

Cancelled by conveners: participants are not able to attend the conference.

Abstracts for panel 25: Regulating the informal sector in South Asia: normativity and representation in social, legal and policy processes

Panel convenor: Dr. Dolf te Lintelo

1. Changing Legal and Social Norms in Public Works Programs in India

Deepta Chopra

Department of Geography, University of Cambridge

Email: deepta1@gmail.com

Job creation through public works as a welfare measure in rural areas has been a long standing safety net strategy of the Indian government. The short term periodicity and the ad-hoc nature of these programs lend them characteristics which are 'informal' in both legal and practical terms, even though institutionally, these programs are delivered through the formal sector (government). Although there has been a regulatory framework governing activity on public works, the unorganized nature of these works has meant a lack of accountability and adherence to legal norms. This paper traces the changes in both the legal and social norms through the case of a recent social legislation pertaining to public works.

The National Rural Employment Guarantee Act (NREGA) sets up a 'Right to Work' for 100 days per rural household in India. The Act is the outcome of various negotiations between and amongst state and non-state actors. This paper assesses firstly, the reshaping of legal norms that have been brought about by the NREGA through a comparison of the nature of public works programs pre and post NREGA. Secondly, this paper establishes a link between these legal changes and a change in the social norms governing work on public works programs, especially focussing on changes heralded by the adoption of this circumscribed 'Right' to work. These changes include new work norms, but more crucially, a change in accountability and transparency norms in everyday interactions, as well as a move towards organizing workers.

2. Globalisation, informalisation and the state: evidence from the Indian garment sector

Dr. Alessandra Mezzadri,

School of Oriental and African Studies, University of London

Email: am99@soas.ac.uk

The rise of neoliberalism in the 1980s impacted on the industrial trajectories of developing countries, aligning them with the 'globalisation project'. This restructuring has produced a disarticulation between production and labour regimes. While the former has been 'projected' in the global arena, the latter has remained apparently 'anchored' to regulatory mechanisms provided by 'traditional' social structures, and has gone through an increasing process of informalisation. Focusing on the case of the Indian garment sector, this paper argues that this process of informalisation of labour should not be conceived as necessarily taking place 'in the shadow of the state'. In fact, in the case presented here, the state was a strong active agency behind the process of informalisation, which it supported through very 'formal' policies and through its progressive alignment with capital's interests. This informs the debate on the relationship between the state and the informal economy in the age of globalisation.

3. Cognition and beliefs in subaltern cosmopolitan legality: making urban street vending policy in India

Dr. Dolf te Lintelo

School of International Development, University of East Anglia, UK

Email: dolfteli@yahoo.com

Whilst theorisations of socio-economic regulation often assume an instrumental clarity of purpose, their underlying goals are often full of ambiguity (Haines 2009). The importance of this is also increasingly recognised in the study of subaltern cosmopolitan legality, which emphasises the interaction of social movements with the state and the law in developing countries. Thus, in addition to attention to legal and judicial processes, processes of decisionmaking, cognition and the changing values underlying regulatory conflicts are increasingly seen as another key area in which social movements operate (Rajgopal 2005). This paper accordingly assesses the key regulatory conflicts underlying India's first National Urban Street Vending Policy (2004). It argues that an examination of the particular sets of beliefs and cognitive understanding strategically advanced by an advocacy coalition of actors from NGOs, academia, and the civil service allows us to understand the particular shape of public policy regulating street vendors. The paper thus demonstrates the ways and extent in which such groupings discursively and morally advance particular regulatory regimes, and effectively shape new government policy.

4. A Market Place for Migrants - Mobility, Settlement and Social Protection in Kerala

Mythri Prasad Aleyamma

Trivandrum University

Email: mythriprasad@gmail.com

The paper focuses on Sunday Bengali Markets for migrant workers in Perumbavoor, a small town situated close to the city of Kochi in Kerala to interrogate the concept of social protection. These markets which sprang up in response to the specific needs of migrant workers from West Bengal, Bihar and Nepal serve also as a 'meeting point' of workers. These markets by acting as a point of contact facilitate a network of migrant workers, contractors, traders, and trade unions. Could these markets be construed as a site of interaction which ensures a form of social protection? By tracing the history of place making and the emergence of the market, I seek to critique the dichotomous understanding of formal and informal social protection. What is informality in the context of this market place? It is a site which is used for accessing both formal and informal social protection. In fact, the very existence of a sociality which is deemed 'informal' facilitates the protection of more formal rights. At the same time, the ever changing nature of the migrant population puts limits to the emergence of a right-based formal trade union. I argue that understanding the 'social' in social protection is important for policy making which requires going beyond the formal and informal categories. The paper engages with these questions by looking at evidence from preliminary fieldwork carried out in the market and archival material from labour department.