



WASH News and Policy Update

Bi-monthly e-newsletter of the India WASH Forum

Issue 16; Jan 2011

- 1. News Analysis**
- 2. The Future of the Commons: David Harvey**
- 3. Planning Commission Consultation on watsan**
 - a. Urban water and sanitation**
 - b. Rural drinking water supply**
 - c. Yojana Bhawan and Public Reasoning**
- 4. Peoples Perceptions Research on Sanitation: an urban slum of Delhi**
- 5. Fiddling While Rome Burns: Cancun Climate Change**
- 6. Imprisoned for Life: Manual scavenging occupation**
- 7. About India WASH Forum**

WASH News and Policy Update is a bi-monthly e newsletter of the India WASH Forum. It is an open platform for engagement on contemporary issues, for an independent credible voice in the water, sanitation and hygiene sector. We are conscious of the need to engage with and understand other larger debates in the social and economic development scenario, of which drinking water and sanitation is a part. Hence we include in our news analysis and policy updates, events and developments from WASH and other related development fields. We welcome articles and reports from readers, to make this a learning and advocacy platform. India WASH Forum reports and documents are hosted on the India page of WSSCC website and on:

<https://sites.google.com/site/indiawashforum2010/home/about-india-wash-forum>

The Global Sanitation Fund, a Fund created by the WSSCC for promoting sanitation in countries where this is a need, has now taken off in India. The Country Programme Proposal has been developed and is focused on supporting the demand generation, capacity building and improved TSC programme management at

the state and district levels. Jharkhand and Assam have been shortlisted as the two states for implementing this programme and a total of 20 grants(including 4 smaller grants for Manipur and Orissa), comprising of a total of \$5 million of programme funding, now stands approved. The Fund will have a Programme Coordination Mechanism as its governance body, an Executing Agency as the programme and fund management agency, and a Programme Monitor for the audit. Natural Resources International Ltd has been chosen as the Executing Agency and KPMG as the programme monitor. The Programme Coordination Mechanism at the national level has been constituted and there will be state level coordination mechanisms.

There has been a lot of activity in the last two months in the international and national fora on issues ranging from climate change negotiations in Cancun, to policy inputs for the 12th Five Year Plan. Consultations have also been organized by the WSP(on the release of the report on valuing the health impact of sanitation), DDWS(on the strategy for drinking water supply) and by India WASH Forum(pro poor urban water and sanitation consultation). The International Association for the Study of Commons bi annual conference, focusing on commons(ranging from forest, water and land to digital and urban common spaces), was organised by FES in Hyderabad from 10-14th January. The work on the Peoples Perceptions Research on Sanitation, for the upcoming SACOSAN 4 in Sri Lanka in May 2011, has also commenced with more than a hundred narratives collected for India and with filming of some of the interviews to start shortly.

News Analysis

Binayak Sen has emerged as a symbol of democratic struggles in India in its poorest tribal areas(since his detention and recent conviction for sedition by an Indian court). The Bolivian diplomat Pablo Solon has acquired the moral leadership at the international fora for his plain speaking and representing the country that stood up and scuttled an unfair international Climate Change negotiation in Cancun, as well as tabling the Right to Water and Sanitation. Elinor Ostrom the Nobel Prize winner in Economics for 2009, gained formal recognition for her work and for the cause of propagating community rights and control over common property resources in place of the "tragedy of commons" theory.

The urban pro poor sanitation consultation by India WASH Forum was organized on 22nd Dec 2010 in Delhi. The consultation provided an opportunity to understand the City Sanitation Planning process currently underway and for sharing recent studies on status of sanitation in urban public spaces and slums in the cities of Hyderabad(by MARI), Durg and Raipur(by AFPRO) and



Salem and Erode (by Gramalaya). The Jt. Secy Ministry of Urban Development, in his inaugural address, highlighted the concern that cities are growing and they need leadership political leadership to steer them. Presentations by WSP, GTZ and from EU and DFID, ensured that the civil society participants benefitted from the engagement and learning. A film on Bangalore water supply, highlighting the crisis of availability and pricing of water, was also screened.

As part of the joint civil society initiative from WSSCC, WaterAid and FANSA for SACOSAN 4 in May 2011 in Sri Lanka, the **peoples perception research on sanitation is now underway**. The research is being done at the national level in five countries and a consolidated report will be produced for south Asia. The research is aimed at getting the responses of community leaders and representatives of the marginal groups, in both urban and rural contexts, to the situation of sanitation and hygiene and what needs to be done by the service providers (government, NGOs and others) and by the communities. This research tool is being used to collect information from at least 100 respondents in each of the 5 countries of south Asia (Bangladesh, Nepal, India and Sri Lanka). **A comprehensive research tool was developed for the peoples perceptions research**, that is a useful research tool for the sector, it can be accessed on the India WASH Forum google documents link –

<https://sites.google.com/site/indiawashforum2010/reports-and-publications>

We include in this Policy Update one research report findings of a slum dwelling community in Delhi. The response highlights **tenure insecurity as the most significant determining factor behind the extremely limited expectations of the slum community for improved water and sanitation, and for the lack of trust at community level for community managed toilets** in the slums. When asked if they considered sanitation and water as a Right, they all said yes. But when asked what did they mean or expect in terms of realization of this Right, their expectations were limited to provision of public toilet and drinking water facility in the slum, not individual water and sanitation facilities.

It is also important to understand that lack of a viable local community leadership in the slum for community management, cannot be seen as a simple problem of lack of peoples participation and governance – at the slum level. Tenure insecurity creates dependency relationships within the slum - with local leadership of slum pradhans, politicians, police and NGOs. Demanding any form of Rights can come at the cost of eviction and loss of a living place. Local leadership from within the slum, unless it has a radical change agenda

and political vision, is often based on patronage. Living in this basic insecurity as “illegal tenants”, there is a perceived risk that the local leadership will negotiate with the external agencies at their cost. Hence slum dwellers response in Ekta Dalit Colony of Vasant Kunj, Delhi was to have **outsiders should manage the water and sanitation infrastructure in the slum**.

The Foundation for Ecological Security (FES) organized the **International Association of Commons bi-annual Conference held in Hyderabad from 10-14th January 2011**. The Conference had contributions in the areas of Water, Forestry, Food Security, Pastoralism, new commons regime of Digital/Internet Commons and Urban commons. The inaugural address was given by Elinor Ostrom and our Environment Minister Mr. Jairam Ramesh. FES shared the results of a national study on the contribution of common land/forests/water resources to the ecosystem and livelihoods. The study covered dryland areas of India where some interventions had been undertaken to develop common lands and forests, and arrived at the estimate of **23% of the annual income of a rural household was attributable to the contribution from the commons**.

Water resources are under stress of depletion as well as denial of access for the poor. Drinking water needs are met primarily from ground water. Except for the large metros that suck away water from rivers, most small towns in India depend on ground water supply. Why has the Groundwater Act not been passed by the Parliament and why legal instrumentalities and court orders to ensure safe and adequate water for all, fail to get implemented? Ground water remains a privately owned resource, experts say it is impossible to control ground water extraction in rural area where there are millions of open wells and tube wells. In urban areas there are recurrent water crisis and ground water is pumped for profit during the droughts as is witnessed in many towns in India. There exist no controls or public ownership of such assets to address such emergencies. Yet it cannot be denied that at least domestic drinking water if it has to be delivered as a Right in the urban areas, needs to come under the control of the political and administrative bodies at the local level and its diversion to other uses needs to be regulated during droughts and summer months. Like many other issues of inflation and price rise, poor status of health and education, the state and the national governments keep blaming each other for the mess in pro-poor urban drinking water supply regulation. The City Sanitation Plans, as the name suggests, have little focus on improving water supply through greater control and regulation over water resources for private use during times of stress. **The crisis of drinking water is staring at us and is being ignored.**



The need to **engage with theory to understand the current environment-ecology-livelihoods crisis**, is evident since the global economic of 2008. Early environmentalism was seen as a separate area of human-nature interface study. Neo liberal economics dominated the economic discourse of environment and commons. From Hardin's "tragedy of commons", looking at "externalities" of industrial development and market based instruments for dealing with problems of carbon credits, and assigning property rights to forest resources and indigenous knowledge to ensure this.

With the pressure on resource and labour exploitation becoming intense, direct attacks on the eviction of poorest communities in mining and forest lands that happen to be mineral resource rich, eviction of farmers for highways and industries and SEZs is now growing. New concepts that question charity based development work and identify new markets and market based development opportunities ("millions to be made at the Bottom of Pyramid"), are being thrown up. Those interested in reversing this pyramid or this thinking itself, are beginning to go back to the basics of economic theory that have explained economic development.

The awarding of the Nobel Prize for Economics to Elinor Ostrom in 2009, focused the issue of common property resources management in favour of community control versus state control. However the discussion has been exclusively on managing the commons and not the benefits arising out of the commons. In order to understand the limits within which community management of common property resources is constrained, there is an urgent need to engage with theory and ideas that have shaped the thinking and practice. David Harvey's brief commentary on commons and his exposition of economic theory is most helpful.

"I have seen Garrett Hardin's classic article, "The Tragedy of the Commons," cited as an irrefutable argument for the superior efficiency of private property rights with respect to land and resource uses and, therefore, as an irrefutable justification for privatization. This mistaken reading in part derives from Hardin's appeal to the metaphor of cattle, under the private ownership of several individuals concerned with maximizing their individual utility, pastured on a piece of common land. If the cattle were held in common, of course, the metaphor would not work. It would then be clear that it was private property in cattle and individual utility-maximizing behavior that lay at the heart of the problem."

Civil society consultations(at the regional and national level) for the 12th Plan were organized by Arghyam, WesNet and WaterAid. This is part of the initiative of Planning commission to engage with a wide ranging consultations in place of exclusive expert group drafting of the next Plan. This has been appreciated and Devaki Jain has gone a step further and recommended that more "public hearings" mode of consultations at local level can be an effective mode of engagement for Planning Commission.

In the final consultation meeting on watsan in Dec 2010, the Planning Commission representatives, explained that the next Plan theme is likely to be "Inclusion and Sustainability". That as a process, inputs received from all types of consultations in the first stage that is currently underway, will go into developing the "Perspective Paper" for the 12th Plan that will be directional in nature, and the consultations that the Planning Commission is having with state governments in the coming months. More detailed inputs on specific themes and chapters would feed into the detailed Plan document that should be ready by the end of the year. Inputs were therefore requested from the civil society consultations in Dec 2010, both for the broader perspective directions(as the immediate priority) as well as specific inputs to reformulating the Sanitation and Water programmes and guidelines(reviewing the Nirmal Gram Puraskar scheme and the Total Sanitation, Water Policy or any other guidelines).

Specific civil society recommendations for the 12th Plan were drafted as a collective effort through these consultations for a few sub themes.

<ftp://ftp.solutionexchange.net.in/public/wes/cr/res-07011101.pdf>

We include **two of the thematic recommendations, in which India WASH Forum Trustees and members were engaged in: for domestic water supply and poor urban sanitation**. It is important to note that for rural drinking water supply, the new National Drinking Water Guidelines allow for a one time infrastructure for any amount of drinking water supply at the village level. The concern expressed in the consultation was whether the government is giving up its commitment to support the provisioning of a minimum amount of safe drinking water availability at the level of the household, from where will the drinking water come for an open ended commitment to water supply at village level and its O&M later on? For the urban sanitation, the concern was on the lack of norms and accountability of the urban Utility and Municipalities to provide water and sanitation facilities for the urban slums(where these slums are on private land or on the land owned by any other agencies). The Right to water and sanitation needs a



legislative backing in urban areas to ensure that there is adequate sanitation facilities in public places, and that tenure does not come in the way of civic agencies in providing infrastructure for water and sanitation to slum dwellers. That norms to ensure that individual toilets are provided in preference over public toilets for slums when they are relocated and this means a dwelling size that allows for individual toilets and water connections.

The Future of the Commons

David Harvey

I have lost count of the number of times I have seen Garrett Hardin's classic article, "The Tragedy of the Commons," cited as an irrefutable argument for the superior efficiency of private property rights with respect to land and resource uses and, therefore, as an irrefutable justification for privatization. This mistaken reading in part derives from Hardin's appeal to the metaphor of cattle, under the private ownership of several individuals concerned with maximizing their individual utility, pastured on a piece of common land. If the cattle were held in common, of course, the metaphor would not work. It would then be clear that it was private property in cattle and individual utility-maximizing behavior that lay at the heart of the problem.

But none of this was Hardin's fundamental concern. His preoccupation was population growth. The personal decision to have children would, he feared, lead eventually to the destruction of the global commons (a point that Thomas Malthus also argued). The private, familial nature of the decision was the crucial problem. The only solution, in his view, was authoritarian regulatory population control. I cite Hardin's logic here to highlight the way that thinking about the commons itself has been enclosed all too often in a far too narrow set of presumptions, largely driven by the example of the land enclosures that occurred in Britain from the sixteenth century onward. As a result, thinking has often polarized between private-property solutions or authoritarian state intervention. From a political perspective, the whole issue has been clouded over by a gut reaction either for or against enclosure, typically laced with hefty doses of nostalgia for a once-upon-a-time, supposedly moral economy of common action.

Elinor Ostrom seeks to disrupt some of the presumptions in her book, *Governing the Commons*, in which she systematizes the anthropological, sociological, and historical evidence. Ostrom shows that individuals can and often do devise ingenious and eminently sensible ways to manage common property resources (CPR) for individual and collective benefit. These case studies "shatter the convictions of many policy analysts that the only way to solve CPR problems is for external

authorities to impose full private property rights or centralized regulation" and, as Ostrom argues, demonstrate "rich mixtures of public and private instrumentalities."

Most of her examples, however, involve as few as a hundred or so appropriators. Anything much larger (her largest case involved fifteen thousand users) required a "nested hierarchical" structure of decision making, rather than direct negotiations between individuals. There is, clearly, an unanalyzed "scale problem" at work here. The possibilities for sensible management of common-property resources that exist on one scale, such as shared water rights between one hundred farmers in a small river basin, do not and cannot carry over to problems such as global warming or even to the regional diffusion of acid deposition from power stations. As we "jump scales" (as geographers like to put it), the whole nature of the common-property problem and the prospects of finding a solution change dramatically. What looks like a good way to resolve problems at one scale does not hold at another scale. Even worse, good solutions at one scale (say, the local) do not necessarily aggregate up, or cascade down, to make for good solutions at another scale (say, the global). This is why Hardin's metaphor is so misleading: he uses a small-scale example to explicate a global problem. This, incidentally, is also why the lessons gained from the collective organization of small-scale solidarity economies along common-property lines cannot translate into global solutions without resort to nested hierarchical forms of decision making. Unfortunately, hierarchy is anathema to many segments of the oppositional left these days.

In the grander scheme of things, and particularly at the global level, some sort of enclosure is often the best way to preserve valued commons. It will take a draconian act of enclosure in Amazonia, for example, to protect both biodiversity *and* the cultures of indigenous populations as part of our global natural and cultural commons. It will almost certainly require state authority to do so against the philistine democracy of short-term moneyed interests ravaging the land with soybean plantings and cattle ranching. But in this instance there may be another problem: expelling indigenous populations from their forestlands may be deemed necessary to preserve biodiversity. One commons, in other words, may need to be protected at the expense of another.

Questions of the commons are contradictory and therefore always contested. Behind these contestations lie conflicting social interests. Indeed, "politics," as Jacques Rancière has remarked, "is the sphere of activity of a common that can only ever be contentious."⁴ At the end of it all, the analyst is often left

with a simple decision: whose side are you on, and which and whose interests do you seek to protect?

The rich these days have the habit of sealing themselves off in gated communities within which an exclusionary commons gets defined. Radical groups can also procure spaces, sometimes through the exercise of private property rights (such as when activists buy a community-action center for some progressive purpose), from which they can reach out to further a politics of common interests. Or they can establish a commune or a soviet within some protected space. Not all forms of the commons are open access. Some, like the air we breathe, are open, while others, like the streets of our cities, are open in principle but regulated, policed, and even privately managed in the form of business-improvement districts. And some, like a common water resource controlled by fifty farmers, are from the very start exclusive to a particular social group. Most of Ostrom's examples are of the last variety. Furthermore, she limits her inquiry to so-called natural resources such as land, forests, water, fisheries, and the like. (I say "so-called natural" because all resources are technological, economic, and cultural appraisals and therefore socially defined.) Ostrom expresses no interest in other forms of common property, such as genetic materials, knowledge, and cultural assets, which are very much under assault these days through commodification and enclosure. Note, for example, how cultural commons get commodified (and often bowdlerized) by the heritage industries.

Intellectual property and patenting rights over genetic materials and scientific knowledge more generally constitute one of the hottest topics of our times. When publishing companies charge readers for access to articles in the scientific and technical journals they publish, the problem of access to what should be common knowledge and open to all is plain to see. Cultural and intellectual commons are often not subject to the logic of scarcity and exclusionary uses of the sort that apply to most natural resources, a point emphasized by Michael Hardt and Antonio Negri in *Commonwealth*. We can all listen to the same radio broadcast or television program at the same time. The cultural common, Hardt and Negri write, "is dynamic, involving both the product of labor and the means of future production. This common is not only the earth we share but also the languages we create, the social practices we establish, the modes of sociality that define our relationships, and so forth." It is built up over time and, in principle, open to all. In this way it is possible even to view "the metropolis as a factory for the production of the common." The human qualities of the city emerge from our practices in the diverse spaces of the city, even as those spaces are subject to enclosure both by private and public state ownership, as well as by social control,

appropriation, and countermoves to assert what Henri Lefebvre called "the right to the city" on the part of the inhabitants.⁶ Through their daily activities and struggles, individuals and social groups create the social world of the city and, in doing so, create something common as a framework within which we all can dwell. While this culturally creative common cannot be destroyed through use, it can be degraded and banalized through excessive abuse.

The real problem here, it seems to me, is not the commons per se. It is the failure of individualized private property rights to fulfill our common interests in the way they are supposed to do. Why, for instance, do we not focus in Hardin's metaphor on the individual ownership of the cattle rather than on the pasture as a common? The justification for private property rights in liberal theory, after all, is that rights should serve to maximize the common good when socially integrated through the institutions of fair and free market exchange. As Hobbes argued, a commonwealth gets produced through privatizing competitive interests within a framework of strong state power. This opinion, articulated by liberal theorists such as John Locke and Adam Smith, continues to be preached, though usually while downplaying the need for strong state power. The solution to the problems of global poverty, the World Bank continues to assure us while heavily leaning on the theories of Hernando de Soto, is private property rights for all slum dwellers and access to micro-finance (especially ones that just happen to yield the world's financiers hefty rates of return). Once the inherent entrepreneurial instincts of the poor are liberated in this way, it is said, then all will be well, and the problem of chronic poverty will be broken.

For Locke, individual property is a natural right that arises when individuals create value by mixing their labor with the land: the fruits of their labor belong to them and to them alone. This was the essence of Locke's version of the labor theory of value. Market exchange socializes that right when each individual gets back the value he or she has created by exchanging it against an equivalent value created by another. In effect, individuals maintain, extend, and socialize their private property right through value creation and supposedly free and fair market exchange. This is how the wealth of nations is most easily created and the common good best served.

The presumption is, of course, that markets *can* be fair and free, and in classical political economy it was assumed that the state would intervene to make them so — at least, that is what Smith advised state leaders to do. But there is an ugly corollary to Locke's theory: individuals who fail to produce value have no claim to property. The dispossession of indigenous populations in North America by "productive" colonists, for instance,



was justified because indigenous populations did not produce value.

So how does Karl Marx deal with all of this? Marx accepts the Lockean fiction in the opening chapters of *Capital* — though the argument is certainly larded with plenty of irony when, for example, he takes up the strange role of the Robinson Crusoe myth in political-economic thinking, in which someone thrown into a state of nature acts like a true-born Briton. But when Marx takes up how labor power becomes an individualized commodity that is bought and sold in fair and free markets, we see the Lockean fiction unmasked for what it really is: a system founded on equality in value exchange produces surplus value for the capitalist owner of the means of production through the exploitation of living labor in production.

The Lockean formulation is even more dramatically undermined when Marx takes up the question of collective labor. In a world in which individual artisan producers controlling their own means of production could engage in free exchange in relatively free markets, the Lockean fiction might have some purchase. But the rise of the factory system from the late eighteenth century onward, Marx argues, rendered Locke's theoretical formulations redundant. In the factory, labor is collectively organized. If there were any property right to be derived from this form of laboring, then surely it would have to be a collective or associated rather than individual one. The definition of value-producing labor, which grounds Locke's theory of private property, no longer holds for the individual but is shifted to the collective laborer. Communism should then arise on the basis of "an association of free men, working with the means of production held in common, and expending their many different forms of labor-power in full self-awareness as one single labor force."⁷ Marx does not advocate state ownership but some form of ownership vested in the collective laborer producing for the common good.

How that form of ownership might come into being is established by turning Locke's argument on the production of value against itself. Suppose, says Marx, a capitalist begins production with \$1,000 in capital and in the first year manages to gain \$200 surplus value from laborers mixing their labor with the land, and the capitalist then uses that surplus in personal consumption. Then, after five years, the \$1,000 should belong to the collective laborers, since they are the ones who have mixed their labor with the land. The capitalist has consumed away all of his or her original capital. Like the indigenous populations of North America, the capitalists deserve to lose their rights, since they themselves have produced no value. While this logic might sound outrageous, it lay behind the Swedish

Meidner plan proposed in the late 1960s. A tax on corporate profits, in return for wage restraint on the part of unions, was to be placed in a worker-controlled fund that would invest in and eventually buy out the corporation, thus bringing it under the common control of the associated laborers. Capital resisted this idea with all its might, and it was never implemented. But the idea ought to be reconsidered. The central conclusion is that the collective laboring that is now productive of value must ground collective, not individual, property rights. Value, socially necessary labor time, is the capitalist common, and it is represented by money, the universal equivalency by which common wealth is measured. The common is not, therefore, something extant once upon a time that has since been lost, but something that, like the urban commons, is continuously being produced. The problem is that it is just as continuously being enclosed and appropriated by capital in its commodified and monetary form. A community group that struggles to maintain ethnic diversity in its neighborhood and to protect against gentrification, for example, may suddenly find its property prices rising as real estate agents market the "character" of the neighborhood as multicultural and diverse as an attraction for gentrifiers.

The outcome, writes Marx, is that capital, impelled onward by the coercive laws of competition to maximize (as do the cattle owners in Hardin's tale) utility (profitability), produces

progress in the art, not only of robbing the worker, but of robbing the soil; all progress in increasing the fertility of the soil for a given time is a progress towards ruining the more long-lasting sources of that fertility. The more a country proceeds from large-scale industry as the background of its development, as in the case of the United States, the more rapid is this process of destruction. Capitalist production, therefore, only develops the techniques and the degree of combination of the social process of production by simultaneously undermining the original sources of all wealth — the soil and the worker.

This "tragedy" is similar to that which Hardin depicts, but the logic from which it arises is entirely different. The problem of the commons is redefined here along with a range of possible solutions. Left unregulated, individualized capital accumulation perpetually threatens to destroy the two basic common property resources that undergird all forms of production: the laborer and the land. And with capital accumulation occurring at a compound rate of growth (usually at the minimum satisfactory level of 3 percent), these dual threats to land and labor escalate in scale and intensity over time. The violent neoliberal attacks on the rights and power of



organized labor that, from Chile to Britain, began in the 1970s are now being augmented by a draconian global austerity plan that, from California to Greece, entails losses in asset values, rights, and entitlements for the mass of the population, coupled with the predatory absorption of hitherto marginalized populations into capitalism's dynamics.

Living on less than \$2 a day, this population of more than 2 billion or so is now being taken in by microfinance as the "subprime of all subprime forms of lending," so as to extract wealth from them — as happened in U.S. housing markets through subprime predatory lending, which was then followed by foreclosures — to gild the McMansions of the rich. The environmental commons are no less threatened, while the proposed answers such as carbon trading and new environmental technologies merely propose that we seek to exit the impasse using the same tools of capital accumulation and speculative market exchange that got us into the difficulties in the first place.

Unfortunately, this is an old, old story: every major initiative to solve the problem of global poverty since 1945 has insisted on exclusive use of the means — capital accumulation and market exchange — that produce relative and sometimes absolute poverty. It is unsurprising that the poor are still with us and that their numbers are growing rather than diminishing over time.

The dismantling of the regulatory frameworks and controls that sought to curb, however inadequately, the penchant for predatory practices of accumulation has unleashed the *après moi, le déluge* logic of unbridled accumulation and financial speculation that has now turned into a veritable flood. The consequent damage can only be contained by the socialization of surplus production and distribution and the establishment of a new common of wealth open to all. What matters here is not the particular mix of institutional arrangements — enclosures here, extensions of a variety of collective and common-property arrangements there — but that the unified effect address the spiraling degradation of common labor and common land resources (including the resources embedded in the "second nature" of the built environment) at the hands of capital. In this effort, the "rich mix of instrumentalities" that Ostrom begins to identify — not only public and private but also collective and associational, nested hierarchical and horizontal, exclusionary and open — will all have a key role to play in finding ways to organize production, distribution, exchange, and consumption to meet human needs. The point is not to fulfill the requirements of accumulation for accumulation's sake on the part of the class that appropriates the common wealth from the class that produces it. The point, rather, is to change all that and to

find creative ways to use the powers of collective labor for the common good.

Planning Commission Consultation for the 12th Plan : Urban Poor Group: Recommendations on water and sanitation services to urban poor

Compiled by J Geetha (Gramalaya) and Depinder Kapur (India Wash Forum) on behalf of the group

The group came up with a list of prioritised issues that need immediate attention if the urban poor were to be provided with sustainable and equitable water and sanitation services.

- Poor quality of data:** Lack of reliable data, definition and understanding of who constitutes urban poor (is it only the below the poverty line group or people who live in slums, pavements, migrant workers? It is important to realise that urban poor does not refer only to the people living in approved slums only) affects the access to services to the urban poor. The group felt that this is as much a definitional issue as about reliable collection. So there is a need for both improving the definition and the process for collection of national data on the poor and to use the data to make a smart analysis for planning. **The government shall do a survey to make a clear and reliable data base of urban poor.**
- Gaps in legislation and laws that guarantee access and quality of services to the poor:**
 - Existing policies and programmes are inadequate in addressing equity and right to water and sanitation in the urban context. This shall be implemented in letter and spirit. **There shall be no denial of minimum basic services to all, on grounds of affordability.** Water to the urban poor shall be free.
 - Service delivery should be made available to the people who live in the communities irrespective of land tenure. It is important to simplify the administrative procedures for water and sanitation services. Watsan services to urban poor should be delivered without demanding for various identities in both authorized and unauthorized slums— as in the case of Gujarat, Agra and Bhubaneswar, proof of residence shall be considered as an adequate proof for provisioning watsan services.
- Water infrastructure for urban poor:**

- Options for services to be decided in consultation with communities, preference to be for individual household facilities but in case of community based facilities, only till houses are connected to individual services. Designing and development of infrastructure, its location, operation and maintenance of water and sanitation services (community toilets) to be done in consultation with the community members especially women groups.
- The Ministry of Urban Development and Poverty Alleviation, State Government urban departments, health and public works, Municipalities and utilities should invite representatives of communities, women self-help groups and NGOs in developing designs and norms for community infrastructure development, maintenance and management.
- In case of resettlement colonies for slum dwellers, urban local bodies should plan and provide for quality infrastructure. This has to be provided upfront in case of new resettlement colonies.
- The deposit charges for individual water connection and toilet construction are to be made minimum and through an instalment system rather than a onetime payment. Presently, the Tiruchirappalli Municipal Corporation is charging Rs.9000/- for watsan connection ((individual household water connection (Rs 3000) or house hold latrine (Rs 6000)) from everyone including urban poor in the city. Same is the case with other municipalities. There is a need for targeted subsidies for the urban poor.
- Total Sanitation Campaign for urban poor (similar to TSC in rural areas) need to be launched in 12th FYP. An appropriate design and cost should be estimated as per price of raw materials (Bricks, cement etc) and at least 75% should be subsidy to urban poor.
- A universal reduction of charges for underground drainage (UGD) is recommended or there shall be a provision to subsidise the urban poor to enable them to pay a minimal charges as in the case of a state like Orissa (Rs.3500 to Rs.800).
- A subsidy of Rs.9000 is available in Karnataka for the construction of individual household toilets. This subsidy model if implemented in other states would encourage people to construct individual toilets, thereby reducing open defecation in urban areas.
- Establishing appropriate technology for connecting individual household toilets and community managed toilet to UGDs will enable

- all citizens in the urban poor to be linked to UGD and not to open drains. It is recommended that the community toilets with septic tanks should be connected to UGDs without additional cost. As a progression, municipalities shall promote community toilets with decentralised waste water treatment systems.
- Community Complexes require large amounts of water to maintain hygiene. (More water is required at complexes where bathing and cloth washing facilities are available). In such cases, water is drawn from bore wells using electric motors, incurring substantial electricity costs. [A participant from women's federation in Tiruchirappalli pointed out that the average monthly expenditure on electricity is about Rs.1,200 (ranging from Rs.120 to Rs.5,150)]. One section in the urban poor group felt that the communities should not be asked to pay electricity and water charges and user fees. While the other group felt that electricity charges and water charges should be subsidised in accordance to the domestic tariff in the case of community managed toilets.
 - There is a need to put an end to manual scavenging by focusing on rehabilitation of manual scavengers, rather than the current practice of targeting closure of dry latrines. There is a need to identify alternatives for rehabilitating the scavenging community by employing them in solid waste management (garbage clearance).
 - To set standards for toilets with bathing and washing section, integrated sanitation complex-child friendly toilets, menstrual hygiene, disabled friendly. PWD (Person with Disability) are the most marginalized section amongst the urban poor and proper attention for fund allocation and disabled friendly design for their access to water and sanitation should be inbuilt in the policy. As per existing PWD Act 1995, it is a legal binding too to allocate at least 3% of the fund for PWDs development.
 - Fund for proper drainage system in all the authorized and un-authorized slums in every town and metros need to be allocated. Relocation of stand posts which are close to drains and relaying of drinking water mains to avoid pollution of drinking water shall be undertaken as a priority.
 - There is a need to allocate funds to establish water quality testing labs for testing the individual and public water sources used by the community at a low-cost.
 - Community participation alone can guarantee a cost effective, well designed and user friendly

urban slum infrastructure. [Community participation does not mean that 100 % of any urban slum community will at any one time to agree to be a member of a slum user group or self-help group managing the infrastructure of a slum. This should be taken up in a campaign mode with adequate time allocated for behaviour change and IEC]

- Similarly community management alone can sustain the capital infrastructure through timely operations and management. This can be achieved by relying on community members and users as participants in this effort and not simply as clients in a business. Such level of community participation in management of slum infrastructure cannot be attained when public works are contracted out to private parties, corporate houses or NGOs. In order to institutionalise community participation support and involvement of local NGOs may be sought.
- Government shall provide for annual maintenance charges to Community based organisations to maintain community toilets for better operation and maintenance instead of once in three years. Capital infrastructure of community toilet buildings will require capital investment in up gradation, repairs and maintenance (new toilet blocks, overhead water tanks, septic tanks or sewerage connectivity and major repairs of doors and flooring that occur once in 7-10 years). This should also be supported by Municipal Corporation/Utility.

4. **Developing norms and improving the service delivery for community managed public toilets and toilets in public places:** Norms shall be developed in a participatory manner on the following:

- availability per capita population of slums and availability per square kilometre of public spaces (alongside roads),
- integrated toilets-water-bathing and washing complexes as a norm,
- delinking provision of watsan services from tenure,
- subsidised electricity and water,
- in peri-urban areas there is a need for removal of APL/BPL targeting for services of urban poor,

5. **Strengthening capacities of the utilities and municipalities for providing better watsan services** to the urban poor:

- There is a need for establishment of a social development unit (SDU) within Municipal

Corporations to respond to and work with the urban poor Experience of Bangalore (Bangalore Water Supply and Sewerage Board on this can go a long way in making the predominantly engineering focussed water utilities to be socially responsible and responsive to the needs of the poor. This dedicated desk in the utility will go to a long way in providing connectivity and good services to urban poor. In addition to formally setting up of SDUs, the field staff of the utility should be given some recognition and rewards for working in slum areas. It is important that a senior person with adequate experience is selected and appointed to manage the slum and urban poor development issues as in the case of Bangalore BDU.

- There is a shortage of staff dedicated to slum/resettlement colonies and this needs to be increased especially sanitary workers. The present level of staff at ward level (Junior engineer, Sanitary Inspector, Supervisor, Sanitary workers) is overburdened and they are unable to offer good services. There is a need to provide capacity building to Municipal officials for promoting the proper solid waste management system in the cities
- There is a need for convergence of programs (like health, education, housing, water etc) and inter and intra departmental coordination inter and intra department.

**Planning Commission Consultation for the 12th Plan:
Domestic Water Supply
Compiled By: Depinder Kapur, Nafisa Barot, Ravi Chopra**

The civil society consultations identified the main challenge in water supply as relating to growing water scarcity for domestic water use. **Scarcity for safe domestic water now affects large parts** of not only the semi arid and arid regions of India but also the sub humid and humid regions. Water tankers in many rural areas and water trains in some parts of the country, highlight the precarious state of water availability and issues of inequity and injustice in securing claim on water, specially by women, and the socio politically and economically marginalised communities.

(1) Assuring adequate quantity of safe and reliable domestic water supply

Water stress as well as it not being available at a home connection level, is a major factor for the low



construction and usage of toilets in rural areas.

Water supply for domestic use is important not only for drinking water but also for sustainable sanitation. Unreliable and unsafe sources of water, domestic water scarcity in large parts of the country at increasing frequency and scale, are a major cause of concern for meeting basic needs of all sections of society and of water as a human right. Hence a commitment to assure adequate quantity of safe and reliable water supply for domestic use both at household and community level is required as a national policy as well as a legal entitlement.

In the light of the newly drafted National Drinking Water Guidelines, that does away with minimum per capita drinking water provisioning and calls for rural communities to establish their norms and for the state to provide for them, it is not clear how this will be provided. If WASMO model in Gujarat is being seen as a model for the rest of the country, where Narmada water is being supplied through a massive river basin water transfer costing huge capital outlays, there are questions on how this will materialize for other parts of the country and what role if any will local communities play in planning and securing this water supply. There is also the question of effectiveness of such huge projects apart from its huge cost for infrastructure and maintenance involved.

There is therefore a danger that in the absence of commitments for improving the current standard of minimum domestic water supply by fixing higher quantitative appropriate levels and quality of water supply to each household and individual, the state may abdicate its commitment to providing a basic assured level of rural domestic water supply or end up spending huge capital outlays for massive intra basin water transfers for domestic water requirement without paying attention to developing, improving the quality and protecting local water resources for domestic water supply. Closer availability of water resource would also have a better potential for active participation of the most vulnerable in decision making, implementation and management of both their resources and distribution.

(2) Enhancing the minimum norms for domestic water supply

A minimum norm for domestic water availability for rural areas was earlier the guiding norm for national drinking water supply (fixed at a minimum of assured all year round 40 lpcd), needs to be raised to reviewed and increased to 70 lpcd of potable water provided to each household at their home and not in a public place. In addition to this, it is desirable that 100litres water per day per family is also assured for other uses(this water

quality may be lower than the potable drinking water quality at household level /community level)

(3) In times of extreme stress

Natural calamities of droughts and floods, and manmade disasters, the provisioning of minimum quantity of domestic water supply could be 55lpcd. In such times, claims over scarce private 12 and public water resources should come under the control of the Gram Sabha and Gram Panchayat at the village level. So that water supply provisioning can be done for all and water sources are not exploited for profit.

The Planning Commission must prepare a Perspective Plan to move towards a norm of 100lpcd safe water supply in the home in rural areas. State governments should be encouraged to implement such a norm from the Fourteenth Five Year Plan onward. This level of supply should also be accompanied by the installation of decentralized waste water treatment systems. The treated water can then be channeled into kitchen gardens and/or fields for irrigation purposes.

(4) Gram panchayat powers and sustainability of water sources and supply

Role and power of gram sabhas and gram panchayat for resource protection through stringent monitoring, preventing unsustainable extraction or pollution of ground or surface water by other users including industry, should be enshrined in Policy, Programmes and Laws at the national and state level.

Enhanced norms for equitable, safe and sustained domestic water supply are possible only when **local level planning and multiple sources in place of single source water supply are employed**. As a policy therefore, priority must be given for local water sources and to augment these from outside, only when the local resources are not able to meet the community requirements. Hence all local sources at the village, block and district level should be mapped and monitored to assess their sustainability over time. A water security plan (including gender sensitive equitable distribution system) be developed based on this mapping and approved by the Gram Sabha, in order to provision for capital investment in domestic water supply infrastructure. Infrastructure for water supply at village level should be based on active community involvement from all sections of the community assuring more than 50% of women's participation in the design of integrated water supply and sanitation. The Gram Sabha may take the assistance of a Civil Society Organisation for developing this water security plan. It is feared that if the government Utilities and civil contractors are engaged in developing village level water security plans, it is likely that the capital infrastructure demanded will be huge and



the ability of the community to pay for its O&M later on will be in doubt. All water security plans at the village level should be approved at a single level, the block or the district, in a stipulated timeframe.

If water security plans are developed in the above mentioned process and framework, only then can the communities be expected to be responsible for all O&M expenses of the water supply systems. Water quality assurance as well as O&M operations management will be the responsibility of a sub-committee (could be the Village Water Supply & Sanitation Sub Committee) of the Gram Panchayat. The proposal of Panchayati Raj Ministry to provide functionaries to each GP will ensure a basic capacity within the Panchayat to do this. Monitoring and auditing the performance of the system will be done by the Gram Sabha if necessary assisted by CSOs.

(5) Pricing of domestic water

It should be seen purely from the perspective of valuing a scarce natural resource and not for profiting from it at the expense or exclusion of the poor. Water for meeting basic human right should not be charged, 100% Capital cost for water resource building and water supply infrastructure should come from external funding, (mainly the government) while O & M costs, to be borne by the users., except for the electricity charges, which should be paid by government Pricing to be left to the Gram Sabha, to take care of O&M. Pricing of water however should not be at the expense of denial of minimum human requirement to anyone in the village.

(6) Time limit for approval and implementation

Experiences show that applications from the communities remain unattended for a very long time. Hence, it is absolutely necessary to fix up the time limit for the approvals and release of funds. To ensure this, time must be fixed as in case of RTI.

There are examples of village communities coming together and developing village an initial village capital fund as part of its joined up design and planning process. In the main however, capital infrastructure cost for water supply at village level should be secured from government or external funding and the O&M left to the village community to meet. All major replacements (new motors, new borewells, new pipelines) are capital costs. Electricity for operating water supply schemes should be provided by the government or other service providers at a subsidized rate, if not free. Electricity for a minimum domestic water supply norm as well as for a minimum level of household power needs, can be provided at lifeline base tariff in place of massive electricity provisioning for free to irrigation.

(7) Ensuring water quality

Once the infrastructure to provide safe drinking water is taken care of, ensuring water quality monitoring can be the responsibility of the community, through the VWSC (including women and men water volunteers) that functions as a sub-committee of the Panchayat. Training in water quality testing and treatment to be provided to the sub-committee (VWSC) and Panchayat functionaries by CSOs/Govt/research institutions/ universities. Every GP will be supplied with water-testing kit. Replacement of water testing chemicals is part of O&M responsibility.

The Department of Domestic (Drinking) Water Supply in collaboration with other experienced agencies including research institutions, voluntary organizations, universities and other experts should prepare comprehensive guidelines for Community-based Water Quality Monitoring and Treatment. The lessons from similar implementation of community-led watershed development programmes should be used in such an exercise.

(8) Empowering the Gram Sabha, panchayats and water sanitation committees

Appropriate fund allocation should be done for capacity building, gender sensitization, inclusive and participative processes for the village action plans, implementation, establishing redressal or conflict resolution mechanism at community and area level as well as for constant monitoring to prevent slip back.

Yojana Bhavan and 'Public Reasoning'

By Devaki Jain; EPW 25th Dec 2010

The Planning Commission has recently sought the engagement of civil society in drafting the Twelfth Plan, asking them to identify the challenges and areas that require special focus, so that the Plan document is more holistic in nature and could help in yielding the desired results.

It is apt to recall that the Planning Commission has been doing this for several decades now. Extraordinarily well organised, both regional as well as special, specific consultations with civil society have been held in the preparation of every one of the last Five or Six Plans. However, the experience has revealed that these consultations and especially the hard work put in by the NGOs, civil society groups with such optimism are of no avail in how the final document and the proposals emerge.

There are many reasons for this mismatch. In most cases the first drafts of the sectoral chapters of every



Plan are prepared by the concerned ministries and provide the basis for the Plan. These are embedded approaches, for example, the ministry of women and child welfare brings up almost with the regularity of a pump its ongoing programmes and goals, and adds or modifies some of it. It does not necessarily take on the macroeconomic framework within which a large majority of women are grinding out their lives or the related sectors like health or education links.

A second and significant constraint is the fact that in the context of the post-reform macroeconomic policy framework and allocations, where private players and international agreements, apart from the states, have a major role to play in policy as well as investment choices, preparing a detailed Plan with allocations and suggestions is like whistling in the dark. Drawing up a five-year plan at the centre, as was recognised even as we went into the Eighth Plan can only be indicative and not what it was earlier.

The critical point is that the macroeconomic framework of planning has to change for it to become what is called *holistic*, what the policymakers call *inclusive*. The players and their power have changed over the last two decades. This understanding needs to be brought into public debate as a huge structure such as the Planning Commission with sectoral experts churning out informed chapters and informed papers, is wasteful. Yojana Bhavan has not been and cannot be the vehicle to deliver inclusive growth. The players of the Indian economy are outside the Yojana Bhavan.

On the other hand, Yojana Bhavan can transform itself to becoming a centre for knowledge and have public discourse and public debates, engage in what Amartya Sen in his book, *The Idea of Justice* calls public reasoning. "Open minded engagement in public reasoning is quite central to the pursuit of justice", he says. Yojana Bhavan can draw attention to the aspirations of the marginalised groups, further draw their arguments, their facts, their struggles, and achievements into public consciousness through interface conferences. They could use the Constitution as a touchstone in fighting for the rights and ideas of the "excluded".

In other words it can bring in a just political economy rather than draft chapters and print reports which often cannot be negotiated as we are finding with most ministries and state governments.

Peoples Perceptions Research on Sanitation Situation:

Ekta Dalit Colony, Vasant Kunj Delhi Slum survey conducted by FORCE an NGO based in Delhi

Sanitation facility has failed to deliver

The slum is situated in the posh south Delhi Vasant Kunj colony, on private land. With approx. 300 households, it has a muslim community and a hindu community inhabiting two parts of the slum. The slum has been in existence for atleast 10 years.

At the moment there is 100% open defecation practiced in the slum. A public toilet had separate men and womens toilet(10 sets each for men and women) and bathing facilities(10 sets each for men and women). It was built by the slum wing of the Delhi Municipality and was maintained by their appointed staff.

When the public toilet in the slum was functional, it had a bore well that also met the drinking water needs of the slum community. The public toilet was well maintained and each household was paying wither a monthly contribution of Rs.50 or a per use payment(Rs.0.50) for toilet. It also had bathing and washing facilities.

The reason for failure of the public toilet was the coming up of a petrol pump on the main road that cut off the underground sewer line of the slum public toilet. The toilet had no sewerage and got jammed and became dysfunctional. A local strongman then took control of the borewell and started charging Rs.250/household/month for drinking water supply. Then the pumpset burnt down and it also got dysfunctional. Now both drinking water and sanitation are a problem. Tankers supply drinking water.

There were 2 hand pumps installed in the slum and both are dysfunctional. One of the pumpsets was restored by some people pooling in rs.150/household. Then it was spoilt again by someone(stones were jammed into the bore).

What needs to be done by whom?

As per the peoples perception it is the government that should revive the public toilet and ensure that there are atleast 2 functional hand pumps in the slum. If the govt. cannot do this then the local NGO should repair the infrastructure. Otherwise the people will have to wait indefinitely for water and sanitation facilities to be provided.

People also said that the maintenance of the public toilet infrastructure should be done by an outsider(not from the slum) and everyone will pay for it. It was felt by the women respondents that management of the infrastructure if left to the local community, has the high chance of usurpation of the public asset by some local strongman, as was witnessed earlier, and the furtherance of dependency and patronage relationships in the slum that they want to avoid.

Interviewers observations and comments on the situation in the community; also comment on any significant differences between the responses of the interviewees and the interviewer's own observations.

The slum is divided in two parts – on religious lines. The slum is situated on private land and is located in one of the posh areas of Delhi. Yet it does not have basic water and sanitation facilities. People have to go to the DDA plot for defecation and this is becoming difficult as they are driven away. Hence they have to go early or late in the dark. For children, women, old and sick, lack of toilets is a major concern. Men also share in this concern.

In terms of slum cleanliness, it is clean, there is a pucca path and a storm water drain that is clean and well maintained on a regular basis.

The local NGO called FORCE that operates in the slum, has a good rapport with the community and the women. Hence they were forthcoming to share their perceptions. The group of women we interacted with expressed the priority of having atleast a public toilet in the slum. Yet the community is not united enough to demand community managed toilets and are eager to have outsiders manage it on contract and they are ready to pay for use.

The jhuggis are too small for having individual toilets. Coupled with the tenural insecurity, the division of slum community on religious lines, the self perception that they are encroachers and outsiders but not citizens of the city providing the support and the services that Delhi cannot do without and hence entitled to live with dignity, is the for the development of patronage relationships with outsiders and lack of local leadership that can demand rights. This psychological and physical context also explains why the expectations of the community are so few when it comes to demanding better living conditions, and better water and sanitation infrastructure. The Ekta Dalit Colony slum residents do not expect and upgradation of the slum for better houses, individual toilets and drinking water connections, in place of public facilities, nor do they demand other services including Public Distribution, Health care, School and Anganwadis.

The lack of a viable local community leadership in the slum in which the people repose faith of a community managed toilet and drinking water infrastructure, cannot be seen as a problem of peoples participation and governance. The slum dwellers live with the insecure self perception of encroachers of land who can be evicted anytime. Patronage is therefore the dominant form of leadership for the slum dwellers with the outsiders, even

though the slum dwellers are not in any patronage based production relations as is witnessed in a rural setting. Local pradhans emerge as power brokers within the slum, with whom the outsiders (political parties, police and administration) maintain a patronage relationship. The slum pradhans are provided informal recognition for their power to allocate land for households in the slum and for various other informal entitlements from households as a private landlords – in exchange for the patronage to the outside agents and that too without any significant cost to the outside agents.

The relationship that the slum dwellers have even with the local NGO is that of a benevolent charity that seeks their wellbeing. They value this relationship with the NGO but are seeking benefits from it rather than as a support for a larger struggle, for a democratic leadership within the slum, or for challenging the NGO's vision and ideology as well.

Emergence of leadership within the slum that is democratic and not based on a patronage relationship is therefore extremely difficult, unless it develops through a process of struggle and unity among the slum dwellers on issues of principles and not for seeking some relief and benefits alone. This is witnessed in a few slums in Delhi where people have come together, despite their insecurity of tenure, to fight for their rights on all issues not just water and sanitation, these include PDS and other benefits. This has been supported by NGOs but the entire terms of engagement are then very different.

The responses from the community therefore to the questions on sanitation and water status, why it failed and what needs to be done – needs to be understood from the above mentioned perspective.

Fiddling While Rome Burns: The global powers that be fiddle even as Cancun takes the mitigation of climate change backwards

Economic and Political Weekly Editorial; 25th Dec 2010

Bolivia's ambassador to the United Nations, Pablo Solón Romero, who has been a social activist, must have, in his youth, absorbed Hans Christian Andersen's short tale of "The Emperor's New Clothes". Like the child in the crowd who cries out that the emperor "isn't wearing anything at all", Solón displayed the courage of his government's convictions when, at the concluding plenary of the 16th Conference of the Parties (COP 16) of the United Nations Framework Convention on Climate Change (UNFCCC) in Cancún, Mexico, he declared: "I cannot in all consciousness sign such a document as millions of people will die as a result". In the Andersen



tale, the child's cry is taken up by others in the crowd and the king cringes, but continues on his onward march nevertheless. Will some other countries among the 191 "parties" to the UNFCCC now join Bolivia to declare that the "Empire" is "naked" in preventing catastrophic climate change? The Cancun Agreements, as they are called, have virtually killed the Kyoto Protocol (KP) which, despite its negatives, had binding targets for the developed countries for their greenhouse gas (GHG) emissions, arrived at on the basis of climate science. The KP also made a distinction between the developed and developing countries, which is crucial, for the developed countries have already "used up" the carbon absorptive capacity of the biosphere with a disproportionate amount of GHG emissions, and are thus largely responsible for climate change. But now, the way, which was created at the COP 15 at Copenhagen last year, seems to be set for voluntary pledges to reduce GHG emissions, with more than a little bit of help from "offsets", payments for reduced deforestation in places like the Brazilian Amazon through the Reducing Emissions from Deforestation and Forest Degradation (REDD) scheme, the older Clean Development Mechanism projects, "cap-and-trade" market mechanisms for the buying out of the emissions reductions, and so on.

It was at the COP 15 in Copenhagen that the United States (US) pushed for the replacement of the Kyoto framework by a structure in which the developed and large developing countries take on voluntary GHG emissions reduction targets, in effect rejecting the concept of "ecological debt" – debt owed by the developed countries to the developing countries for, among other things, the former using up the carbon absorptive capacity of the biosphere – and therefore their responsibility for mitigation of the problem. Now, as part of the so-called "Long-term Cooperative Action", the mitigation actions of countries like China and India have assumed importance along with, of course, the required related steps by the developed countries, rather than what should have been the binding commitments of the developed countries for the second commitment period of the KP beginning 2013.

The understanding reached at COP 13 at Bali in 2007 was that the Annexure I Parties of the KP (developed countries and economies in transition) would take on binding targets for GHG emissions reduction, as required by climate science, for the second commitment period; the US, which did not sign the KP, would make a comparable commitment, and the large developing countries would undertake mitigation actions with the financial and technological support of the developed countries, both of which would be subject to "measurable, reportable, and verifiable" mechanisms. Needless to say, the voluntary

pledges of the Copenhagen Accord in no way come anywhere near what is required to remain within the "safe limit" of a two degree Celsius rise in average global temperature, as was made clear on the eve of the Cancun meeting by an emissions gap report prepared by the UN Environment Programme.

Imprisoned for life

By Harsh Mander

Dalits are often trapped in 'unclean', socially despised occupations because of the persistence of tradition and because there are no viable alternatives...

<http://www.hindu.com/mag/2011/01/09/stories/2011010950100300.htm>

Millions of women, men and children continue to be trapped in humiliating and socially devalued vocations only because of their birth. The Indian caste system survives in large tracts of rural India despite the sweeping winds of modernity. It mandates the division of labour, or the allocation of occupations, based on one's birth into a particular caste. Caste through millennia permitted little opportunity to people to move from one caste-based occupation to one that is socially regarded to be superior. Many of these barriers persist in modern times.

The most disadvantaged castes even among dalits are socially assigned occupations that are considered ritually 'unclean' and socially degrading. Most of these 'unclean' occupations are associated in one way or another with death, human waste or menstruation. These three universal physiological processes have been culturally shrouded by beliefs of intense ritual pollution. The collective tragedy and angst of these most socially oppressed communities is that they find themselves socially trapped into 'unclean' occupations even as the country surges into 21st century, market-led economic growth. Tradition, feudal coercion and economic compulsions combine to persist in ensnaring millions of these dalit families across the length and breadth of the country into socially despised occupations.

Dealing with impurity

The unclean occupations culturally forced upon dalit people that are related to human death include the digging of graves, collection of firewood for the cremation of dead bodies and setting up the funeral pyres. Death is considered so impure and unclean that, in many regions of rural India, it is dalits alone who are required by tradition even to communicate the news of

any death to the relatives of the deceased person, whatever maybe the distance.

There are a large number of unclean occupations that derive from the death of animals. In most states, villagers still expect dalits to dispose of carcasses of animals that die in their homes or in the village, whether cattle or dogs or cats. They skin the bodies of dead animals, flay and tan these and develop them into cured leather, and sometimes even craft them into footwear and drums. The pollution associated with leather is so pervasive that in states such as Andhra Pradesh, Rajasthan, Karnataka, Uttar Pradesh and Maharashtra, even the beating of drums at weddings, funerals and religious festivals is considered polluting and imposed as a social obligation or caste vocation only on dalits. The logic is carried further in rural locations where public announcements are still made in villages by the beat of drum. Even this occupation is considered polluting and is the monopoly of dalits, because of the polluting touch of dried and treated animal skin that is stretched on the drums.

A third category of 'unclean' occupations derives from the culturally polluting character of human waste. In most parts of India, the manual removal of human excreta, often with bare hands, survives as a deeply humiliating vocation despite it having been outlawed. This pollution extends in many cases to cleaning of sewage tanks, drainage canals and the sweeping of streets. The beliefs related to the pollution by menstrual blood results in midwifery and the washing of clothes deemed as unclean occupations in states such as Uttar Pradesh, Karnataka, Bihar and Maharashtra.

Deep wounds

Lifelong engagement in these intensely socially despised — and frequently grossly unhygienic — occupations leaves profound physical and psychological scars on people who are forced into this work. Despite technologies available to make the work safe and hygienic, these are rarely deployed.

The sturdy cultural beliefs in the polluting nature of certain occupations adapt regressively to a range of potentially liberating contemporary developments. For instance, the establishment of leather factories and tanneries has freed dalits significantly from traditional hereditary occupations, but dalits still lift and skin carcasses to sell at a price to leather footwear companies. It is also interesting that leather and tanning factories have a very high proportion of dalit workers. In cases where the modern economy or municipal management requires the transport of solid waste or carcasses, even the drivers of these vehicles are drawn from the dalit community. Municipal authorities routinely

employ only dalit workers for scavenging and sweeping. Veterinary and medical doctors, unwilling to pollute themselves by touching corpses, even use dalits to perform post-mortems, whereas they only look at the dissected corpses without handling them and write their reports.

Some unclean occupations are involuntary and unpaid, or paid a pittance. The bearing of death messages and temple cleaning in Tamil Nadu, cleaning up after marriage feasts in Kerala and Karnataka, making leather footwear for people of higher castes as a sign of respect in Andhra Pradesh, and drum-beating and the removal of carcasses in many states are unpaid tasks. Ghasis, Panos and Doms involved in leather work and scavenging are landless and most non-dalits and even some of the dalit farmers refuse to employ them for agricultural wage work. In Orissa we find payments of leftover food, old clothes, fistfuls of food grains or petty cash. In most Rajasthan villages, cash is rarely paid for traditional unclean work expected from the dalits, instead they are given food (not more than two rotis). In Karnataka, we found payment of arrack, a meal and some cash for drum-beating, and fixed cash payments for other tasks like mid-wifery and lifting of carcasses. Scavengers may be employed on monthly salary by local bodies, otherwise families pay them cash or stale food.

Not all unclean work is paid, and a lot of it is forced. Refusal to perform 'unclean occupations' often results in retribution: in the form of abuse, assault or social boycott. Even in the absence of such overt coercion, economic compulsions prevent most dalits from escaping humiliating hereditary occupations. They may earn Rs. 200 from skinning a dead buffalo, which brings food into their cooking pot.

Scavenging may secure them regular employment in urban local bodies.

Those engaged in unclean occupations are usually assured very low but secure earnings because of their monopoly of these occupations. If they persist in occupations such as scavenging or disposal of carcasses and human bodies, which are indispensable for any society, but which no other group is willing to perform, it gives them greater economic security than many other disadvantaged groups. But this is at the price of the most savage and extreme social degradation. Yet, if they seek to escape this social degradation to achieve dignity, they have to abandon the economic security of their despised occupations to join the vast ranks of the proletariat. This, then, is the core of their quandary: if they seek economic security, they must accept the lowest depths of social degradation; but if they wish for social dignity, they must accept the price of economic insecurity and deprivation.



Signs of hope

Whereas hereditary unclean occupations for dalits remain entrenched in the rural social system, cracks are developing. There are many reports of successful resistance from many parts of the country. In Tamil Nadu, until recently refusal to perform unclean activities was met with fines, violence or excommunication. However, collective resistance has grown over the past decades, forcing non-dalits to accept the mobility of these dalits into the more respected caste-neutral category of agricultural worker. Some inspiring case studies have come to light even from the feudal outposts of Rajasthan. In Palri village of Sirohi, the dalits collectively resolved to refuse to remove the carcasses. The caste Hindus retaliated with a social and economic boycott and violence, but the dalits held their ground. Today they have freed themselves from this legacy of shame. Likewise, the Regar community in Sujanpura village of Sikar refused to lift carcasses. Non-dalits negotiated and a breakthrough was achieved when in a major rupture from tradition, it was agreed that two persons from each caste would take turns to carry the carcass outside the village. However, it is still left to the Regars to skin the animals.

A unique national movement of self-respect and non-violent direct action of manual scavengers themselves — the Safai Karmchari Andolan — has succeeded in freeing tens of thousands of mainly women from this practice, although its stubborn last vestiges persist, including in the Indian Railways. It is these brave and proud struggles of dalit people themselves to free themselves from the shackles of humiliating social tradition, that illuminate our world with hope of a more humane social order for all our children.

India WASH Forum Trustees

Ms. Nafisa Barot

Mr. Ramisetty Murali

Mr. Subhash Chand Jain

Mr. Ashok Jaitly (Chair)

Mr. Bunker Roy

Dr. Pawan Kumar Jha

Mr. Darryl D'Monte

Ms. J. Geetha

Mr. Ravi Narayanan

Mr. SS Meenakshisundaram (Vice Chair)

Dr. Joe Madiath

Mr. Depinder S Kapur (National Coordinator)

About India WASH Forum

India WASH Forum is a registered Indian Trust since 2008 with thirteen Trustees from all over India. It is affiliated to the WSSCC Geneva and is a coalition of Indian organizations and individuals working on water, sanitation and hygiene.

A unique feature of IWF is its non-hierarchical set up. The Trustees of India WASH Forum are represented in their individual capacity and do not represent the organisations they are associated with. The agenda and activities that India WASH Forum are determined at the initiative of the Trustees and support from organisations and individuals. We receive a very small operations grant from WSSCC and undertake learning events, engagement and support with other organisations and initiatives and bring out this bi monthly News & Policy Update.

Our Charter includes the following commitments;

- ❑ **Promoting knowledge generation** through research and documentation which is linked to and supported grassroots action in the water-sanitation-hygiene sectors. Special emphasis is given to **sector-specific and cross-cutting thematic learnings.**
- ❑ **Supporting field-based NGOs and networks in their technical and programmatic work.** The IWF would also consistently highlight gender and pro-poor considerations, and provide a national platform for interest groups working in the sector to come together.
- ❑ **Undertaking policy advocacy and influence work** through
 - Monitoring and evaluations
 - Media advocacy and campaigns, and
 - Fact finding missions
- ❑ **Undertaking lobbying and networking to promote common objectives** in the sector.

Registered office of India WASH Forum: K-U, 6 Pitampura, Delhi-110034.

Depinder Kapur:
kapur.depinder@gmail.com
9711178181