chatterjee’s (2004) influential “political society” formulation argues that the law-transgressing

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<sup>2</sup> Unfortunately, including a discussion on the methodological implications of this is not possible here.

<sup>3</sup> Indeed, it is possible that much of the emerging body of work on hawkers in the Global South owes a considerable debt to Sharit Bhowmik’s extensive and pioneering activism and scholarship.

urban poor, in third world developing societies, mobilise into groups he calls “political society”, and make moral (as opposed to legal) claims to rights to livelihood and shelter from the state. The state and political society interact with each other in a terrain of politics that is predicated upon quasi-legal negotiations, temporary and non-justiciable rights, all of which are subject to the political calculations of the moment. Political society groups in turn accept that their activities are illegal and contrary to good civic behaviour and ask to be seen as exceptions (Chatterjee, 2004). However, in India, formally organised unions like the Self-Employed Women’s Association (SEWA), the National Association of Street Vendors of India (NASVI), NHF and HSC have included but gone beyond the typical tactics of political society. Hawkers have a history of pushing their claims beyond temporary, non-justiciable solutions, and instead expressing them as rights under the law (visible as far back as 1967).<sup>4</sup> Therefore, from the point of view of hawkers articulating a demand for *legalisation*, eventually winning the struggle for a law in 2014, and making their political claims from that vantage point, the political society argument was never an entirely satisfactory explanation for their politics.

In existing hawker studies, the focus frequently tends to be on the multiple strategies for horizontal and vertical negotiations with the state and urban authorities, deployed by individuals or by localised, transient collectives. Rarely is the focus on formally organised unions of hawkers. Since our theorisations of informal workers’ politics draw heavily from empirical studies, the more broad-ranging and numerous our empirical studies, the more we are able to challenge and expand our understanding of informal workers’ politics. Electoral power, for instance, has often been seen as a key leverage point for informal workers, based on certain cases studied (Chatterjee, 2004; Roy, 2004; Agarwala, 2013). However, the HSC reveals that while electoral power does have a role to play, it cannot be considered a leverage point (discussed later).

Of course, a question may arise as to whether hawkers can be considered informal workers at all, and whether their politics should be read as informal workers’ politics – the question, in other words, of the class position of hawkers. Perspectives vary on this, and in place of offering a resolution, I offer, instead, four points that might be useful to keep in mind while thinking this issue through.

First, there has been a gradual disappearance of the secure, formal worker with well-defined and established rights within stable jobs, and a proliferation of the insecure, “informal” worker in both formal and informal sectors.<sup>5</sup> Thus one now needs to re-examine the formal worker/informal worker divide itself, forcing a potential reframing of the problem (of organising informal workers), though that lies outside the scope of this article. However, that said, hawkers remain a significant occupational group even within a very traditional (binary) understanding of the informal sector, and, despite increasing instances of organising in this sector, the challenges remain significant. While many scholars feel that traditional labour movements are on the wane, we do know that new initiatives are growing across the world, led by those who have not normally been considered a part of the working class (Bonner and Spooner, 2011; Agarwala, 2013; Chhachhi, 2014; Bandyopadhyay, 2016). The future of the workers’ movement is arguably

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<sup>4</sup> For the manner in which the food hawker petitioners challenge the authority of the municipality and speak of their fundamental right to ply their trade, see Supreme Court of India (1968).

<sup>5</sup> This article aligns with the definitions of the former National Commission for Enterprises in the Unorganised Sector (NCEUS) in India, set up in 2004, where “informal sector” is determined by the characteristics of the enterprise and “informal employment” by conditions of employment. This allows us to recognise the presence of informal workers in both formal and informal sectors of work.

going to be emerging and emergent forms of workers' movements in informal work settings, which, globally, is beginning to characterise work in the formal and informal sectors.

Second, scholars on hawkers should resolve the question of how to categorise in multiple ways. Saha (2017) appears to leave the classification in play between that of workers and micro-entrepreneurs. Others, like Bandyopadhyay (2016), suggest that hawkers have generated a separate category for themselves, and that, while clear separations between labourer and owner of capital do not exist for hawkers, in the Indian context unionisation represents the latter. My fieldwork shows that many owner-hawkers hire employees on a daily wage system, either year-round or for seasonal rushes. Like Bandyopadhyay, I too found the movement to comprise only owner-hawkers and not employees. Interestingly, I met owner-hawkers within the HSC who had started out as employees, indicating that employees, owing to such mobility, might continue to have ambitions for and stakes in the unionisation process.

Third, hawker organisations in India themselves appear to take conscious political positions vis-à-vis class. Some, like Manushi Sangathan (Delhi), espouse rights in the language of and under the paradigm of the free market (Kishwar, 2004, 2020). Others, like NASVI, may be considered to be positioned more towards the centre, accepting diverse kinds of organisations into its fold, including non-governmental organisations (NGOs), and deliberately declining to seek ideological common ground within its membership, in a bid to be as inclusive as possible (Kumar and Singh, 2018). The HSC, on the other hand, uses the rhetoric of class politics, and takes a coherent position against capitalistic development models (including in the organisational alliances it builds), even though the structure of its movement and organisation is not that of a traditional trade union (discussed later). Furthermore, in at least two national consultation meetings of the NHF in 2014, I witnessed discussions by the leadership that expressed the need, going forward, to keep ensuring that the movement and the law catered to the most vulnerable among hawkers. There was concern and anxiety about the “genuine” hawker, indicating a desire to keep the unionised hawker identified with the toiling masses. (The opposite of the genuine hawker was spoken of by the leadership as the opportunists who would try to gain vending certificates under the 2014 Act, and profit by renting out those spaces).

Fourth, within India, the law's definition is broad:

... a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, sidewalk, footpath, pavement, public park or any other public place or private area, from a temporary built-up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific... (Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, pp 2–3).

This is still premised on the notion of the “subsistence” hawker, running on a bare minimum of resources, as if the prospect of prosperity makes them undeserving of state protection. The presence of the employer–employee relationship is entirely missing in the language, imagination and provisions of the law. Nor have any of the hawkers' movements thus far advocated for them. That said, the broad definition leaves scope for generous interpretation in court, accommodating the diversity within the occupation. Despite the fact that even before the 2014 Act hawking had rarely been outright illegal in India – the problem was more that of legal grey zones created by conflicting municipal and police laws – experience on the streets was such that it might well have been. I argue that this became a factor in creating a common identity that still endures, for though the Act now supersedes all existing laws, harassment and evictions still continue, as

hawkers' movements fight to operationalise it.

This article is structured to follow this introduction with a section recounting two significant moments in the HSC's history – large-scale evictions followed by militant resistance and reoccupations in 1996 and 2012. Asking what made it possible for them to stage this militant struggle, the article attempts to interpret such acts within the framework of existing literature on hawker politics in the Global South and goes on to more fully explore the question within the explicit discussion of the HSC (with sub-sections “Members and leaders”, “Politics”, “Internal structure, internal dynamics” and “Limitations of organising, limitations of the movement”). The concluding section wraps up the discussion with a brief observation that the example of hawkers' organising remains one of many testimonies to the fact that informal workers' politics have not killed the workers' movement.

### **Context: Broad Contours of Literature on Hawker Politics**

One day in March 2012, I returned to my Kolkata neighbourhood to be met with the sight of bulldozers and rubble at two separate hawkers' markets. One had been dominated by rows of roadside eateries, and the other a market of diverse offerings. Both had been flattened by the Kolkata Metropolitan Development Authority (KMDA) in a matter of hours. On asking, a few hawkers, who still stood amid the broken shards of clay tea cups scattered everywhere in the eateries market, told me that they had received verbal demolition notices of forty-eight hours (some said less than twelve hours). Later, newspaper reports mentioned demolitions and attempted evictions along an approximately six-kilometre stretch of the E.M. Bypass, a high-traffic, multi-lane road in Kolkata, for a proposed broadening of the road, and that such evictions had been carried out at other locations within Kolkata in the past few months (Bhattacharjee, 2012a, 2012b; TNN, 2012). Ghosh (2012) released a press statement on behalf of the NHF stating that 4 000 hawkers and 3 000 slum-dwellers were evicted from that stretch, in a recent city-wide spate of evictions.

In the next few days, I noticed the appearance of HSC banners, tied up at both markets, inscribed with the words “*Ei uchhed kar sharthbe?*” (“Evictions in whose interest?”),<sup>6</sup> as well as daily protest marches by the hawkers. They said they were maintaining twenty-four-hour vigils by their reoccupied spots, where I noted they continued to operate with reduced goods, to guard against re-eviction, running a community kitchen on-site with rations provided by other HSC members. (Months later, an HSC member union at a wholesale rice market mentioned contributing rice and pulses for the kitchen.)

Attending their mass meetings, I heard strategy and action urgently discussed, and women hawkers militantly declare that if the bulldozers came again, they would have to go over their bodies. They also stated firmly that the sites must put up a united front: hawkers who did not add their sweat to the resistance would not be allowed to enjoy the fruits of the resistance.

At other evicted sites in the city, I attended various demonstrations. They kept this up (on a daily basis, I was told by organisers) until May 2012, when the HSC leadership, accompanied by its city-wide membership, went for a formal meeting with the urban authorities, at whom they symbolically waved empty plates. The hawkers received formal assurance that there would be no more evictions and that these hawkers would either be accommodated at the same spots or be

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<sup>6</sup> The E.M. Bypass hawkers affiliated with the HSC in the immediate aftermath of the 2012 evictions, though not all hawkers along the affected stretch did so. Only members displayed banners.

given mutually-decided-upon alternatives.<sup>7</sup> By this time, most of the evicted hawkers who had joined the HSC across Kolkata were back in full operation at the re-occupied sites.

These evictions had engendered a universal sense of shock and outrage; countless hawkers told me they had not experienced anything of this scale since the infamous Operation Sunshine in 1996. At that time the opposition leader Mamata Bannerjee had actively participated in the resistance that followed, but in 2012 she was the Chief Minister, and it was her Trinamool Congress government that had ordered the evictions. As one HSC organiser pointed out, these days it does not matter which party is in power, “only the chair changes”.

In fact, the 1996 Operation Sunshine they mentioned had birthed the HSC. It referred to a planned mass eviction of hawkers from twenty-one thoroughfares by the Left Front state government (in power from 1977 to 2011), as part of the development vision of their new 1994 Industrial Policy, which aimed to take advantage of India’s economic liberalisation in 1991, and improve the region’s poor economic performance. There was a new economic mood and determination to refashion the city to attract foreign capital. In recovering events from that eviction drive, some of which I share here, I rely solely on secondary sources. Ghosh (2000) speaks of how various hawker unions in the city had started to sense the impending evictions three months before they actually began on 24 November 1996, and went into a flurry of activity, realising their older methods of defending their space would not work this time.<sup>8</sup> This culminated in the decision to form an independent federation of hawker unions, bringing together over thirty hawker unions in the city and seven central trade unions, which approached the High Court and organised rallies, launched public campaigns, forwarded proposals about rehabilitation and started to proactively guard their stalls.

Despite all this, amid a massive deployment of force, 1 640 stalls were razed and 102 hawkers were arrested (Ghosh, 2000). By July 1997, however, HSC hawkers were back on all the cleared roads, following militant protest actions. Records of the HSC fightback and reoccupation can be recovered from newspaper reports (*Financial Express*, 1997; Bhattacharyya, 2002; TNN, 2010), Ghosh’s (2000) personal account, oral accounts of HSC members, the HSC’s archives (where I saw their photographic documentation) and Bandyopadhyay’s (2016) comprehensive research. Notable Kolkata scholars like Chatterjee (2004) and Roy (2004), however, appear to have missed the HSC presence and fightback.

Arguably, what stands out from 1996 and 2012 are less the evictions and the HSC resistance.

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<sup>7</sup> On the E.M. Bypass, this took the shape of permanent stalls being constructed on-site by the KMDA, and the construction of one Bangkok-style floating market. The handing-over process began in 2018.

<sup>8</sup> One gathers from Bandyopadhyay’s (2016) history of hawker organising in Kolkata that prior to 1996 hawker unions were extensions of the trade unions attached to political parties and that they made their claims based on the logic of a) their loyalty to ruling government and thus deserving the reward of protection, and b) deserving exceptions because they were poor, hardworking and partition refugees (articulations, in other words, as political society). During the Left-front coalition government led by the Communist Party of India (Marxist) (CPI(M)), he notes that it was common for hawkers who were unorganised till then to join non-CPI(M) Left-front party unions, in order to take advantage of coalition factionalism and because that tended to make them more acceptable to the opposition parties.

In the context of this particular study, I would argue that perhaps the experience of Operation Sunshine taught Kolkata hawkers that they could not rely *solely* on their moral claims as part of political society negotiation with the authorities (particularly since the political conditions that gave rise to the idea of political society had changed since the 1990s, the neo-liberal turn shrinking the space for such negotiations), and that they needed a more strident, independent organisation of their own (such as the HSC) and a stepping-up of their campaign for legislation.

In the context of a city and state known for having their political spaces controlled by political parties, how did the independent HSC wrest such reoccupations of eviction sites (which are quite rare in India)?<sup>9</sup> And how did it keep its union going strong for (now) twenty-five long years, which is a long time, given the difficulties associated with organising hawkers across the world (Kumar and Singh, 2018)? What insights could be culled from its organisational structure, and way of doing politics, that could both further and complicate our understanding of hawker politics?

Before addressing this, it is useful to first review the broad contours of existing literature on hawker politics in the Global South. This section is organised thus: First, I examine our understanding of the various ways in which hawkers intervene politically, and the types that tend to either occur more frequently or get highlighted more. Second, I interrogate the manner in which hawker unionisation, in particular, is understood by scholars as a mode of doing politics, as well as the temporal context and the impact of the 2014 Act in India (which has led to increased formal organising). Third, I look at the problem of a lack of primary studies on hawker organisations, and why it matters.

The lived experience of hawkers in the Global South features the constantly looming threat of evictions, rent-seeking and daily harassment in regimes of ambiguous regulatory frameworks (Forkuor et al., 2017; Racaud, Kago and Owuor, 2018). Literature tends to note their resistance and response in near binaries – either as using macro-level negotiations with urban authorities or the state (for example, employing collective agency to negotiate with the state, via courts and the law) *or* micro-level ones (employing individual agency strategies like building informal networks of security among themselves, setting up bribes, etc.) (Forkuor et al., 2017); intervening as individuals *or* as organised collectives, with relatively muted mentions of membership-based organisations (Forkuor et al., 2017). On the whole, literature appears to suggest that hawkers tend towards strategies at the level of the individual *or*, if they do collectivise, they most frequently mobilise into informal, transient collectives as opposed to long-term formal ones (Forkuor et al., 2017).

Even in the arguably less common cases of long-term formal organising, we see that hawker collective mobilisations can take various forms. Some scholars highlight formally registered organised groups that negotiate with urban authorities (Racaud et al., 2018); they could be self-help groups, street trader associations or NGOs. Horn (2014) mentions hawkers within national-level trade unions of autonomous workers, informal traders, informal economy organisations, informal economy workers and so on. However, such formal organisations do not necessarily take the form of unions and do not necessarily articulate their movements in terms of class politics. Literature also suggests that when hawkers do collectivise and organise formally, they encounter common challenges of membership, legitimacy, financial resources and rivalries of power and leadership competitions (Racaud et al., 2018). However, given the paucity of empirical studies, we have very little information on how hawkers' organisations negotiate these issues.

Early studies across Asia by Bhowmik (2005) revealed that hawkers' unions were rare. I would also argue, however, that absence of hawker unions within literature does not always mean absence of hawker unions on the ground; on the contrary, this could also be because scholars sometimes end up rendering existing hawker unions invisible. This article has already referred to Roy (2004) and Chatterjee (2004) missing the presence of the HSC. Another such example is the

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<sup>9</sup> During my extended fieldwork there, this is not something the NHF's membership in Delhi, for instance, mentioned being able to do.

tendency of hawker literature pertaining to India, circulating in global academic circuits, to highlight NASVI and erase other movements, including the NHF, even though the NHF, with 1 188 member unions across India (NHF, 2016), is arguably a bigger presence than NASVI, with 888 member organisations (NASVI, 2014). See Horn (2014), Kumar and Singh (2018) and Joshi (2018) for examples of this. This prompts the question of whether the rarity of hawker unions is a comment on the political efficacy of the union form.

Opinion is divided on whether unionisation is relevant for hawkers. Some perspectives question its political relevance directly or indirectly (Little, 2005), by either being silent on the presence of unions or mentioning them in dubious contexts, for example as bribe aggregators for the local police (Anjaria, 2011). Others are very clear about its value (Cross, 1998; Lindell, 2018). Bhowmik (2005) has always unambiguously correlated unionisation with subsequent security for hawkers, and advocated for this. In his detailed and highly nuanced research, Bandyopadhyay (2009, 2011) notes that in Kolkata hawkers, courtesy of their movement, became the most numerically visible, organised and militant sector within the informal economy.

Deliberations on hawker unionisation as a desirable political practice take on an added dimension in situations where hawking becomes legalised. Within India, for instance, the 2014 Act has led to a rapid increase in hawker unions.

Before 2014, a central motive for collective mobilisation was eviction. Exploitative and coercive bribes and protection rackets rarely pushed hawkers to organise, despite studies showing that they would rather transition to a legal licence system and pay taxes. Singh et al. (2012) show that hawkers chose to disturb the status quo by organising only when they were evicted or faced the threat of impending eviction, and even then only if post-eviction bribes did not work. Such organising, however, did not necessarily go beyond immediate issues related to eviction, and broader issues of right to livelihood, working conditions and social security remained largely unaddressed. Lindell (2018) points out that there is never a guarantee that such short-term mobilisations against evictions would translate into long-term ones – and this is arguably borne out by studies such as Bhowmik's (2005) which found low hawker union density in India.

It is important to briefly mention the temporal context within which the 2014 Act emerged, one that (as mentioned earlier in this article) played an important role in the birth of the HSC – that is, the post-1990s neo-liberal turn in the logic of governance and ordering of urban spaces. Two things were happening simultaneously in this moment. One, hawker organisations had been doggedly leading struggles on the ground for years, leading numerous campaigns themselves and through their allies, for a law. And two, as Roy (2005) and Chen (2005) have noted, there was a resurgence of interest on informality in global policy circles around the time of the new millennium, which doubtless influenced the Indian state's attempts to enumerate and plan informality. It set up the NCEUS in 2004, which reported that around 93 per cent of India's workforce lay in the informal economy. Around the same time, it started formulating national policies on hawking. Thus pressure from hawkers' organisations, and the state's understanding of informality, its desire to plan urban spaces and the ever-present, simmering anxiety around the urban hawker arguably all came together to produce the 2014 Act.

Welcomed as a step in the desired direction by organised hawkers' movements across India, the Act was a landmark moment. One of its key objectives is the earmarking of vending zones and identification and survey of hawkers every five years by Town Vending Committees (TVC). Thus TVCs – composed of the municipal commissioner, representatives of hawkers, local authority, planning authority, local police, resident welfare association and other traders' associations – are almost all-powerful under this Act. They must contain at least 40 per cent

hawker representation and an additional 10 per cent from NGOs and/or community-based organisations. As a direct consequence of this, as mentioned, hawkers in India have increasingly been forming organisations and registering them, most frequently under the Societies Registration Act, 1860 (as opposed to the Trade Union Act, 1926),<sup>10</sup> to become active stakeholders within its framework. Across India, this pushed hawker politics into an interesting stage of flux, as hawkers began their struggle to operationalise the Act.

One does not yet know how this wave of proliferation of hawker unions and associations will impact the overall livelihood security and rights of Indian hawkers and the hawker movement. My extended fieldwork in Delhi (not used in this paper) suggests this will motivate many fake organisations to emerge, as a way of capturing and exerting greater power in the fraught political and economic space of the urban. Furthermore, because of the lack of robust research on hawker organisations, we have some literature<sup>11</sup> – though not enough – to have adequate ethnographic insights to assert, like Cross (1998), that multiple competing unions will ultimately benefit hawkers.

Undergirding this entire discussion is a repeat mention of perhaps the most glaring gap of all within the literature – that of primary studies of hawkers and/or their organised movements and unions (Forkuor et al., 2017; Joshi, 2018; Lindell, 2018). There are exceptions, such as Bandyopadhyay’s insightful body of work on the HSC,<sup>12</sup> and a paper by Kumar and Singh (2018) documenting NASVI’s movement history. However, neither provides a glimpse of internal organisational dynamics. This happens even where the research focus is on hawkers within the informal economy (Bonner and Spooner, 2011). Lindell (2018: para. 1) notes that the “dynamics and trajectories of street workers’ organizations ... vary widely and are poorly understood”, including the incorporation of informal workers organisations into trade union structures, and on the dynamics and sustainability of broader, umbrella-like organisations that street workers’ organisations sometimes form. The point she makes about how these organisations do not necessarily represent the concerns of the most vulnerable, and that they also frequently turn a blind eye to “exploitative labor arrangements” within (Lindell, 2018: para. 22), pre-empts a discussion in the following section which attempts to illustrate how our understanding of important issues like these are directly impacted by empirical details generated by studies of unions. I argue that it is not enough to know whom unions are representing (and excluding). It is also important to understand *why* they do so. Understanding motivation provides insight into movement politics, which in turn gives a sense of intended future orientation. This article argues that the identified exclusions are situational, more than active gatekeeping. For example, evidence from my fieldwork suggests that while “employee-hawkers” – excluded from unions – are

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<sup>10</sup> The decision of 1) whether to register and 2) which of the two acts to register under are both political and strategic. The NHF has taken a political decision to remain unregistered, believing it would give them more freedom. Many of the HSC’s older members are registered trade unions. Although today it is considered to be nearly impossible to get a trade union registration for hawkers’ unions, fieldwork conversations suggested that it can still be done, with the cooperation of local legislators and councillors.

<sup>11</sup> Sales (2018) notes the fragmented union landscape in Mumbai, and the mistrust present among smaller unions towards big union groupings or national-level organisations.

<sup>12</sup> Bandyopadhyay’s work is frequently referred to not only because of a common entity of enquiry – the HSC – but also because it addresses the literature gap through a close study of it. However, Bandyopadhyay’s research focuses on the historical context of the emergence of post-colonial hawker politics in Kolkata, examines the politics of the HSC’s claim-making on the state through its archival practices – which he calls “archiving from below” – and the judicialisation of its politics.

generally hired at competitive daily wage rates, the risks and losses of the occupation (evictions, confiscation of goods, rent-seeking) are borne by the “owner-hawkers”. And, as already mentioned, the primary motivation to organise comes, in the first place, from one of these risks – eviction.

## **The Hawker Sangram Committee**

### ***Members and leaders***

On the notice board in the HSC office, there is a list titled “Leaders of the Hawker Sangram Committee”, an MS Word document with names, areas of responsibility and contact numbers. A copy was kindly shared with me. This master list helped me piece together the organisation’s membership base.<sup>13</sup>

Within the HSC’s federation structure, decision-making and policy-making is undertaken democratically by leaders of member unions and the central HSC leadership (helmed by Saktiman Ghosh, who functions as General Secretary for both HSC and NHF). It is a combination of these leaders that also represent the HSC within the NHF. The HSC deliberately remains independent from political parties.

Its member unions, more than fifty at close of fieldwork (including the ten new members that joined in 2012), are distributed across the city, with the newest unions springing up in the recently developed parts – such as along the E.M. Bypass, and at the IT hubs in Salt Lake and New Town. Members include unions registered with the United Trade Union Congress, the Indian Federation of Trade Unions, the All India Central Council of Trade Unions, the All India Trade Union Congress, the Indian National Trade Union Council, the Trade Union Coordination Committee and unions with the Socialist Unity Centre of India. Some unregistered unions were also members; they either had no party connections or were informally close to parties.<sup>14</sup>

These member union leaders and organisers play a very crucial role: they connect the member unions and lay hawkers, scattered across the city, with the central leadership of the HSC. (I explain later the critical role this structure plays within the HSC.) These organisers had miscellaneous profiles; they included full-time or former hawkers, full-time trade union workers, social workers, activists and even one journalist. Most of them were male, except a handful of women organisers, including the leadership of the Women Hawkers Adhikar Sangram Committee, formed in October 2012. This skewed gender balance is reflected in the membership profile as well.

Member hawkers range from second- and third-generation hawkers to first-generation hawkers, and the membership profile is heavily skewed towards stationary, male hawkers operating out of temporary stalls in relatively well-established hawker markets. I attribute this skewed demographic to the fact that this type of hawker faces the highest threat and heaviest burden of eviction, and consequently has the highest motivation to unionise.<sup>15</sup> Men also vastly outnumber women hawkers in Kolkata, which, according to HSC organisers, is unlike the pattern

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<sup>13</sup> It was not an exhaustive list – for instance, it did not reflect the sites that joined in 2012 – but I was able to cobble together the rest from these contacts and the HSC office.

<sup>14</sup> Many of these sought registration after 2014.

<sup>15</sup> Eviction at this point continues to be the primary motivator for collective organising, though one can expect that as the 2014 Act ages, the desire to benefit from it will become as important a motivator.

in other big Indian cities. Fieldwork suggested that women hawkers are more marginalised, tend to trade in less profitable goods like vegetables, and are less likely to erect temporary structures, thereby escaping financial loss related to structure damage during eviction. Mobile hawkers who move from location to location selling goods, do not face eviction pressures. I therefore argue that the membership profile, rather than being a reflection of gatekeeping, is a reflection of the primary motivator of collective organisation itself – that is, eviction. Had it been the former, one would have come across evidence of the HSC *restricting* membership. However, my fieldwork indicates that the leadership has been trying to proactively reach out and broaden the scope of membership, such as through the new women hawkers' union formed in 2012.

While the primary expectation from unionisation was securing their hawking spot, members also articulated the hope that union membership would acquire government welfare facilities and schemes for them, and provide an identity and dignity in the eyes of society. As one organiser said, "People will know we exist".

### **Politics**

The HSC's politics are prominently characterised by a strategic independence at the organisational level (allowing it to advocate for its membership irrespective of which political party is in power, a factor that has contributed to its longevity),<sup>16</sup> the ability to simultaneously and effectively deploy multiple instruments of struggle, and the determination to hunker down for the long fight, fuelled by a large and committed membership in Kolkata. Their politics is geared towards simultaneously building a hyper-local movement, ensuring its members are protected and able to function well, while also scaling up at city-wide, national and international levels. While this is a common goal for many movements, at a practical level this is frequently challenging to achieve. The HSC, despite being limited in terms of financial resources, does this very well. It consciously emphasises long-term political goals without compromising on their ability to respond to the immediate, as the events of 1996 and 2012 demonstrate. When the subject of the early activism for the law came up, many organisers said they used to think that Ghosh was mad and that a law was a pipe dream. They emphasised how the politics of the HSC had encouraged a shift among hawkers from worrying about the immediate present to thinking about the longer-term future.

The HSC interacts with the state machinery, with other fraternal social and political movements, with the media and civil society intellectuals and the like, building alliances and connections horizontally and vertically. It has strong links with the National Alliance of People's Movements (NAPM),<sup>17</sup> with unions of agriculture workers, with forums against Free Trade Agreements, Foreign Direct Investment, UN summits and forums related to Climate Change, among others. Like many hawker movements, they deploy a wide-ranging array of strategies and tactics: from the militancy of reoccupation to more passive-aggressive strategies like deliberately irritating the bureaucracy;<sup>18</sup> from asking the bigger questions about the right to the city and the structure of the economy to taking a position that they would not oppose new roads and flyovers

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<sup>16</sup> Change of power at the state government level in 2011 had not affected membership, which continued to grow, nor its ability to act for hawkers.

<sup>17</sup> The NAPM is an alliance of progressive people's organisations and movements in India.

<sup>18</sup> For instance, Ghosh told me that during the 2012 evictions, one of the intentions behind carrying out twice-daily protest marches at all sites was to build pressure on the local police stations, which are required to write and submit reports of every such agitation.

as long as hawkers were accommodated within it; from informal negotiations with the state and bureaucracy to a fully-fledged local and national campaign for legislation; from the deployment of court cases and an extensive archive to leveraging support from intellectuals and academics (Bandyopadhyay, 2016).

The leadership unambiguously positions the movement as one of class struggle and itself as a trade union. It speaks in terms of class solidarity with other movements of the urban poor, and has always been very agile in reflecting the changing rationale and logic of the state back at them while claim-making.<sup>19</sup> The HSC distances itself from “the NGO mode” of doing politics. Its leaders told me that they are against the concept of receiving external funds (a principal feature of NGOs, according to them), because it ties the hands of movements. Many leaders also strongly felt that NGOs within hawker movements frequently got away with merely claiming a membership on paper, while not actually having organisational presence on the ground. The HSC has never been, in the words of Ghosh, such a “laptop union”, carrying out a movement solely over keyboards. In a similar vein, Ghosh negates the importance of micro-credit as a political need of the urban poor and claims instead that the most pressing problem of hawkers today is not access to credit (which, given their frequently small capital requirement, is manageable) but harassment due to the absence of a law.

The HSC has been at the forefront of resistance movements at Singur and Nandigram,<sup>20</sup> organised against the Indian banknote demonetisation in 2016, and joined the nation-wide protests in 2019–2020 against the Citizenship Amendment Act of 2019, the National Register of Citizens and the National Population Register, and advocated for hawkers during the period of lockdowns in India owing to the coronavirus pandemic. At the state as well as the national level, the HSC’s multi-pronged fight (at street level, in courts, with elected representatives, with governance institutions, etc.), along with the state’s own desire to plan informality (as mentioned earlier), has resulted in a situation where they are acknowledged as political actors, and have wrested a permanent spot at the table for all official and unofficial policy-making with regard to hawkers.<sup>21</sup>

Leveraging electoral power as a tactic is not central to their politics, even though West Bengal (and Kolkata) is saturated with party politics. While Bandyopadhyay (2016) appears to more or less reject the vote-bank thesis for hawker politics, noting that they, unlike slum dwellers, do not form consolidated vote banks, I contend that electoral politics play a slightly larger role than he proposes, though not nearly as much as Agarwala (2013), Chatterjee (2004) or Roy (2004) might suggest. While I agree with Bandyopadhyay at a national level, for there appears to be no evidence to suggest hawkers sway elections or that the hawker vote affects national hawker policy-making, I nonetheless argue that, city-wide, the power of the vote does apply in hawking markets where a sizeable section of the hawkers reside nearby – that is, if they vote and work in the same electoral catchment area. They leverage this for limited, though not unimportant, local

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<sup>19</sup> A perusal of important pro-hawker judgments by the Supreme Court, and the national policies that preceded the Act, quickly reveal the similarity of language used by the state and by hawkers’ movements. For more on their sharp ability to couch their rhetoric in the circulating language of the moment see Bandyopadhyay (2016).

<sup>20</sup> These are two villages in West Bengal where the Left Front state government carried out very violent land acquisition moves for industrialisation in 2006–2007. The moves ultimately failed in the face of sustained opposition and resistance.

<sup>21</sup> Other significant hawker unions in the county such as SEWA and NASVI have zero to negligible presence in West Bengal.

needs (often infrastructural, as mentioned by several member unions). The threat of eviction, however, is not something that can be adequately mitigated by political party patronage, as the power to evict is spread out in a complex web of various urban authorities, including the police and private interests. Thus the meta-narrative that appeared to run through their responses is captured by the equation of *pet-er-lorai* (fight to meet survival needs), with the HSC rendering relationships with political parties as matters of “personal choice”. When it came to evictions, hawkers were clear that only the HSC had their back. That said, there is frequently a complex equation between a hawking site, the local political party in power and HSC membership. I eventually came to understand that “wins” from eviction struggles do not automatically go to affected HSC membership: often, a tense negotiation will ensue over the allocation of rehabilitation sites and the local hawker union does not always have full control over the result. Further, the ability to reoccupy eviction spots also appears to be strengthened if the hawkers have a favourable relationship with the local political party in addition to HSC membership. The manner in which member unions negotiate this relationship is mentioned in the following section.

Following the passage of the 2014 Act, the HSC has made some adjustments to its political practices. Organisational focus is now greatly concentrated on ensuring the implementation of the law and the formation of Town Vending Committees. Since the pressure for this can primarily be applied via courts, this part of the HSC strategy has grown. The understanding appears to be that the fight for TVCs cannot be conducted at the street level, though in their internal meetings HSC leaders emphasise that the readiness and ability for militant street struggles must never disappear, in case it should need to be redeployed. Organisers do not believe the law will end evictions; they merely feel that the law will give them more control over the struggle they are waging. “The law can go against us if our collective politics isn’t strong. We have to follow it up with our struggle”, observed Ghosh.

The HSC (along with the NHF) has also been focusing on consolidating and strengthening the organisation through leadership and legal training, because the post-Act world will require its members to be well-versed in the often obfuscating language of the law, court orders and judgements. In 2016, they formalised their national (that is, NHF) structure with their first national conference, elected a national general council, working committees, central secretariat and state leadership, and adopted a constitution.

Thus in the years immediately ahead, it would appear that the days of militant street-level resistance by the HSC are over. This is not just because of the changes in the strategies adopted by the HSC, but also because the patterns of eviction have changed, increasingly becoming more clandestine, targeting a handful of hawkers at a time (as opposed to entire hawking markets) in order to avoid collective resistance.

Roy (2009), in her work on squatter evictions and resettlements in Kolkata, found that formalisation could unleash great conflict in settlements in the sorting out of “legitimate” claims. Given that the HSC represents an instance of formal organising in the informal sector, and in the context of the pro-unionising perspective in scholarship and the understanding that, for hawkers, exploitation stems from being outside of the law rather than within it, a question that looms is how this kind of formal organising impacts the overall rights position and livelihood security for *all* hawkers.

Sceptics might well question the HSC’s apparent existence between radical questions and compromised solutions. However, the very nature of hawking – where the reproduction of one’s existence hinges solely on one’s ability to return to the street day after day – arguably prevents

hard-line radical stances.

Scholars have argued that the radical spatial claim of hawkers has always been tempered by court judgements (Joshi, 2018), and that the 2014 Act erased the possibility for radical claims to space (Bandyopadhyay, 2016). By seeking to come under the law and be regularised, the movements have, understandably, opted for this limitation – *officially*. Instead of seeing this as a compromise or de-radicalisation of their claim, I would suggest seeing it from a different perspective – as a strategic, even necessary, move made to aid a quiet expansion of their larger overall claim.

The HSC has, at a discursive level, always assented to many such limitations that have come with otherwise favourable legal pronouncements upon hawkers, while actual practice might have differed. Their structure and dual strategy, elaborated upon in the following section, leaves much room to interpret policy at a micro-local level. Visually, this was so aptly symbolised by mobile hawker carts operating in the city's IT hubs. I was told that local urban authorities had mandated that all hawker stalls should be kept mobile. So they all, dutifully, sported the “idea” of the wheel – that is, the wheels were physically present, but, as I noticed, were inevitably always half-sunk into the soil. This rendered actual mobility practically impossible, signalling the lack of any real intent to move. This suggests that in the relatively more secure world of post-Act hawking, ample unofficial breathing room will continue to exist, which the movement can, if it wishes, choose to capitalise on.

I would thus argue that the HSC appears to validate the pro-unionisation perspective for hawkers. It is my suspicion that if or when the process of formal organising stops meeting the needs of the intended membership, its relevance will automatically dissipate. The process of formalisation arguably comes with many challenges and some limitations, but with hawkers there does not seem thus far to have been an alternative form that has been shown to provide as much protection and security.

### ***Internal structure, internal dynamics***

I argue that the HSC's ability to implement its politics and successfully organise rests heavily on their dual strategy of organising (simultaneously building the struggle at the macro and micro levels), that widened from space-bound little struggles to larger collective action while still holding on to the former.<sup>22</sup> A study of its internal dynamics and details of organising suggests that this in turn rests on its internal structure and division of labour.

Within the HSC, member unions have a life and will of their own, which is not subsumed under the identity and authority of the HSC. The leaders of member unions, in connecting the local units to the larger HSC and NHF structure, make it possible to overcome fragmentation in the union landscape, and to build a city-wide movement of scattered hawking markets. The rank and file at member sites are not usually in daily contact with the central leadership of the HSC (although they retain freedom to do so). The latter, too, coordinates with these sites primarily through the site leaders.

As mentioned, most member unions maintain parallel relations with political parties and with the HSC based on a clear logic. This parallel relationship appears to function more or less fluidly; the hawkers did not feel that they needed to choose one over the other. It was a relationship constantly but fairly comfortably negotiated, especially by those member unions affiliated to political parties.

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<sup>22</sup> The author would like to thank one of the anonymous reviewers for suggesting this formulation.

This brings up a related question of when the identity of the member union prevails and when the identity of the HSC prevails. The HSC does not micro-manage its members, who have considerable autonomy with regard to how they function. There are rules that member units have to follow – for example, no party banners at HSC events, and maintaining a level of cleanliness and hygiene around the stalls. These are rules for a certain “discipline”. Aside from that, it is the prerogative of the member units to determine which hawkers to admit and the rules of membership for their site. It is also their prerogative to decide what sort of relationship they want with political parties. They can choose to attend rallies and meetings of political parties, and also have some flexibility in deciding which HSC events to attend. Smaller ones, like localised demonstrations against foreign direct investment (FDI) in retail are frequently only peopled by local members, while larger annual events like the marking of International Hawker Day (May 26) and Operation Sunshine (November 24) require full mobilisation.

I contend that this comfortably negotiated parallel relationship of member unions with the HSC and with political parties and local power lobbies is very important because it ensures that the local membership is not subsumed under the larger city-level or national-level movement and thus left feeling powerless. It arguably allows for a stable base on which to scale up the movement at the national and international level.

To demonstrate how this structure enables the HSC’s dual strategy of organising, one can look at the period between 2012 and 2014. Alongside the militant occupation by hawkers, the leadership was simultaneously pursuing cases filed in the local high court, utilising a 2013 national stay-order against evictions issued by the Supreme Court for local eviction cases, while also mobilising across the city and in Delhi to pressurise the Parliament to pass the Hawker Act. Between 2014 and 2017 I found member union leaders kept pursuing the official rehabilitation process, while also simultaneously working with the central leadership in pressuring the state government to operationalise the 2014 Act.

Without the wins from micro place-based struggles, the HSC would likely lose its membership. Interviews suggested that knowing that the HSC was creatively building their movement at national and international levels was a source of great pride for active members. At the same time, many hawkers within member unions are more concerned with site-specific issues and judge the relevance of their membership with the HSC based on whether or not those issues get taken care of. Not every hawker is political or willing to look beyond immediate issues. Thus, if the anti-eviction mobilisations of 2012 drew energised and charged-up participation, the event commemorating Operation Sunshine that same year in November (focusing on climate change and FDI in retail) drew noticeably less enthusiastic participation.

### ***Limitations of organising, limitations of the movement***

This article has already discussed how it reads the seeming exclusions suggested by the HSC’s membership profile. On a related note, Bandyopadhyay (2016) raises an important question: what happens if hawker organisations aggressively gatekeep not just the limits of their membership but the pickings to be had from the Act to within its limited membership?

One suspects that this will be an area of genuine struggle for organisations – a struggle *against themselves* which can be waged well if there is political intent and self-reflexivity. It will take some time to know how TVCs treat non-unionised hawkers. Part of this problem is resolved by expanding the scope of organising. I argue that the HSC and NHF actively nurture the space to include marginalised hawkers within the organisational fold. Part of this is achieved by increasing their organising along social categories, like the formation of the women hawkers’ union in 2012.

It is also useful that the Act mandates representation of socially marginalised categories including women hawkers and hawkers with disabilities within TVCs. By motivating movements to include marginalised and previously unorganised sections of hawkers, one might even argue that the Act expands, rather than limits, the scope of organising.

However, the limited imagination of the law on who deserves protection – the “poor” hawker, the subsistence hawker – is a serious flaw, and because the hawkers’ movement has not pushed against it, one may assume they partly share it. It is this imagination that arguably produced the limited size of allotted structures under the law, which simply would not work for certain kinds of hawkers, such as food hawkers offering freshly cooked, sit-down meals, garment hawkers who need to display their goods, and so on. Many of the hawkers I met worked multiple jobs, alongside hawking, both to make ends meet *and* to aspire for something more than just subsistence, to feed small entrepreneurial dreams. They viewed hawking as bare livelihood, yes, but also as a way to build a better life, towards some degree of upward socio-economic mobility.

In the present post-law moment, the movement will need to keep extending its own ideas of what is possible and what it must ask for, and, going forward, incorporate the needs of employee-hawkers within its fold, given that it has now won a slightly more secure position for its membership base of owner-hawkers. The law, as mentioned earlier, does not account for the employee-hawkers and does not offer them any social or economic protections, and hawkers’ movements like the HSC need to speak for them.

The work ahead is cut out for the HSC. It must continue with the challenging struggle of ensuring fair implementation *and* expansive political interpretation of the law, while continuing to build a broader struggle against a hostile environment in India with respect to labour and informal workers.

## Conclusion

This article has sought to establish why and how close studies of successful, durable collective organising efforts of hawkers – reasonably uncommon and inadequately documented – influence our understanding of hawker politics and, more broadly, the politics of informal workers. It argues that the Hawker Sangram Committee represents such an instance of successful formal organising in the informal sector; based on ethnographic engagement from 2012 to 2015 and follow-up fieldwork in 2017, it argues that the HSC’s success is enabled by its dual strategy of organising while it simultaneously and effectively pursues struggles at the macro and micro levels. Its ability to thus widen its movement from space-bound little struggles to larger collective action at the city-wide, national and global levels, without letting the former slip beyond its grasp, is what allows it to keep growing its committed and large membership, while simultaneously expanding the scope of its politics from just that of eviction. I contend that the execution of this dual strategy is possible because of its structure, one in which its member unions function autonomously, with member union organisers/leaders connecting the local hawkers to the central HSC leadership. Thus member unions comfortably negotiate a relationship where they participate as the independent HSC, with no political party banners, on work and livelihood issues related to hawking, while retaining their autonomy and identity at all other times. This parallel relationship has arguably built a stable base from which the HSC was able to scale up, without disintegrating at the local level.

Addressing common concerns of representation, exclusions and gatekeeping within hawkers’ movements, I argue that empirical details of membership profiles and process, internal

relations and dynamics, such as offered in this study of the HSC, helps us understand the reason behind them, thus allowing an evaluation of whether they are politically and inherently malevolent or circumstantial and, by extension, extrapolate or imagine the directions in which the movements might unfold in the future.

Amid occasional but lingering doubt within labour movement scholarship regarding the depressive effects of informalisation and informal workers on emancipatory and transformational struggles (Davis, 2004), the HSC stands as a living testimony to the fact that sections of informal workers and urban poor do organise formally and effectively. It also highlights that every time we perpetuate a belief that some types of workers are “impossible” to organise, we are usually wrong, and are essentially displaying a lack of political will and/or imagination. In the recent past, the so-called “impossible to organise” have included domestic workers, IT workers and, most recently, gig-economy workers like app-cab drivers (such as Uber and Ola drivers in India). However, we have seen *all* of these workers successfully organise. What is more, their political mobilisation is changing our ideas of what workers’ organisations must look like in today’s economic paradigm, and is pushing us to rethink the limits of possibility of workers’ movements and political futures.

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