



CENTRE FOR CIVIL SOCIETY

Jeevika Livelihood Campaign Aids India's Poor



CENTRE FOR CIVIL SOCIETY
Social Change Through Public Policy

*Reform Is Just
the Beginning*



INTRODUCTION

India gained its independence from Great Britain after World War II, but the new nation remained economically dependent, in this case on socialist nostrums then popular in Britain and many other countries at the time. Long after the Asian “tigers” emerged, India remained lost in *dirigiste* policies from the past. As a result, the poverty rate remained an astonishing 60 percent even into the early 1980s.

Only in 1991 did the Indian government begin the process of economic reform. The results were dramatic, but millions of Indians remained locked out of opportunities that people in the West take for granted. The Centre for Civil Society (CCS) sought to develop a strategy to empower the poor, create political support for reform efforts, and follow up with administrative and legal support.

CCS applied this approach to protecting the right of entrepreneurs, in this case street vendors to ply their trade, by taking an activist approach unusual for think tanks. Staffers helped educate vendors and families, organize them politically, and hold protests and other activities. CCS went on to draft legislation, monitor its implementation, file lawsuits, and report on compliance.

Resistance has been stiff, but the Centre’s efforts bore real results through improving the lives of the poor. Millions of street vendors now are more secure in their property and business. While much more needs to be done, the Jeevika Livelihood Campaign has provided an important reminder about how far the efforts of common people aided by a few dedicated activists can go.

HISTORY

The Centre for Civil Society is a New Delhi-based public policy think tank founded in 1997 by Parth Shah, who taught economics at the University of Michigan before returning to India to promote more classical or market liberal policies. He sought to spur what he called a “Second Freedom Movement.” Privately funded, CCS assembled a diverse staff that engages in a mix of research, outreach, and advocacy designed to promote policy reform at all levels in India. The Centre seeks to encourage community, increase competition, and expand choice.

An Atlas Network partner and grant recipient of Leveraging Indices for Free Enterprise Policy Reform (LIFE), CCS emphasizes several policy areas, including good governance, economic liberty, globalization/free trade, environmental protection via property rights, and education. To advance its broad agenda, the organization studies issues, analyzes legislation, promotes documentaries, offers seminars, and organizes issue campaigns. The Centre also created CCS Academy to manage training programs for government officials, journalists, businessmen, and young leaders. Public policy certification is provided through iPolicy. The Centre teaches legal advocacy and files lawsuits through iJustice.

Today, CCS organizes colloquia on liberal thought and other topics, maintains discussion groups and issue-specific websites, conducts timely research, encourages advocacy and works with governments to implement reform. In cooperation with the Atlas Network, from 2012 to 2016, the Centre created the Asia Centre for Enterprise, designed to help train people seeking to establish liberal institutions throughout Asia. CCS also partners with NIDAN, an NGO focused on grassroots work with the poor, to promote policy reform in the state of Bihar.

The organization’s Ease of Doing Business project enjoyed a notable achievement in 2016 with



▲ Jeevika press conference.



the elimination of government requirements for certification and minimum capital to legally start a new business. Nevertheless, India still came in at number 130 of 189 on the World Bank's Doing Business Index. In response, the Centre has created a series of specific targets for reducing the cost of doing business and enforcing contracts to encourage further reform.

In 2014, CCS launched the Repeal 100 Laws project to eliminate unnecessary regulations, burdensome taxes, and other obsolete or counterproductive measures interfering with economic, civil, and personal liberty. Another Centre initiative is reclassifying bamboo from a tree to grass, which would reduce regulatory barriers to participation in a large international market dominated by China.

The organization's efforts to achieve social change emphasize four tactics: research, community mobilization,

stakeholder engagement, and legal action. All aspects are evident in CCS's Jeevika Livelihood Campaign and multifaceted educational program. The former, with a focus on street vendors, seeks to deregulate work and entrepreneurship. The latter is designed to expand educational opportunity by deregulating education, promoting use of vouchers, and supporting entrepreneurs. Both efforts touch millions of Indians.

The Centre has developed a strong international reputation. In 2016, for instance, the Think Tanks and Civil Societies Program of the University of Pennsylvania rated CCS No. 3 in India and 81 in the world among think tanks. The Centre also has received several Templeton Freedom Awards. Earlier in 2017 it received the Atlas Network Asia Liberty Award for its work on the livelihood and education projects discussed herein.

PROJECT NARRATIVE

SECURING RIGHTS AND FREEDOMS FOR THE INFORMAL SECTOR

Jeevika Livelihoods Campaign seeks to directly better the lives of entrepreneurs among the poor and those they serve. Explained Parth Shah: “We fight for the economic freedom and property rights of the informal sector — street vendors, cycle rickshaw pullers, micro entrepreneurs — that make up 90 percent of India’s workforce.”

CCS views the ability to earn a living as basic to people’s quality of life. Moreover, the Centre believes that poor people have as much right to, and often a greater need for, economic liberty than those of greater means. Expanding freedom of choice disproportionately benefits those who are better off financially. Increased entrepreneurial opportunity is also an important tool for combatting poverty. The Centre emphasizes the role of informal entrepreneurs in meeting important consumer needs.

Unfortunately, India long has been known for its Permit or Licensing Raj, a burdensome and corrupt bureaucracy that pushed many people into the informal economy. Indeed, more than 90 percent of Indians, accounting for nearly two-thirds of the nation’s GDP, work

outside of the law. Street vendors play a significant economic role. In Rajasthan, for instance, even just the 2 percent of people involved in street vending amounts to 10 million people. Only 4 percent of them possessed legal licenses.

As a result, entrepreneurs are made vulnerable by the lack of property rights and legal protections. Explained the Centre, without possessing a legal right to their livelihood “they are faced with the constant threat of eviction or unwarranted seizure of their private property.” Government development plans do little to accommodate the employment needs of rural migrants who pour into the city as urbanization continues. Vendors often are abused and corruption thrives as officials demand bribes.

In order to address these issues, CCS focused on lowering entry barriers for a range of occupations, including artisans, cycle rickshaw pullers, small shop owners, and street hawkers. The Centre pushed to legalize their status, create property rights to structures and equipment, and expand access to the financial system. A related objective was to improve the capabilities of local governments to oversee informal economic activities, manage public spaces, and accommodate street vendors. The overall objective of this

project is to enable more people to engage in more activities while reducing their vulnerability to harassment and extortion.

In 2003, CCS began studying legal, licensing, and regulatory barriers to work for the poor. Then the Centre published on the subject and launched the Jeevika Documentary Festival for film. In 2005, CCS produced *Law, Liberty, & Livelihood — Making a Living on the Street*, a study of state and city regulation of the poor. Two years later, the organization partnered with two other groups to study the issue in 63 cities; the Jawaharlal Nehru National Urban Renewal Mission and the website www.livelihoodfreedom.in followed.

In 2009, CCS plotted a three-year plan to achieve policy reform and free the poor. The Center worked with the Sir Dorabji Tata Trust and the Atlas Network's LIFE project to formally launch the Jeevika: Law, Liberty & Livelihood Campaign. In an interview with Atlas Network's Mitchell Howley, Amit Chandra, who headed the Jeevika Livelihoods Campaign, explained "The key problem was that street vending was an occupation in the unrecognized sector, or informal sector, and was consequently not considered a legitimate occupation." The program's objective was to "recognize the occupation," establishing "a formal process of setting up street vending as a business." The Centre took a comprehensive approach, beginning with research, moving to education and mobilization of vendors,



▲ CCS interns interviewing a rickshaw driver.

and concluded with pressuring and working with government officials.

The execution of the Jeevika Livelihood Project required support from several areas within the Centre. Four staffers made up Core Team Jeevika. Amit Chandra, Associate Director, Policy Advocacy, took the lead and was involved in everything from planning through execution. Prashant Narang, Advocate, iJustice, concentrated on legal aspects of the project. Nitesh Anand, Associate, Advocacy, provided support for Jeevika activities, handled social media and student outreach. Himanshu Dhingra, Executive Assistant, assisted in legal advocacy and provided administrative support.

PHASE ONE: RESEARCH

The organization began with a detailed research project. The Centre



- ▲ Street vendors face constant threat of harassment.

studied occupations that dominate the informal sector, legal rules under which they operate, and problems faced by street entrepreneurs. CCS documented regulatory barriers city-by-city where the Jawaharlal Nehru National Urban Renewal Mission was being implemented. The results provided evidence for the campaign to promote economic liberty and legal protection for poor entrepreneurs.

CCS emphasized the status of artisans, rickshaw cyclists, and street vendors in the states of Bihar and Rajasthan. In the latter, for instance, 25 street markets were studied to assess both environment and geography. In the capital city of Jaipur, conditions were investigated in all 72 wards. Interns collected basic data, such as products/services sold and licensing process, as well as market specific information, including traffic conditions, police

treatment of vendors, and other local issues. Detailed research also was conducted on more narrow submarkets, such as female cobblers who congregated in the Tripolia Bazaar. Using its research, CCS also produced a policy paper analyzing the challenge of congestion created by rapid urbanization and suggested solutions, such as creating street vending zones.

Next, the data was assessed to determine the best way to achieve policy reform. In order to maximize its political impact, the Centre chose to concentrate its efforts on the city of Jaipur.

PHASE TWO: ACTIVISM

Armed with data, activism soon followed as the Centre created an environment conducive to community action. Indeed, the research process, by emphasizing direct contact with street vendors, provided a foundation for mobilization. Raising awareness was key. Observed Chandra: “We started approaching street vendor groups and sensitizing them about the policy, why there was need for this law, how they would benefit, and why they should be demanding for it.”

In order to get buy-in from a variety of stakeholders, CCS tailored their outreach to separate audiences. CCS promoted learning and training sessions with informal workers to expand knowledge of their rights, strengthen their cooperation with each other, and agree to an agenda for discussion and action. The Centre also facilitated



meetings with street vendor leaders in what is a highly decentralized market, strengthening their ability to organize and pressure local governments and regulatory agencies. Moreover, CCS worked with vendor associations and other civil society groups to promote deregulation. It also cooperated with vendor unions, legislators who supported CCS-backed reforms, and a group representing Muslim wives and mothers of vendors.

The Centre turned to street action when officials proved unresponsive. They organized demonstrations and rallies against unfair treatment of vendors and for reform legislation. Such efforts put pressure on policymakers, encouraging implementation of state legislation protecting vendors and restricting evictions and property confiscation.

The Centre also worked to broaden public support. A “second approach was to get ordinary citizens to buy into the law,” said Chandra. It was important to build “a larger consensus that this is the right thing to do.” So CCS brought together various members of civil society, including community leaders, young professionals, and students to advocate on behalf of street vendors. The organization used street performances to attract attention and sought to turn support for the informal sector into a community cause. To this end, in Jaipur the Centre worked with a half-dozen other groups to organize a human chain advocating protection for street vendors.

PHASE THREE: GOVERNMENT DIALOGUE

The third aspect of the campaign “was working with the government itself,” noted Chandra. CCS encouraged effective implementation of the revised Street Vendors Bill of 2009, which acknowledged the positive role of street vendors, encouraged creation of areas protected for vendors, and established the duty of states to protect vendors’ rights to their livelihood. (The 2009 legislation was only the start of a long reform process. In India’s highly federal system, states have primary regulatory authority over street vendors and resisted national requirements often. Over time federal standards moved from mostly advisory to more mandatory.)

The organization suggested reforms that set up systems to monitor and evaluate implementation. The Centre organized workshops for informal workers, civil society participants, and policymakers to discuss problems created by poor regulation. Moreover, CCS worked with partner groups to hold seminars for regulatory agencies and state governments on recent studies, reform measures, and best practices to protect workers in the informal sector. The Centre then assisted regulatory and state agencies in drafting reform measures, and coordinating with officials who had been receptive to the campaign. Explained Chandra: “We offered a workshop to better understand what the provisions are, how they should be designing it in terms of detailing of



- ▲ In order to ensure their rights were protected, rickshaw drivers took to the streets, empowered by CCS' work.

the policy. And with those workshops, in many cases we drafted some of the initial rounds of the document.”

PHASE FOUR: IMPLEMENTATION & CULTURAL ACCEPTANCE

The Centre found creative ways to encourage implementation of the reform. For instance, it organized a statewide conference, as well as local workshops to educate street vendors about the Street Vendor Act, followed by a postcard campaign to urge state implementation of the law. CCS staged a 15-day bus tour throughout Rajasthan to alert sellers to their rights under the National Policy on Urban Street Vendors Act and prepare them for future street

action. A rally in the capital of Jaipur concluded the tour.

On the culture front, the Centre also hosts the annual Jeevika: Asia Documentary Festival on economic challenges facing the rural and urban poor across Asia. The event, highlighted by Bollywood celebrities, both encourages filmmakers to address barriers to entrepreneurship and spreads the message to a wider audience. Explained Manoj Mathew of CCS: “The festival brings to light policies and regulations that limit livelihood freedom of the poor, by encouraging documentary makers to find interest in livelihood issues and providing them with a platform to share their experiences and creativity.”

The Centre also seeks to build media interest, hosting press sessions and



workshops. In this way CCS hopes to both advance its reform agenda and expand acceptance of liberal thought in policy discourse. The Centre held a three-day conference to educate journalists about the impact of public policies and offer advice to improve reporting skills.

Moreover, through iJustice the organization employs attorneys to advance the reform. CCS filed applications under the Right to Information Act to gain information about policies toward informal workers. In 2015, the Centre sent a legal team to Rajasthan to investigate complaints of illegal harassment. CCS then filed lawsuits when the state government failed to implement the Street Vendors Bill and local authorities arbitrarily evicted street sellers. Chandra explained that in “most of the places where the law is not being implemented and there is undue harassment, the vendors can create a group, approach a court for a stay on eviction, and the court can give relief. So that is one big game changer.

CCS has celebrated steady progress. Advances have occurred at the state level. For instance, Rajasthan and Bihar adopted their own legislation in 2011 and 2012, respectively. The Centre’s “Repeal 100 Laws Project” resulted in the elimination of 19 of Maharashtra State’s worst 25 measures. Then in 2014, reported Chandra, “the government of

India passed a national law. Now, in legal terms and technically speaking, all the street vendors in the country have the legal right to continue in their occupation without undue harassment.” In theory, street vendors across the country are now protected.

Unsurprisingly, much work remains to be done. Most states have only indifferently complied with the 2014 legislation. To advance the reform agenda in 2017, CCS developed a Street Vendor Act Compliance Index. Explained Chandra, “We have broken down the major provisions of the act and now we track all the states and whether or not they are complying with the major provisions.” States are rated and ranked. The task proved difficult since many governments failed to provide necessary data. Nevertheless, CCS hopes to continue compiling the index, “depending upon whether we have resources or not,” he added. Indeed, he said the Centre would like to “scale it up” if possible, helping to create a couple of state models for other states to follow.

CCS has been widely recognized for its efforts. For instance, in 2010 Jeevika became a finalist in the Ashoka Changemakers and Omidyar Network Property Rights Competition. The project also was awarded Atlas Network’s 2017 Asia Liberty Award.

CONCLUSION

The Centre for Civil Society faces far greater challenges than those that typically afflict think tanks in developed countries. Yet in just a few short years the Centre has had a marked impact on one of the most serious problems facing the poor, not only in India, but throughout the developing world: employment and

education. CCS initiatives have directly benefited the lives of those in greatest need. The Centre should be proud of what it has accomplished so far. Many poor Indians are living better, and their children are likely to do better still, because of the efforts of the Centre and its dedicated staff.



- ▲ The CCS team proudly displays the 2017 version of the State Compliance Index, which holds state's accountable to protecting vendor's rights.

KEY INSIGHTS

In organizing its campaign, CCS noted several important lessons. It suggested that up front several questions be asked:

- ▶ What is the core issue?
- ▶ Who are the stakeholders and what are their main concerns?
- ▶ Is there a policy solution that will achieve long-term sustainable change?
- ▶ What measures are necessary to empower those being harmed by current policies?
- ▶ What is the most natural way to address the problem?

The Centre found that cooperation among affected parties, as well as other groups was important in advancing its ends. Helping to educate and organize stakeholders and friendly civil society organizations was key in building political support for reform. In cases where the social and political situation can change, CCS recommended a long-term partnership over “project-specific engagement” to provide greater flexibility. That is, forming a close relationship provided the firmest foundation for ongoing cooperation, including in areas and activities not originally anticipated. The Centre suggested seeking long-

term commitment, identifying an organization motif, visiting the worksite, establishing specific terms, setting realistic expectations, and drafting a clear Memorandum of Understanding with partner groups.

CCS found that engaging stakeholders required sensitivity to unique aspects of their economic and cultural environments. For instance, among the issues the Centre confronted in dealing with street vendors was reluctance to offer personal details and to trust outsiders, as well as emphasis on often-informal hierarchy among market participants. Sometimes indirect approaches, such as addressing individuals instead of groups and working up to the top market leaders, were necessary to achieve the best results.

To win participants’ trust, the Centre found that it helped to work more and commit less. Rallies and demonstrations were useful tools, although the best results were achieved by leveraging media interest. Mobilization efforts were best designed well ahead of time, in readiness for action when needed. And the organizer should have a clear ask of every stakeholder throughout advocacy activities.

SUGGESTIONS FOR DISCUSSION QUESTIONS

- ▶ Consider the primary stakeholders in your major projects. What benefits would they receive if your proposed reforms were implemented? What is the best way to explain those benefits to them? Is there a larger principle, such as individual liberty or family protection that would appeal to them?
- ▶ Can you identify other individuals or organizations willing to back programs primarily focused on creating opportunities for others? What are the best arguments to communicate the importance of getting involved even if the benefits of doing so are indirect at best?
- ▶ Do you manage projects with a long-term view? How do you allocate resources between programs with short- and long-time horizons? Is your organization willing to make a substantial commitment to initiatives that may take some time to deliver measurable results?
- ▶ Do your programs require different strategies and resource levels? Do you have smaller projects that would allow you to experiment with different approaches and measure their effectiveness?
- ▶ Are there issues in which combining research and activism results in a substantially stronger advocacy program? Have you been able to establish smooth working relationships among staffers with substantially different skills and interests?
- ▶ Have your efforts yielded examples, including personal stories, illustrating the practical benefits of your program? Have you been able to effectively use those stories in advocacy and fund-raising?