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NEOLIBERALIZING THE STREETS OF URBAN INDIA: ENGAGEMENTS OF A FREE MARKET THINK TANK IN THE POLITICS OF STREET HAWKING

DISSERTATION

A dissertation submitted in partial fulfillment of the
requirements for the degree of Doctor of Philosophy in the
College of Arts and Sciences
at the University of Kentucky

By
Priyanka Jain

Lexington, Kentucky

Director: Dr. Anna Secor, Professor of Geography

Lexington, Kentucky

2013

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ABSTRACT OF DISSERTATION

NEOLIBERALIZING THE STREETS OF URBAN INDIA:
ENGAGEMENTS OF A FREE MARKET THINK TANK IN THE POLITICS OF STREET HAWKING

This dissertation looks into the processes by which neoliberalism is mutating with various local and global discourses in order to transform urban space for marginalized street hawkers in the Global South, specifically Delhi, India. Following the current engagements in geographic literature on neoliberalism that focus on the contextually embedded character and the path-dependent process of the spread of free market ideas, I make free market advocacy think tanks--a rather unknown and under-investigated accomplice to this process--my main entry point. Corporate funded think tanks are often found advocating a neoliberal doctrine of free markets, minimal government intervention, and privatization. A self-professed civil society organization, the Center for Civil Society (CCS) in Delhi is one of the first neoliberal, national and foreign corporation funded, advocacy think tanks in India and one of its many agendas is to counter the popular belief that neoliberalism is harmful for the urban poor such as street hawkers.

Various NGOs, social workers, scholars, academicians, and think tanks including CCS came together to form the National Policy of Street Vendors, 2009 (NPSV), one of the first policy proposals in modern India to tackle the problems of urban spaces of street vending. Through my investigations I wish to highlight the neoliberal attitudes that are concealed in this policy regarding street hawkers. By bringing these neoliberal undertones to the forefront, this dissertation discusses how this so called "pro-hawking" policy that is being pushed to be implemented in the majority of Indian cities is in fact hostile to hawkers. I demonstrate this fact by explaining that NPSV and its proponents view space as a capitalist commodity and are attempting to transform the rich social spaces of Indian city streets into hollow container spaces of capitalist production and consumption. In this way, this dissertation connects macro spaces of governance such as city streets to the micro spaces of governmentality such as think tanks like CCS.

KEYWORDS: Street Hawkers, Think Tank, Neoliberalism, Civil Society, India

__Priyanka Jain_____
Student's Signature

__September 30th, 2013__
Date

NEOLIBERALIZING THE STREETS OF URBAN INDIA: ENGAGEMENTS OF A FREE MARKET THINK TANK IN THE POLITICS OF STREET HAWKING

By

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Dr. Anna Secor
Director of Dissertation

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30th Sept 2013

Dedicated to my family, the residents of *Prem Nivas*.

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Chapter 1: Introduction

Introduction

This dissertation looks into the processes by which neoliberalism is mutating with various local and global discourses in order to transform urban space for marginalized street hawkers in the Global South, specifically Delhi, India. Following the current engagements in geographic literature on neoliberalism that focus on the contextually embedded character and the path-dependent process of the spread of free market ideas, I make free market advocacy think tanks--a rather unknown and under-investigated accomplice to this process--my main entry point. Corporate funded think tanks are often found advocating a neoliberal doctrine of free markets, minimal government intervention, and privatization. A self-professed civil society organization, the Center for Civil Society (CCS) in Delhi is one of the first neoliberal, national and foreign corporation funded, advocacy think tanks in India and one of its many agendas is to counter the popular belief that neoliberalism is harmful for the urban poor such as street hawkers. Various NGOs, social workers, scholars, academicians, and think tanks including CCS came together to form the National Policy of Street Vendors, 2009 (NPSV), one of the first policy proposals in modern India to tackle the problems of urban spaces of street vending. Through my investigations I wish to highlight the neoliberal attitudes that are concealed in this policy regarding street hawkers. By bringing these neoliberal undertones to the forefront, this dissertation discusses how this so called "pro-hawking" policy that is being pushed to be implemented in the majority of Indian cities is in fact hostile to hawkers. I demonstrate this fact by explaining that NPSV and its proponents view space as a

capitalist commodity and are attempting to transform the rich social spaces of Indian city streets into hollow container spaces of capitalist production and consumption. In this way, this dissertation connects macro spaces of governance such as city streets to the micro spaces of governmentality such as think tanks like CCS.

Neoliberalism and Neoliberalization

Neo-liberalism is a strain of neo-classical economics that has concretized around the ideas of political democracy, individual freedom, and the constructive potential of an unfettered market. Its proponents preach the sermon of the market as the invisible hand and hence they are often found in opposition to the protectionist welfare state. Working at multiple scales neo-liberalism commands "good governance that involves 'neo-Schumpeterian' economic policies that adhere to supply-side innovation and competitiveness, decentralization, devolution, and attrition of political governance, deregulation and privatization of industry, land and public services, and replacing welfare with 'workfare' social practice" (Leitner et al 2007, 1). The idea of this "utopia of endless exploitation" (Bourdieu 1998) is seeded in the works of 17th and 18th century English and Scottish philosophers who patronized the merchants and entrepreneurs of the nascent capitalist order while admonishing the medieval religious regimes and absolutist state. The "rise of economic man" in the works of Locke, Hume, Smith, and Paine found expression in the set of theories of Austrian philosopher Friedric von Hayek who is considered the founding father of neoliberalism in modern times. The basic understanding of Hayek's economic theory is that individuals with an aim to maximize self-interest can allocate resources better than the state. *Homo economicus*, the rational human being who is the protagonist of his theory, exists before the backdrop of intense

market competition. He influenced Milton Friedman and Gary Becker of the Chicago School, which later became the hub of training students and propagating neoliberal ideas in the US and abroad in the 1960s.

Neoliberal ideas gained widespread prominence during the 1970s and 1980s, as a response to the global economic recession originating within the Fordist mass production industrial system and Keynesian welfare policies. They were first experimented with in Pinochet's Chile under the guidance of a group of university of Chicago graduates called the Chicago boys. Later Thatcher in Britain announced "there is no alternative" (TINA) to neoliberal reforms and Reagan in the US adopted neoliberal strategies to advance sharp economic growth. Gradually neoliberalism spread across the globe to places like the Philippines, Nicaragua, Mexico, Eastern Europe and the post-Soviet states and is still in the process of consolidation in many of these countries. In 1978, Deng Xiaoping embraced liberalization in China, which had a communist led economy. During the 1980s, Bretton Woods institutions –the World Trade Organization (WTO), General Agreement on Tariffs and Trade (GATT), International Monetary Fund (IMF)--were transformed into agents to mobilize peripheral and semi-peripheral countries to market reforms.

India opened to an era of market liberalization in the 1990s under the leadership of Narasimah Rao. The gulf war-related rise in oil prices had resulted in the depletion of India's foreign reserves (Cerra and Saxena 2002). At the same time, two of the leading international credit rating agencies downgraded India as an investment destination (Ahemad 2011). As a result, non-resident Indian investors withdrew their local deposits, further reducing India's foreign currency reserves (Cambridge and Harriss 2000 cited in

Ahemad 2011). In January of 1991, India was running an account deficit of $10 billion. The economic crisis forced the government of India to seek a loan of $1.8 billion from the IMF but only on the precondition that India would devalue its currency, abandon import substitution and planned growth strategies in favor of implementing 'macro-economic stabilization' and 'structural adjustment' policies (Bradhan 1999, Ahemad 2011).

However, scholars maintain that over the last decade, neoliberal changes have been slow due to local resistance from the public and politicians alike. Since then, a neoliberal lobby made up of a huge international network of foundations, institutes, research centers, publications, scholars, and writers has been engaged in a process of what Gramsci called 'cultural hegemony' to normalize neoliberal reforms and subjectivity. CCS is working against this backdrop to disseminate neoliberal ideas and anti-state sentiments.

The magnitude of scholarly attention given to neoliberalism makes it impossible to discuss it in detail here. But general themes in geography include spaces of neoliberalism (Peck and Tickell 2002, Jessop 2002, Smith 2001), the scale of neoliberalism (Kohl and Warner 2004, Newstead 2005), neoliberal governmentality (Larner and Walter 2004), and globally hegemonic forms of capitalism (Peck 2001, Roberts et al 2003, Peet 2002, Peet et al. 2003, Harvey 2005). Even though neoliberal theory can be described as a set of coherent ideas and doctrine, in reality there is a vast disjuncture between theory and practice. These variations are integral to the dissemination of neoliberal doctrine in different social, political and cultural climates (Walker et al 2008, Brenner and Theodore 2002, Barnett 2004, Harvey 2005, George

1999, Massey 2007, Garth and Delazy 2000, Peck 2004). These "actually existing neoliberalisms" are mutated and "hybridized" forms of neoliberal doctrine and we must pay close attention to their path dependent dissemination and contextual embeddedness in different socio-political and economic landscapes.

CCS's discourse of empowering the poor can be visualized as contextually embedded in urban Delhi. First, CCS takes advantages of the *specific historical tradition* of political and social movements against the colonial government and the post-colonial developmental state that have more or less been defined under the rubric of civil society. Second, the articulation of the neo-liberal discourse of a limited state with the problems of the marginalized has been established on the grounds of corruption that characterizes the *local institutional framework*. Third, the process of manufacturing consent for the dissemination of neoliberal ideology and projects has been initiated in response to the slow introduction of neoliberal practices due to their *unpopularity among the local elites*, who see them as a threat to their material benefits and to the Nehruvian policies of mixed economic development.

Contributions

My study contributes to the field of urban geography and geographies of neoliberalism in the global south, where I present a novel case study of "actually existing neoliberalism" while paying attention to the path dependent dissemination of free market policies in India. While investigating the "roll out" of neoliberal policies, the dissertation explores how they mutate and hybridize in the Indian social-political and economic landscape. This work also contributes to the field of political geography where, following Spark (2006), I investigate how macrospaces of governance (such as cities, SEZs,

countries where structural adjustment strategies have been applied) are connected to their development as a practice in microspaces of governmentality (corporations, finance centers, think tanks, universities). By doing this, the work expands geographies of think tanks, which are limited to North America and Western Europe, to India. While engaging with the current engagements in geography where street hawking is viewed as spatial practice, this dissertation also makes contributions to the urban cultural geography by developing a framework of *entangled spaces of informality* where street hawkers are believed to continuously interact with multiple actors in multiple spaces at the same or different times. This focus is not restricted to their interaction with inefficient government and its corrupt enforcement agents but includes their interactions with the benevolent state that they often call for and in some ways desire. I conceive the space where they operate as much larger than the marketplace or even conventional public space. This space includes "spaces of common" or indigenous public space, private spaces of their homes in slums as well as the rural hinterland from where most of them come.

Geographic literature on street hawking in urban space is limited as it concentrates on the state's fierce responses ranging from wide-scale eviction to more apparent anti- hawking policies that are put in place as an effort to create a revanchist city. There have hardly been any studies that pay attention to how hawkers are divided and then reorganized and mobilized to form a part of global hegemonic discourse of neoliberalism that in turn shape "anti-hawking laws" but this time with their consent. This dissertation pays attention to such developments in India by bringing a Gramscian understanding to the current politics of street hawking, and paves the way for future

scholarship to critically analyze the role of third sectors in the spaces of hawking. Finally, this dissertation adds to Gramsci's conception of state and civil society as I show how the model of participation in polices regarding urban space, specifically street hawking, are moments of passive revolution through which neoliberal hegemony is forged and consolidated.

While contributing to the academic scholarship, this dissertation has on the ground implication as it also provides one of the first organized critiques to the National Policy of Street Vendors that is forwarded as a pro hawking arrangement of urban space.[1] Various NGOs, think tanks, activists, scholars as well as academicians have been associated with the development of the policy and eagerly await its adoption in Indian cities. Hawkers, who form more than 2 percent of the urban population, are going to be regularized, managed and affected by this elite centered policy that has hardly been debated and researched by critical scholarship. Hence, this dissertation takes a social stance against this neoliberal policy and consequent exploitation of marginalized street hawkers.

Objectives And Outline Of The Dissertation

I wish to highlight the engagements of CCS, a free market advocacy think tank, in policy spaces for the poor and marginalized. By doing this, the dissertation brings forth the neoliberal undertones that are antagonistic to street hawking as a practice in the rather neutral and seemingly pro-hawker stance of CCS and other think tanks and NGOs.[2] By

[1] One exception is the article by Bandyopadhya at el (2012) "Zoning crossroads: a critique" in Seminar, August 2012

[2] I will discuss the labeling of CCS as both a think tank and an NGO in Chapter 3.

finding a locus in CCS for an ethnographic inquiry, my work highlights an anti-hawking bias in the celebrated National Policy of Street Vendors 2009 that was recently passed by the Union Cabinet of the Government of India as Protection of Livelihood and Regulation of Street Vending Bill on 1 May, 2013.

While it is apparent that liberalizing cities are adopting an anti-hawker stance to manage urban space, it is important to investigate how these cities are able to do so at the policy level. Who are the actors participating in such policy developments, and why do they do so? To find this out, I delve into the questions of what makes CCS a legitimate site to talk about street hawkers. How are they able to harness the authority to speak for and represent street hawkers? I believe that the discourse of civil society aids in this process and hence I seek answers to questions like *how* is the discourse of neoliberalism reproduced within the particular discourse of civil society that is employed by CCS? Second, *why* is this particular articulation sought after? In other words, why is it beneficial for neoliberal doctrine to articulate with civil society discourse in this specific way? I answer these questions in Chapter 2 where I analyze the concept, discourse and practice of civil society. I discuss the history of civil society as a concept and theory to shed light to the current contextual engagements of the term. While discussing the practice of the term in contemporary Indian politics, I outline the history of this rich concept since the time of the Greeks. I discuss Gramsci's ideas in detail and relate them to the development of state and civil society in India. This exercise sheds light on the selective appropriation of the term civil society by CCS. I show that although CCS zealously capitalizes on the term civil society, it ignores the interpretations of civil society that highlight it as a site of exploitation. In the last part of the chapter I discuss

how the discourse of civil society aids in deploying the global neoliberal hegemonic discourse and neoliberal governmentality in India.

Since my research studies the interaction of CCS and street hawkers to investigate the politics of representation, chapter 3 and 4 provide a literature review and historiography of think tanks and street hawkers in the global context as well as India specifically. I also discuss my research methodology and positionality as a scholar during my interactions with both the groups in these chapters. I dedicate chapter 3 to the analysis of CCS as a transnational apparatus of governmentality and answer why it is an important site of inquiry. I discuss the reasons behind the dearth in scholarship on think tanks, especially ones in the global south, and explain how a geographical understanding can open new lines of inquiry to study them. My work provides a case study of neoliberal think tank in the global south, specifically India, where global neoliberal demands and regional constraints have crystallized CCS as a think tank that focuses on advocating changes on behalf of the poor and marginalized. Next I conduct a comparative analysis of the evolution of US and Indian think tanks, partly as an effort to show the climate that gives rise to different think tanks and partly to address the scarcity of scholarly literature on Indian think tanks. I outline different approaches to study think tanks by various scholars and show how CCS's activities may be difficult to study by any one of those specific approaches. This is because in order to get recognition and funding, CCS has adapted as a think tank that, in the words of its founder Parth Shah "does it all." Unlike other advocacy think tanks, CCS not only does advocacy and research but also works on the ground with the marginalized, just like an NGO. The policy cycle approach developed by Ableson (2002) that integrates all the existing approaches and pays

attention to the changing climate of opinion as a success factor is then used to analyze CCS as an institution and its various tactics to disseminate neoliberal ideas. In this chapter, I also outline my methodology, which includes discourse analysis and network analysis. In order to show how this methodology works on a think tank, I present two case studies that chart the tactics of CCS to garner the most important thing to its survival—media and public attention. This chapter grounds CCS as a transnational apparatus of governmentality and fulfills an important exercise of situating it in the global political economy in order to analyze its local politics.

In chapter 4, I discuss questions regarding informality and street hawkers as research subjects. While discussing different approaches to study informality and their inherent problems, I develop my own integrated approach that pays attention to the multiplicity of social space and the heterogeneity of hawkers as subjects. Next, I conduct a literature review of street hawkers and situate hawking and the state's response to it in the past 150 years of urban space of India. In this section I trace the Indian state's response to street hawking in the latter half of 20^{th} century to its colonial legacy and then move on to discuss hawkers' responses to the state's practice over the last two decades. These new developments have set the stage for the formation of an alliance led by various NGOs that calls for changes in current spatial laws. I then reflect on some methodological and epistemological issues that I ran into at the beginning of my research, and discuss how my current work addresses them. This section also offers a critique of the research epistemology of CCS, NGOs and scholars who are active parts of the hawkers' alliance in India.

In Chapter 5, I discuss how CCS and NPSV view spaces of hawking. The objective is to show that the rich social space in Indian cities is increasingly being treated with the neoliberal principle of space as commodity. I begin this investigation with the analysis of hawkers' presence in public space. While discussing three connotations of public space, I analyze CCS's stance on public space in its various publications and show how it challenges and attempts to limit the "public" and open character of space. In the second part of this chapter, I discuss NPSV's decree to transform urban streets and parks into hawking and non-hawking zones. Using Timothy Mitchell's ideas of enframing, I discuss how NPSV's transformation changes rich communal space into abstract space that facilitates capitalist production and consumption; divides space to bifurcate rich social life into public and private, exterior and interior; and constructs a space that initiates and invites a tourist gaze that drives consumption as the sole social practice.

In Chapter 6, the problems with NPSV's proposed Town/ Ward Vending Committees (TVC &WVC) that are in charge of regulating street hawkers are outlined. In the first section, I discuss the issues that may arise while creating these committees, issues that NPSV simple refuses to acknowledge. Larger ward committees that form as the directive for these subcommittees have not yet materialized in many of the cities and hence, to believe that the creation and working of TVC and WVC will be a smooth and efficient process is foolhardy. In the next section, I go into the details of how the internal structure of these committees has a majority of members who will undermine the participation of hawkers in key issues because of their elite modernist imaginations of urban space. I discuss this vis-à-vis the rise of Resident's Welfare Associations and the *Bhagidari* initiative that are attempting to transform Delhi into a world class city. I use

geography literature on urban neoliberalism to demonstrate, how *Bhagidari* system is attempting to transform Delhi into an entrepreneurial city. Lastly, I highlight the entangled spaces of informality while discussing everyday problems of hawkers that have been exacerbated due to the introduction of market reforms in the spaces where the welfare state used to operate.

Chapter 7 outlines the problem with NPSV's model of participation that invites hawkers to form a part of TVC. CCS and other NGOs claim that street hawkers are street entrepreneurs, and in the first half of this chapter I will bring out the contradictions in these claims by using excerpts from various interviews and two hawker's conferences that were held in Delhi and Jaipur. During the Jaipur conference, certain locational discords in NPSV became apparent, that I will discuss these in detail in the next section. Lastly, while discussing a case study of a Jaipur fruit and vegetable market that CCS is assisting through its advocacy work, I will bring attention to the growing presence of organized retail as a factor that affects street hawkers. Neither NPSV nor any of the NGOs consider this as a major threat. CCS, going further, completely supports the growing presence of malls and department stores as fair competition and as something that is imperative to the growth of hawkers. In the last two chapters I attempt to show how the current model of participation envisaged by NPSV speaks to Gramsci's passive revolution theory because it allows only forms of participation which elite NGOs and the capitalist state deem acceptable. Chapter 8 offers the final summary and concluding remarks.

Delhi As My Field Site

Delhi is an ideal site to study the state and civil society relationships in a neoliberal climate. It is the seat of parliament and of the ministries, and because of this the headquarters of most of the public companies like national airlines and national railways. Cadène (2000) maintains that Delhi and its hinterland are the second largest industrial agglomerate in India after Mumbai. On the one hand, it is the center of state power and on the other hand, it is distinguished in the field of industry, education, information and communication. In this sense, Delhi makes an ideal city to study contextual geographies of neoliberalism.

According to Vadal et al (2000) Delhi is often considered too fragmented, a patchwork of nine historic cities, and for that reason it is unable to invoke appreciation or a sense of belonging among the people who inhabit the city. I do find this fact accurate because of a conspicuous lack of literature on the city, especially when we compare it with the bourgeoning critical literature on Mumbai, Calcutta and more recently Bangalore. However, Hosagrahar (2005) calls Delhi "a city of many cities: imagined, lived, and controlled, the landscape has been re-created, rebuilt, and made meaningful by the daily acts of inhabiting as well as planned interventions"(3). Instead of a viewing Delhi as a kitsch landscape, in Benjamin's vein, I read Delhi as palimpsest. This is in fact the raison d'etre for its national capital status. Lastly, I was born in Delhi and have lived there for most of my life. I disavow the 'lack of passion' identified by Vadal et al (2000) and hope that my study contributes to the critical literature of the city.

Reading Delhi through its Past and Present

Hosagrahar (2007) maintains that modernity is plural and experienced differently in different space, culture and society. Scholars have shown that modernity is transient, fleeting, contingent, discontinuous and has no sense of historical continuity (Baudelaire 1981, Harvey 1989). Though Delhi in the late 19th and early 20th century was not modern in the normative western sense, its citizens experienced *modernism* as a result of the "complex interplay between modernization as the deliberate reordering of space and of political and economic forms of organization" (Hosagrahar 2007, 5) and also as a result of their own cultural and social responses to these changes. The old walled city was an excellent example of mixed use practice, where different aspects of the inhabitants' lives like work, home, worship found concrete forms on one single space. In 1863, the British established the Delhi Municipal Committee with an aim to reinvent the old city and make it tangible and aesthetically modern. The efforts to renew and modernize the city did change the urban and social character of the city but not in the way it was intended. After all, the conception of space traditional for the Indian mindset is very different. For example, Kaviraj (1997) discusses the misinterpretation of the novel *Ghare Baire* by Rabindra Nath Tagore to talk about the notion of public or common in Indian society. This famous novel was translated into English as "The Home and the World". Kaviraj points out the misleading translation where *ghare* is correctly translated as 'home' but *baire* is misleadingly translated as 'world' when it actually means outside. He explains this confusion further by identifying public/private as western concepts of modernity, which are often conflated with traditional Indian cultural concepts of inside/ outside, own/others, self/not-self. However, the overlapping of concepts from different societies is never neat. In traditional Indian thinking, home is sacred, while the outside is dirty. For

example, it was and still is normal for women to clean the houses with great care and throw the garbage just outside their front entrance. To a western eye, this may appear absurd in terms of aesthetics and hygiene since the immediate surroundings of the dwelling remain filthy. However, the Indian tradition understands the "outside" as a space of ambiguity, risk, and lack of belonging and hence such practices are often deemed natural.

The modernization efforts during British rule met traditional identities, which created local resistance and tactics to subvert the dominant order in myriad ways. Hence the British, out of frustration, went outside the wall city to construct the modern capital of New Delhi. However, the city of New Delhi at its conception was meant only for the British. The segregating character of colonial rule was manifested in the design "where wide avenues segregated the white rulers from *brown babus* in a finely calibrated hierarchy of status" (Baviskar 2003, 91). After independence, New Delhi was successfully co-opted by the Indian government and actively mobilized in creating a modernist national identity.

Post-independent Delhi Master Plans follow the same "interventionist biopolitical rationality," western modernist vision, and "politics of segregation" as did the British. The Delhi Development Authority (DDA) was constituted in 1957 to manage the space of Delhi and its major task was to avoid haphazard and unplanned growth. Baviskar (2003) notes that the Delhi Master Plan "envisaged a modern city, prosperous, hygienic and orderly, but failed to recognize that this construction could only be realized by the labors of large numbers of the working class poor, for whom no provision had been made in the plan"(91). During the 1970s, in the wake of the upcoming Asian games in 1981, a

massive construction project was taken up to build flyovers and luxury apartments, and in these projects DDA violated its own regulations, justifying it as a matter of national prestige.

In the 1980s Rajiv Gandhi took a step closer to liberalization and consequently DDA started envisioning a new public-private partnership involving transfer of land on lease to private cooperatives to build luxury homes in northwest and southwest of Delhi. New consumerism demanded shopping complexes around these areas, driving up the value of real estate. Of course, the slums were the first targets of bulldozers in these areas. However, the unruly character of the masses represented by slums was hard to control, especially when most of the affluent city could not survive for a day without their help. Modern Delhi presents a brilliant example of a "splintering post-metropolitan" area where the significance of the city as a national capital has always worked in contradictory ways for its citizens. These processes intensified after 1991, when Delhi embarked on a route to achieve a "global city status" by actively recreating its image as investor-friendly. This is been done by encouraging urban entrepreneurialism, increasing public-private partnership and withdrawing the welfare state from many important functions. As Harvey (1989) has noted in the case of advanced capitalist countries, these process of economic restructuring are accompanied by changes in urban imaginary, which is being demonstrated in the rise of the new middle class in Delhi who are imprinting their imaginary on the city space. In recent years, Delhi has hosted sporting events like the Commonwealth games, which became just like Olympic games have elsewhere, a "catalyst to urban change" (Essex and Chalkey 1998). The aspirants of a utopian city soon made it a neoliberal urban dystopia for its poor inhabitants. I will raise these themes

and recent developments throughout the dissertation in order to situate the politics of representation of the street hawkers in various policies concerning urban street hawking and ideas held and disseminated by CCS.

Finally, my research inquiry into CCS's interactions with the hawkers briefly took me to the capital city of Jaipur in the northwestern state of Rajasthan. Jaipur, the pink city, is located on the outskirts of the desert and attracts scores of international tourists because of its rich heritage. The head of CCS, Parth Shah, invited me to study CCS's work for street hawkers, by spending time with Ram (name changed), the national coordinator of their *Livelihood Campaign.* Ram had moved to Jaipur in 2009 on request of the corporate funder for their project of street hawkers. The corporate funder wanted CCS to partner with another NGO that had already been working with street hawkers. Also, the state of Rajasthan was perceived to be somewhat receptive to implement NPSV. In recent years, Jaipur is trying hard to assume a world-class city status in order to attract foreign tourists. Situated in the north-west of Jaipur, Vidhyadhar Nagar was developed by the Jaipur Development Board on a plot of 400 hectares in the late 1990s. About 8 years ago, hawkers from the central city district, which was declared a no-hawking zone, were relocated in the new township and given fixed hawking spots. According to several hawkers, they had a good business for first few years because of the growing demands of the new township. However, the opening of several retail departmental stores has affected their sales negatively in past 5 years. At the time I met Ram, he was trying to figure out why that had happened and what could be done about it. Although my research does not contextualize the fieldwork to the recent urbanization and developments in Jaipur

because my focus area is Delhi, the Jaipur interviews were indispensable to discern the politics of representation of hawkers by CCS.

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Chapter 2: Civil Society: Concept, Discourse and Practice

Introduction

In 2011, Prakash Karat, the general secretary of the Communist Party of India (Marxist) felt the need to announce that "civil society movements cannot be substituted for political parties at any stage." Here Karat was referring to the ongoing obsession with "civil society", which was epitomized by the Jan Lokpal bill proposed and popularized by the famous Gandhian social activist Anna Hazare.[3] On April 5th Anna Hazare embarked on a hunger strike to pressure lawmakers to pass his bill, an anti-corruption measure that aimed to establish a Lokayuktas.[4] In wake of high profile scams such as the 2G spectrum and the Commonwealth Games scam, different segments of civil society, particularly the urban middle-class, came to the support of Anna Hazare more than willingly.[5],[6] On 27th August 2011, the parliament succumbed to the fast undertaken by Hazare and passed the anti-democratic bill.[7]

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[3] Also called Citizen's Ombudsman Bill demands the creation of an independent body with non-democratically selected representatives from various civil society organizations to investigate corruptions.

[4] Lokayuktas mean anti-corruption ombudsman organizations

[5] 2G spectrum scam involved corruption charges against government officials and various politicians for undercharging mobile telephone companies for the licenses for frequency allocation. Commonwealth Games scam involved corruption charges against officials of the Games' Organising Committee for embezzlement of funds during the preparations and organization of the games in Delhi.

[6] For further reference read Sitapati, Vinay. 2011 "What Anna Hazare's Movement and India's New Middle Classes Say about Each Other" *Economic and Political Weekly* XLVI 30.

[7] CPI-M would go on to support Jan Lokpal bill in later stages

There is no disagreement that a vigorous anti-corruption undertaking that targets corruption at the top political and bureaucratic level is essential in today's India[8]. Despite the hopes associated with the market's ability to curtail political corruption, it has irrefutably reached a point at which every section of the society is eager to take a leap of faith on anyone or anything that proclaims to fight back. This desperation enabled Anna Hazare to ride the wave by exercising his moral authority through the Gandhian tactic of satyagraha or non-violent resistance and fasting. Though all sectors responded to Hazare's tactics, the most striking element is the Indian middle class's strong relation with the success of Hazare's campaign and the campaign's ability to impose the middle-class vision of civil society on the entire nation's. Sitapati (2011) notes of the three segments of the Indian middle class: "the neo-Gandhians conferred legitimacy; India Shining provided energy and finances; and Legal Activists helped navigate the legislative path" (39) to the campaign. This campaign also fits aptly with the goal of NGO-isation supported by multilateral organizations such as the World Bank and IMF.[9]

Harkening back to Karat's statement, the alarming feature of this middle class- and NGO- led campaign is that the 'civil society' is decreed to have inordinate power over the state, the sovereign and democratically elected representatives. This chapter outlines the problem with such a conception of civil society. In order to explain why the Jan Lokpal bill, purported to be pro-civil society, is actually quite anti-democratic and

[8] But first and foremost the task is to define corruption and differentiate between types of corruption. Political and bureaucratic corruption is different from common corruption, which involves poor hawkers bribing the local authorities to practice their livelihood in off-limit public space. Read more

[9] Three of the core members of "Team Anna" are winners of the Magasaysay Award, which is endowed by the Ford and Rockefeller Foundations. These members also run numerous NGOs funded in part by international institutions and individuals.

narrow in its outlook, we need to know what exactly civil society is and why it is such a popular phenomenon in urban India. The term 'civil society' permeates the political language, as if the word itself could provide a panacea for India's urban crisis.[10] Daily urban newspapers, news broadcasts about cities, or any conferences or seminars on urban issues for that matter, are all peppered with the term 'civil society'. In the post-liberal and active urban political scene, the claims to the city are often couched in the language of civil society and its partner terms such as empowerment, local participation, social capital, liberty etc. Think-tanks and NGOs that champion the rights of hawkers also use language of civil society to gain access to the hawkers' organizations and policy networks; hence it is important to investigate the usage and practice of civil society as a phenomenon in order to understand its implications.

Civil Society

Global Spread of Discourse of Civil Society

Theoretically, civil society can broadly be defined as a space between family and state--though not necessarily mutually exclusive of them--a sphere of associational grouping where the type of association is a subject of debate and disagreement in terms of politics and economics (Mcllwaine 1998). There is a general consensus among academicians that the discourse of civil society in the latter half of the 20th century manifested a tendency that resulted in its decoupling with the state (Alexander 1997, Chandhoke 1995, 2005, Ehrenberg 1999, Nandy 2002, Roy 2003, Gupta and Ferguson

[10] There are differences between organizations that comprise urban and rural civil society. Rural civil society organizations are mostly represented as dominant caste associations while the urban civil society are increasing becoming dominated by the Resident Welfare Associations and elite citizen's groups.

2002, Ferguson 2006). In the face of general frustration with the strong and repressive state apparatus, civil society appeared as a panacea to many who disliked some or any form and function of the state.

The rise of the solidarity movement in Poland marked the insertion of civil society movement in contemporary political debate in Eastern Europe (Arato 1981, Kumar 1993, Rupnik 1979). Ehrenberg (1999) maintains that in the climate of "actually existing socialism" the concept of civil society in Eastern Europe derived lineage from its liberal conception of 'constitutional republics' and was pitted against the "grasping and intrusive state apparatus, obsolete central planning of heavy industrial production, and pervasive repression of social initiatives origination outside the control of party-system" (173).

In Latin America, the discourse of civil society was formulated by the leftist anti-military leaders as a struggle against the military dictatorships in the 1970s and 1980s (Fals Borda 1992, Garretson 1989). There the discourse was further invigorated with the collapse of bureaucratic authoritarian regimes due to economic crises and subsequent fiscal restraints. The grassroots organizations that filled up the hollow spaces of the state's actions also gained approval of the social and cultural forces such as organizations associated with Catholic Church (Kamrava and Mora 1998). From Southeast Asian civil rights activists to African peasants to Middle-East intellectuals, those opposing repressive regimes picked up the language of civil society as they advocated for people-centered development. In an attempt to reconcile the project of socialism with democracy, the idea of civil society was deemed by these movements as one of the underpinnings of modern democracy (Fine and Rai 1997). However, as Rodan (2003) maintains, it is not necessary

that the civil society would lead to the path of democracy. In fact, authoritarian regimes may engage in political accommodation with some groups without fundamental changes in their authoritarian rule (as in the case of Singapore). In the 1990s a "new policy agenda" forged under neoliberal principles, emphasizing the importance of civil society was undertaken by multilateral and bilateral organizations like the World Bank, IMF, and UNDP. These initiatives directed the participating countries to foster "ways of increasing the resilience of societal institutions that may be able to fend off anarchy even if the state is very weak" (World Development Report, 1997, 160). Influenced by the liberal political theory, the notion here is that the NGOs are a part of civil society and are much more efficient than state in delivering aid to poor.

Importance of Analyzing the Concept of Civil Society

An understanding of the roots of the notion of civil society and its spread as a discourse is critical to my analysis. This is because scholars (such as Weaver and McGann 2000, McGann 2011) often define think-tanks and NGOs as a part of civil society or the third sector that stands outside both state and the market. I challenge this contention here by problematizing the neat category of civil society itself. Taking the discussion from there, the concept of civil society provides the best entry point for the critical analysis of the process whereby urban poor such as hawkers confront neoliberal urban social-economic space with the help of free market think tanks and NGOs which work under the rubric of civil society.

Such think tanks and NGOs zealously capitalize on the language of civil society and its partner terms such as freedom, empowerment, liberty, rights, association and participation to establish social causes with which to fight the state. For this reason, it is

important to explore the critical history of the concept of civil society in its different phases in order to understand and contextualize the current neoliberal usage of this term in different countries and societies. Also since the advent of modernity, this contested term has aroused countless debates and theories, some of which I will outline in next section and in some of these conceptualizations, I hope to, as Ehrenberg (1999) maintains, "evaluate contemporary assumptions about its democratic potential" (ix) and thereby locate the critique of the current neoliberal avatar. Chandhoke (1995) maintains that conceptual histories are significant in making us aware of the "pitfalls of inherited interpretations" (77). This is especially true for civil society since a romanticized adherence to the concept can impel "flawed political practices" (77). Lastly, a genuine theory of civil society is indispensable to the understanding of the politics where NGOs and think tanks are involved. Gramsci's theory of hegemony, politics of intellectuals, and ideas of common sense provides a brilliant investigative framework to evaluate the current anti-state rhetoric in India as a whole and Delhi in particular.

The term 'civil society' conjures conflicting meanings, images and interpretations. Scholars have claimed that most explanations of civil society can be broadly grouped under Left and Right (Kaldor 2003, Edwards 2004, Powell 2007). This particular categorization seems to overlap with another categorization that is based on the relationship of civil society with the state. Some usages of civil society associated with the Right--for example the ones employed by CCS-- tend to position civil society against the state. These uses contrast with the ones on the Left, according to which state and the civil society are different faces of the same coin and decoupling the two would result in an impoverished understanding of both (Kumar 1993, Chandhoke 1995, Gupta 1997,

Nandy 2002, Robinson 1997, Roy 2003). Dunn says that "civil society is frequently employed to pick out a feature of the history of the universe which is presumptively good [or at least comparatively trustworthy] in contrast with a feature of its history [the state] which is tendentially or necessary bad [or at least comparatively untrustworthy]" (Dunn 2001, 54). However, one thing that will stand clear in the inexhaustive repertoire of interpretations that follows is that the term 'civil society' is pliable enough to cater to the different social conditions of each of the time periods in which it has been used, starting with the ancient Greeks.

Conceptual Legacy of Civil Society: Analysis of Current Theoretical Engagements

While developing their thoughts on the *polis* (Greek city-state)[11], Plato and Aristotle encountered (civil) society that was comprised of nuclear families and a village community. [12] Both philosophers employed a teleological mode of thought to designate different spheres of civil society in an all-encompassing state. Man was essentially a political being and naturally a part of political society called *Koinonia politik.* The state,

[11] According to Stauss (2005), the blossoming of the *polis* in 5th century BC owed its spiritual roots to the fact that the form motive (constant like water) gained primacy in Greek thought over the matter motive (changing like ice, steam). This corresponded with the transition from the older undifferentiated clan to the more differentiated legal order of the polis. For Plato, rational understanding was only possible of the things that are invisible and constant and, things that were visible can only be absorbed through senses. Plato's polis was the embodiment of the form motive, and hence capable of being understood rationally. Hence, the knowledge of forms was the most essential art for a king who is also a philosopher king to rule. This was the first time a system of positive law developed. The rational element of the city which is 'one' would reign over the multiple irrational and all the disagreements among the citizens would be dissolved in the polis.

[12] The term civil society does not find expression in the writings of ancient Greeks since the society was actually considered a political society.

they assert, regulated all the aspects of society and converted mere life into the good life. Of course, the Greeks' conception of *polis* took place amidst the moral and political confusion of the day and hence both the philosophers strived to establish a moral principle of government. [13]

The Hellenistic age saw the transformation of the city-state into a larger central state (Garnsey 2000, 401)[14]. At this time the polis exerted a weaker pull on the philosophers and the widespread disenchantment towards political society was reflected in the development of moral philosophy as separate from political philosophy. Epicurus (341 BCE- 270 BCE) rejected politics and said that the individual desire for happiness and pleasure was the only means for 'good life'. Pain should be avoided by living a life withdrawn from all political and societal associations.

In Roman times, the most significant development which provided the conceptual grounds for the development of modern civil society was the birth of individual law, particularly the right to own property. During the time of Augustus (63 BC- 14 AD) a legally recognized private realm started evolving alongside the public realm. According to Eherenburg (1999) the Roman notion of *res publica* soon implied a coexistent sphere of *res privata*. The Roman law stopped at the doorstep—the individuals were separated

[13] Both philosophers addressed the moral confusion of being in the city and increases in private wealth in their writings on state and society. Plato asked in his The Republic "Does not the worst evil for a state arise from anything that tends to rend it asunder and destroy its unity, while nothing does it more good than whatever tends to bind it together and make it one?" (Plato 1997, 163 cited in Ehrenberg 1999, 5) Aristotle in his famous condemnation of usury and profit maintained that the human potential of human activity can get distorted by the pursuit of wealth (Aristotle 1996).

[14] Massive successful conquests of Philip(II) and his son Alexander have been linked to, and often blamed for, the destruction the system of a free and independent polis (Brown 2007, 79; Coleman 2000). The large size of the Empire encouraged people to travel to different cities and citizenship was not bound to one single city.

into a public citizen and a private person. Roman law regulated the relations between individuals and property, giving security to individual ownership as well as making it easy to transfer ownership through legal procedures.

From the disintegration of the Roman Empire until the late middle ages, Christianity provided a consistent theory of civil society and state, the former now organized by the church and the latter a promoter of the church. Pope Gelasius (493) proposed a "two sword" theory, which saw church and state as separate spheres despite their united purpose. This initiated a separation between "sacred and secular, the ideological and the political without which emancipation of the society, development of nations state, Renaissance and later day reformation would have not occurred" (Szücs 1988, 300).

According to Cohen, and Arato (1992), there were two main changes in the next few centuries that opened the necessary space for modern civil society to originate. First, the absolute primacy the church enjoyed through the 12^{th} or 13^{th} century began to be challenged by the growing power of the royal prince. As the market extended, the new bourgeoisie started evolving, helping the transfer of local monopolies in trade to the royal power that could help expand trade by exploiting national resources and conducting foreign relations (Eherenburg 2001, 56). Amidst the environment of corruption in the absence of a strong political authority, Machiavelli's (1469- 1527) ardent belief in the republican tradition of ancient Rome, led him to conceptualize a theory of a society where politics recaptured the forefront with the new prince at its helm.

The second change that Cohen and Arato (1991) address is the depoliticization of the former power holders, estates and corporate bodies that created a 'veritable society of

orders' (86). This led to the development of the modern concept of civil society in the 17th to19th centuries. During the early 17th century in the writings of contractarians and theorists of natural law such as of Hobbes, Locke, Rousseau Montesquieu, the state of nature emerged as pre-political. Here we witness the inauguration of the separation between the State and state of nature-civilization although a clear distinction between the civil and political is still absent (Bobbio 1988). For Hobbes, the state of nature was characterized by unbridled passions to accumulate power and wealth that hindered physical and material well-being. The only way to avert this condition of anarchy was for man to enter into a contract with the state where there is mutual and universal transfer of the natural right to it; in return, the state, headed by a strong sovereign provides peace and stability. [15]

Among all the contractarians, Locke was the first influential naturalist to bring the theory of property to the forefront of a theory of civil society. For him, the state of nature was not violent and was, in fact, an extra-political entity called society "marked by civil exchanges between free and propertied individuals" (Chandhoke1995, 80). The only reason the state was required was because it could protect private property. In these theories, the state and the society were neither historically nor spatially located; this vision was later shifted by the classical political economy school.

[15] Hobbes's civil society had similarities to the ancient commonwealth where the state and society were fused together by the will of the people to create better living conditions. But unlike the Greeks' political society that 'relied on a notion of moralized law rooted in *ethos*', Hobbes's society was based on positive law limited only to enactment and command" (Cohen and Arato 1991, 87). Even though the civil society was an act of politics, contrary to the popular conception, Hobbes did leave "a considerable room for private intuitive and unregulated activity" (Eherenberg 2001, 76)

The ideas of the political economy school, which was a product of the Enlightenment, parallel the teleological narrative of modernity. Civil society formed the apex of civilization and the lower states were that of 'oriental and occidental despotism' and feudalism (Chandhoke 1995, 91). These stages were characterized and distinguished on the basis of modes of production. Hence, now the sphere of economy, not of politics, formed the 'determinant of notions of propriety, property, government moral principles, and society and political institutions' (90).

Foucault (1994) traces the separation of civil society and political society to the work of Scottish Enlightenment philosophers such as David Hume, Adam Ferguson and Adam Smith. According to Brewer (2007), 18th century Scotland's emphasis on universal, non-elitist education as well as respect for science, invention and rational inquiry sets the backdrop of Ferguson's *An Essay on the History of Civil Society* (1767)[16]. In his theory, Ferguson tried to limit political power and ascribed more confidence in "mixed government rather than simplistic versions of democracy" (Brewer 2007 107). Ferguson believed that commercialization would not necessarily bring peace and liberty and that is the reason why his theory strived to base "civil society on a set of innate moral sentiments". While Hobbes's and Locke's society were marked by individual interests in private gain, Ferguson's civil society was characterized by people who were driven by altruism, solidarity, and generosity (Eherenburg 2001, 91).

Oz-Salzberger (2001) credits both Hume and Smith for bringing commerce's civilizing potential to the forefront in their theories of civil society. The transformation of

[16] In this Ferguson developed a typology of society – rude, barbarous and polished and spent much of his intellectual endeavor trying to chart the structure of the polished society and the threats that it faced from the negative aspects of industrialization (Brewer 2007).

mercantilism into capitalist manufacturing society formed the backdrop of Adam Smith's *The Wealth of Nations* in which he integrated growing market processes and economic activities into the first bourgeois theory of civil society. Highly critical of the nefarious state bureaucracy that regulated economic affairs and impeded growth, Smith celebrated the freedom of rational individualism, which formed civil society. Civil society was based on the market-organized network of mutual dependence. In the age of freedom, the specialization of labor would contribute to the mutual dependence of actors in civil society. Egotistical, self-serving individuals would lead to the 'unintended consequence' of benefiting the entire society: "It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own self-interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our own necessities but of their advantages" (Smith 1776, 7). The powerful invisible hand of the self-correcting market would regulate civil society much more efficiently than the mercantilist state.

It is important to discuss another anti-absolutist doctrine of the 18th century that formed the source of one of the modern strains of civil society. The *pluralist interpretation of civil society*, a product of the theories developed by Montesquieu, Rousseau and de Tocqueville find expression in a variety of contemporary usage that pulls civil society further away from the state and its associated political structure. Montesquieu (1689-1755 AD), the French Enlightenment thinker propagated intermediate associations and offered a theory of balanced constitution. Impressed by the English model, he believed that aristocratic associations and commerce would bring peace and stability in society. He was one of the few theorists of civil society who

identified the interests of one class with the interests of the whole society. The primacy of Montesquieu's nobility, Locke's natural rights and Hobbes's sovereign were challenged by Rousseau's conception of a moral civil society. Adopting a new take on the contract theory, Rousseau (1712-1778) maintained that giving away rights to the sovereign for a peaceful civil society or relying on self-interested actions to build a productive civil society would be unsuccessful. Individuals, instead, could exchange their rights mutually to form a general collective will. Alexis De Tocqueville adapted different pluralist interpretations of civil society into one and announced the United States to be the prototype of modern civil society. In the U.S., he argued the democratic associations and intermediate voluntary organizations that are bonded by common cultural values in terms of customs and manners countered the absolutist and centralizing tendencies of the state.

The theories of classical political economy contributed immensely to the concept of civil society. Civil society was separated from the state and politics and was relocated to the sphere of economics. However, Chandhoke (1995) maintains that the project of classical political economists was limited, as they assigned excessive privilege to the economic sphere in order to fight the absolutist state. The work of Hegel and Marx and later Gramsci attended to some of the tensions in this valorized sphere of civil society.

Hegel argued, unlike Adam Smith, that the egoistical individual had the capacity of destroying the ethical life of civil society. For Hegel, the historically-produced realm of civil society was different from both family (characterized as ethical life of unreflective love) and the state, (characterized as universal and institutionalized ethical life). Civil society was not a separate sphere but dialectically related to the family and state where the mediations between particularity and universality took place and by this

very dialectical advance, "subjective self-seeking turned into the mediations of particular through the universal" (Ehrenberg 1999, 124). So what exactly was the universal ethical life for Hegel? Chandhoke (2003) maintains that for Hegel, the ethical life was "found in a society where the members share(d) certain ideals and where they are united by a morality which prescribes their role" (119). Hegel attempted to seek a model by vertically connecting the civil society with the universal state, the latter extending the system of mediations within the former. These systems of mediations are of two orders. First are the public authorities that guarantee the rights of the individual, such as courts, welfare agencies, and police. Second are the classes, or the estates and the corporations, which monitor and manage the actions of individuals. At the same time, these estates provide socialization that convinces individuals that their salvation lies in associating with others.

Marx rejected Hegel's universal state. Marx formed his theory of civil society and state when he came into conflict with the Prussian censors during his early days as a radical journalist (Ehrenberg 1999). He realized that "arbitrary censorship and economic regulations" (132) were inclined towards the powerful (bourgeoisie). This fact made it difficult to conceptualize state power as autonomous. Later, in *On the Jewish Question*, Marx formulated the famous critique of young Hegelian Bruno Bauer, who blamed religion as the major impediment to the human progress. Marx contended that driving religion, or for that matter class, ethnicity, caste, property etc, out of politics does not mean that it would cease to exist in civil society. Failure to realize this distinction leads to uncritical confusion of political emancipation with general human emancipation (Marx 1843, 30). Keane (1988) elucidates this further in relation to a secular and democratic state and society: "the modern bourgeois era as Marx pointed out is unique in so far as it

effects a separation of political and social forms of stratification. It subdivides the human species for the first time into social classes; divorces individuals' legal status from their socioeconomic role within the civil society and sunders each individual into both private egoist and public citizens" (57). The political revolution had left the "pillars of the house standing" and had not affected civil society where man lived a depoliticized life (Marx 1843). In civil society, particularity became a universal principle, which was the domain of exploitation where the appropriation of surplus labor took place. Civil society for Marx represented a monolithic bourgeois ideology.

Civil society was the arena where reproduction of dominant relationships took place but it could equally have been the site where the subaltern classes fight for social and economic emancipation. Marx found the proletariat to be the universal class and an agent who could bring about a radical revolution that aimed at general human emancipation, not just partial political revolution. The first step would involve the overtaking of the state by political revolution. The second stage would involve the destruction and dissolution of all the forms of existing capitalist social order by using political supremacy. Thus for Marx, even if the state was an illusory condition, its democratic potentials were significant for superseding civil and political society for human emancipation. Marx therefore made clear distinction between bourgeois and non-bourgeois civil society, which belonged to a bourgeois and non-bourgeois state respectively.

Fontana (2006) explains that Marx's critique of liberalism and bourgeois society ended in reproducing the distinction between the state and society that was so characteristic to his liberal opponents. The state was negative, repressive and coercive

with no positive functions and redeeming value. Gramsci, on the other hand, went back to the Hegelian distinction between state and civil society, thereby giving the state a more positive role. Also Gramsci's analysis disagreed with the teleological pattern of society envisaged by the earlier political economists such as Smith, Hegel, and Marx that was marked by "unilinear expansion and contractions of capitalism, in which each country followed in line behind the leader" (Burawoy 2003, 203). Capitalism could develop in multiple directions with varying configurations of state, society and economy and that is the reason Gramsci's theory and conjunctural analysis is most relevant in the current global climate.

Gramsci's Idea of Civil Society

At the time when Marx wrote *Capital* in 1867, England, France and Germany were replete with numerous intense working-class movements. In contrast, when Gramsci started writing *Prison Notebooks*, capitalism had entered a monolithic phase. Also, in his own country, fascism was suppressing working class unions and eroding the achievements from their previous struggles. Subsequently, the success of Bolshevik revolution in Russia led Gramsci to develop his concept of hegemony, civil and political society and the role of intellectual, all while he was trying to discern why socialism had failed to take off despite the abundance of working class movements.

Gramsci maintains:

> What we can do, for the moment, is to fix two major superstructural 'levels': the one that can be called 'civil society', that is, the ensemble of organisms commonly called 'private', and that of 'political society' or 'the state'. These two levels correspond on the one hand to the functions of 'hegemony' which the dominant group exercises throughout society and on the other hand to that of 'direct

> domination' or command exercised through the state and 'juridical' government (Gramsci 1971, 12).

In his conception of state and civil society, Gramsci inverted the relationship between the base and the superstructure and maintained that the civil society instead of the base mediates history. The superstructure is comprised of both political and civil society. Both political and civil society corresponds to different sites and forms of power. Political society is the location of the coercive apparatus involved in disciplining the body by institutions like penal codes and prison; civil society, on the other hand, disciplines the mind through educational, cultural and religious institutions and is the location where the state functions in minute, invisible ways to influence people. Gramsci maintained that so far as state is referred to as the 'night watchman', the coercive forces still predominates, but as soon as the state is called civil society, or the ethical state, the coercive forces are no longer needed and society is regulated by itself. He argued:

> The assertion that the state can be identified with individuals (the individuals of a social group), as an element of active culture (i.e as a movement to create a new civilization, new type of man and of citizen), must serve to determine the will to construct within the husk of political society a complex and well-articulated civil society, in which the individual can govern himself without his self-government theory entering into conflict with political society- but rather becoming its normal continuation, its organic complement (Gramsci, 1971, 268).

This significant role played by civil society does not mean that it is in any way independent of the economic base. A structural change in the economic base will manifest its effects on civil society too, but it is civil society along with political society, which will ultimately manage the base.

Unlike Marx, for Gramsci, history did not unfold in a prescribed teleological manner but as "a discontinuous series of hegemonic formations or hegemonic blocs"

(Laclau and Mouffe 1985, 71). If the bourgeois civil society was successful in negotiating the dichotomy between the economic base and the superstructural state, the outcome would be the creation and continuation of capitalist hegemony; if it failed, the counter-hegemonic current would subvert the capitalist state to construct new forms of political organization.

As opposed to the liberal conception in which civil society protects an individual from the state, both Gramsci and Marx maintained that it is the state and the ruling elite that civil society safeguards. But unlike Marxian civil society, the Gramscian model had the potential of rational self-regulation and freedom. In this sense, Gramscian civil society was closer to Hegelian civil society. Gramsci acknowledged the alternative currents that flow within civil society and as much as it is a "site where legitimacy of the state is forged, it is also the terrain of contestation" (Chandhoke 1995, 154). The ideological and cultural practices of civil society are actively engaged in the production of consent, which Gramsci described as the creation of *hegemony,* which is the influence of one group over all other groups. For example, the ruling bourgeois class, through the sites of consent, diffuses such ideas, norms, values, social relations and cultural traditions that the working class identifies its own welfare with that of the former and do not revolt against the exploitative setup. Creation of hegemony may involve coercion, sometimes overt while other times, in specific configuration with consent. Hegemony can be limited and as well as expansive. One example of limited hegemony is the one attained by coercion. Passive revolution, a way for the bourgeoisie to maintain its hegemony by allowing small concessions to the subaltern groups or the proletariat is also an example of limited hegemony.

For my analysis hegemony is a very useful concept. First, it explains things better than the term domination and class alliance. Second, Gramsci wrote that "popular beliefs and similar ideas are themselves material forces" (Gramsci 1971, 165). So the theory of hegemony provides a break from the concept of ideology as a set of mere ideas, thereby directing our attention to the materiality of ideology. For a better understanding of hegemony we must understand Gramsci's concepts of ideology, collective will, organic intellectuals, and historic bloc.

Gramsci rejected Marx's negative connotation of ideology as something that conceals the contradictory character of the hidden real essential patterns, for one where ideology becomes a neutral concept referring to the political consciousness of classes including that of proletariats (ibid 250). Ideologies are more than mere systems of ideas. Gramsci explains this by distinguishing between the 'arbitrary elucubrations of particular individuals' (1971, 376) and organic ideologies that are necessary for a given social structure. The latter "organize human masses and create the terrain on which men move, acquire consciousness of their position, struggle, etc" (Gramsci 1971, 377). Haugaard (2011) maintains that for Gramsci, the bourgeois strength of ideology does not reside in obscuring the truth which gives rise to false consciousness, but "is located in the capacity of a set of ideas and consciousness to tie together divergent interests into a singular hegemonic interpretative horizon" (47). This is critical for the function of moral and intellectual leadership that creates hegemony that goes beyond class distinction to create "common will". Laclau and Mouffe (1985) agree : "For, whereas political leadership can be grounded upon a conjectural coincidence of interests in which the participating sectors retain their separate identity, moral and intellectual leadership requires that an ensemble

of ‘ideas’ and ‘values’ be shared by a number of sectors- or to use our (their) own terminology, that certain subject positions traverse a number of class sectors” (66-67).

Ideology, common will and material resources form a historic bloc. According to Gramsci it is the intellectuals who cement the gaps between the structure and superstructure in order to create a historic bloc. Every social group in the economic world organically creates their specific intellectuals. These intellectuals are different than the traditional intellectuals who are people characterized by intrinsic activity of thinking who tend to represent a historical continuity and recognize “themselves as ‘independent’, autonomous, endowed with a character of their own, etc”(Gramsci 1971, 8). The organic intellectuals or new intellectuals are the ones who can organize and educate the groups to create a hegemony built on consent and Fontana (2010) maintains that the hegemonic relationship is necessarily an educational relationship (34). These intellectuals are involved in the struggle for expansion and solidification of their own class.

Reconsidering Gramsci

In an effort to tackle economic determination in Gramsci and advance the theory of hegemony, Laclau and Mouffe (1985) replace the concept of ideology with the concept of discourse. They use Foucault’s conception of discourse that was elaborated in *Archeology of Knowledge*. According to Foucault, a discursive formation is a ‘system of dispersion,’ which has a unity or regularity within the dispersed elements (objects, modes of statements, concepts, thematic choices).[17] The rules that govern such formations are the ‘rules of dispersion.’ Discourse can be thought of as a set of ideas, or a form of

[17] Foucault in Archeology of Knowledge dismissed “four hypotheses of unifying principle of discursive formation – reference to the same object, common style in the production of statements, constancy of the concepts and reference to a common theme” Laclauand Mouffe g 105.

language or a group of statements with its own rules that are socially constructed and frame our understanding of and about something. They provide an organizing structure that actively shapes our understanding of the world and things in it.

For Laclau and Mouffe, discourse is constructed when the process of articulation happens, which works to establish a relation among elements in such a way that their identity is modified as a result of the articulatory practice. Just like Gramsci's ideology, the practice of articulation of discourse involves both linguistic elements and non-linguistic elements or the material world. However, the distinction between the economic base and superstructure that was inherent in Gramsci's ideology disappears in a discourse. This happens because both base and superstructure become discursive and therefore susceptible to instabilities since discourses by their very nature are not unified (only made of dispersed elements) and fixed. Hence, I refer to civil society and neo-liberalism not in terms of ideology but as discourses, which are discrete and unstable.

Geographers in recent scholarship have attempted to bring together Gramsci and Foucault to conceptualize neoliberal hegemonic discourse (Ekers and Loftus 2008, Larner 2003, Peet 2002, Roberts at el 2003, Sparke 2006). I continue this trend and arrive at a framework of state and society that avoids any kind of structuralist trap in which the state is seen as a separate entity standing outside of society. Gramsci identified state as comprised of both political and civil society. For him, the (bourgeois) state is characterized by set of coercive apparatus or political society that include police and courts, while civil society is engaged in generation of consent through schools, hospitals, etc. The role of both state and civil society is to create hegemony in the society. This sphere is extensive, as for Gramsci, even a father can act as a legislator for his children

(Gramsci 1971, 266). Foucault extends this notion of Gramsci's when he declares "cut off the king's head (1994, 122)." By this he wanted us to identify multiple ways in which power works and produces, and so challenges the notion of state as the sole and unitary center of power. Using the concept of governmentality and bio-power, he directs attention to the operations of power that cover all sites of social interaction-- community, school, family and body.

Foucault's notions of power, discourse and governmentality attend to the class determinism implicit in the Gramscian formulation of civil society. Governmentality is, Foucault writes, "the ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of very specific albeit complex form of power, which has as its target population, as its principle political economy, and as its essential technical means apparatuses of security" (1994, 102). Governance, Foucault maintains, means 'conduct of conduct.' The first connotation of conduct is to guide and regulate, and the second connotation of conduct is to moralize behavior. This type of "art of governing is different from the "doctrine of the prince and the juridical theory of sovereignty (201- 206)." The latter requires exercise of authority over people and territory, and an ability to regulate and discipline them. The former requires a specific understanding of the people and their relationship with the things so as to ensure potential of growth, and prosperity of the population. Population in the era of "art of governing" became the ultimate aim of the government, an object whose control, regulation, welfare was the function of the state. Population instead of the "power of sovereign" became the end of the government. Foucault further maintains that disciplinary power and governmentality coexist. "We need to see things not in terms of

the replacement of a society of sovereignty by a disciplinary society and the subsequent replacement of a disciplinary society by a society of government; in reality one has a triangle, sovereignty-discipline-government" (Foucault 1991, 219).

While Gramscian notions dismantle the distinction between state and civil society, Lazzarato (2004) maintains that Foucault's conceptualization of bio-power wrecks the distinction between the state and *bio*. State power is not just negative but also productive, as it produces subjects. The organized power of armies, schools and factories are the result of discipline and governmentality. For Gramsci the micro-practices added up to colossal structures of power which were canonized at the level of the state, and had their origin in the processes of capitalist society. But for Foucault these macro-processes of power did not originate in the will to power, rather they are constituted in the logic of capitalism. So for Foucault, capitalism is a constitutive factor in the production of state, society and bio power.

Civil Society in Indian Context

Subaltern studies and post-colonial scholar Partha Chatterjee probably provides the most suited interpretation of Gramsci's ideas of state, civil society and hegemony in the Indian context. Chatterjee (1986, 2003) explains that civil society, a product of modernity, is essentially a bourgeois society, and is "characterized by modern associational life originating from the western society that is based on equality, autonomy, freedom of entry and exit, contract, deliberative procedures of decision-making, recognizance rights and duties of members, and such other principles" (Chatterjee 2003, 135). Political society, on the other hand, is a product of democracy and encompasses all the population that has been left out of civil society. Chatterjee identifies

this political field as the spatial expanse where governmental technologies work. To describe this he makes two different routes of connections of both civil society and political society to the state-- "one is the line connecting civil society to the nation-state founded on popular sovereignty and granting equal rights to citizens. The other is the line connecting populations to the governmental agencies pursuing multiple policies of security and welfare" (2004, 39). He further maintains that "whereas the legal-bureaucratic apparatus of the state has been able, by late colonial and certainly in the post-colonial period, to reach as the target of many of its activities virtually all of the population that inhabits its territory, the domain of civil society institutions as conceived above is still restricted to a fairly small section of citizens" (2001, 172).

To explain the development of Indian state and civil society, Chatterjee finds Gramsci's ideas of passive revolution insightful. In Italy, Gramsci explained that the bourgeois state was able to satisfy the demand of the society by "small doses, legally, in a reformist manner—in such a way that it was possible to preserve the political and economic position of the old feudal classes, to avoid agrarian reform, and especially avoid the popular masses going through a period of political experience such as occurred in France" (1971, 119). A similar thing happened in India. Chatterjee (1986) describes Indian struggle for independence from the British as a kind of passive revolution which after its success did nothing to eradicate colonial institutional structures or the pre-capitalist dominant class.

Kaviraj (1991) establishes that the state's planning elite—'the body of experts' who were to maintain the relative autonomy and managing the competing interest of the bourgeois and other dominant class--could not remain neutral for too long and

succumbed to the pressures of the dominant class with grand visions of development. Chatterjee maintains that"[W]here an emergent bourgeois lacks the social conditions for establishing complete hegemony over the new nation, it resorts to a 'passive revolution', by attempting a' molecular transformation' of the old dominant classes into partners in a new historic bloc and only a partial appropriation of popular masses, in order to create a state as a necessary precondition for the establishment of capitalism" (Chatterjee, 1986, 30)

Since the dominant class's intellectual-moral leadership in India has always been fragmented, Kaviraj (1991) maintains the postcolonial developmental projects are unable to connect to the vernacular and the poor. This has given rise to considerable tensions in neoliberal India, and I will extend this line of thought further in Chapter 4 to explain the politics of informals.

Anna Predicament: Problems with Civil Society based on Associations

The revival of ideas surrounding the term civil society in post-colonial India emerged amidst a climate of disenchantment with the developmental state (Béteille 1996, Ghosh 1989, Guha 1989, Gupta 1997, Kothari 1988, Kothari and Seth 1991, Mohanty 1998, Shah 1988, Rubin 1987). As opposed to the 1980s romantic revivalism of the concept by social movements and citizens groups that represented the poor who were excluded from the benefits of elite modernization schemes, the recent interest in civil society represents an assault launched in the name of neoliberal doctrine on the regulatory welfare state. CCS espouses this particular concept that is influenced by anti-state theories of Adam Smith and Richard Plain as well as associational models of

pluralist schools of thought. With a review of literature of civil society in Indian setting, let me show how such an interpretation is anti-democratic and leaves pillars of domination intact.

Rajni Kothari (1988) criticizes the Indian state for its excessive focus on, 'market efficiency', 'profitability', 'development' and 'national security'. He hopes that civil society would strengthen democracy by acting as a launch pad for human governance. Civil society, which incorporates contemporary social movements and networks of voluntary and self-governing institutions like village panchayats[18], form the grassroots model of mass politics in which 'people are more important than state' (Kothari 1988, 212). Here Kothari falsely assumes that the associations which form civil society are democratic in their composition; he thereby neglects the social and caste cleavages that propagate exclusion and hierarchy. Béteille (1996), influenced by de Tocqueville, attends to this by proposing a slightly different conception of the associations of modern civil society. A vibrant civil society constitutes open, secular and democratic institutions like banks, hospitals, municipal corporations, schools and newspapers that are based on individual autonomy instead of direct participation or self-governance. Béteille, a skeptic of religious institutions, also views the state as an enemy of civil society. He misses the essential point that the state is significant to the working of civil society. Civil society needs the basic political-legal framework that institutionalizes the normative pre-

[18] In the 1950s and 60s, in an effort to decentralize power and governance, Panchaiat or Panchayat was evolved as a system of governance in Indian villages. In this system, five elderly and wise men of the village are elected to make important decisions about the development of the village, to plan the finances, and to solve petty disputes.

requisites of rights, freedom and rule of law. Secondly, civil society needs the state for its organic growth and to function democratically.

Anna Hazare's anti-corruption campaigns overlook and undermine this crucial relationship between the political-legal framework and fundamental rights on the one hand and democracy on the other. Hazare's engagements elsewhere demonstrate this fact. Hazare, the environmental warrior, lives in a small room behind a temple in the village of Ralegan Siddhi in the state of Marahasthra. His accomplishment lies in the fact that he was able to transform the draught- prone and poverty- stricken village into a lush, green and sustainable model village. This he achieved through changing the environmental character as well as the social-political, economic fabric of the town by the exercise of his moral authority coupled with occasional coercive measures. Mukul Sharma (2006) talks in detail about some rules that Hazare enforced:

> Five universal rules have evolved out of the developmental experiences in Ralegan. They are 'nasbandi' (restriction of family size), 'nashabandi' (ban on alcohol), 'charaibandi' (ban on free grazing), 'kurhabandi' (ban on tree felling) and 'shramdan' (donation of voluntary labour for community welfare). It is mandatory for the villagers to take oath that they will follow these rules. The path of rural development here depends in a large measure on many other 'dos' and 'don'ts'. No shop in Ralegan can sell 'bidis' or cigarettes. Film songs and movies are not allowed. Only religious films, like Sant Tuka Ram, Sant Gyaneshwar can be screened. Only religious songs are allowed on loudspeakers at the time of marriages (Sharma 2006, 1984).

Anna Hazare's ties to Rashtriya Swayamsevak Sangh (RSS), the influential right-wing Hindu nationalism organization, are no secret. Sharma identifies the language used to make people acquiescent 'highly brahaminical and hegemonic.'[19] In a nutshell the success of the environmental movement has helped to consolidate the moral authority of

[19] Brahmin is the highest and the most privileged caste in Hindu society and Brahmins have exercised cultural hegemony over Indian social structure for many centuries.

Hazare, which he uses to enforce his notion of an ideal Hindu society within the village. As Sharma notes, his "achievement establishes it's own institutions, justifying its own structure of governance" (2006, 1985).

Disparaging elections, Hazare claims that power and politics bring corruption. And so there have been no election of gram Panchaiat in the village in 24 years. Civil society as a sphere of democratic dialogue and contestation is compromised with Hazare's highly selective ideology. In fact, many religious or nationalist civil society movements such as the one signified by Anna Hazare's environmental movement use language and emotional vocabulary of passion, sacrifice and martyrdom versus the mundane democratic language of political debate, minority and indigenous inclusion and tolerance. These movements are seen to increasingly join hands with the new middle class and pro-neoliberal lobby groups who bemoan the result of social democracy (extended in chapter 4) to fight and oppose the welfare state in the name of civil society. The same is true for NGOs and think tanks such as CCS, who use discourse of the state's mismanagement, corruption, and decentralization as reasons to bypass the state. Spivak (2008) rightly calls them "self-selected moral entrepreneurs who give people philanthropy without democracy".

Why is the Discourse of Civil Society Essential to the Project of Neoliberalism?

As is apparent from earlier discussions, civil society discourses are often pitted against the repressive state. This is a technique that CCS uses too. This trend is important to investigate further because as Ferguson (2007) explains, "the uncritical and ahistoric use of civil society, which at one time helped people to fight repressive state is now

helping to promote a "profound antidemocratic transnational politics" (91). Historically, civil society has never been used in isolation from the state, but discourse about state and society makes their separation seem natural. Roy (2003) complains, "strengthening civil society and endeavors of the state are seen as inversely related to one another: the state must retreat if civil society is to flourish" (82). There is no questioning of the fact that neoliberal doctrine in the form of projects and market logic is penetrating across the globe. But why is the discourse of civil society instead of any other discourse used to achieve these changes in countries such as India? How does the discourse of civil society work and why has it become essential to the project of neoliberalism in India? One explanation is that the popular discourse of civil society suits the discourse of neoliberalism because 'civil society' is a discourse of utopia that envisages the ideal self-organized democratic society and dismisses authoritarian or obsolete state. But as Gramsci has maintained:

> The ideas of the Free Trade movement are based on a theoretical error whose practical origins is not hard to identify; they are based on a distinction between political society, which is made into and presented as an organic one, whereas in fact it is merely methodological. Thus it is asserted that the economic activity belongs to civil society and the state must not intervene to regulate it. But since in actual reality civil society and state are one and the same, it must be clear that *Laissez- faire* too is a form of State "regulation" , introduced and maintained by coercive means (Gramsci 1971, 160).

Since civil society and the state are "one in the same", perhaps the second reason explains things better. The many of the contemporary discourses of civil society do not bemoan all kind of state activities. In fact, they oppose only a kind of welfare and regulatory state that hinders freedom of the market. In short, these discourses promotes

free market ideas; aids in deploying global hegemonic discourse of neoliberalism with rather ease; and helps in the creation of a neoliberal governmental subject.

Making Common Sense Work: Connecting the Discourse of Civil Society to the Global Hegemonic Discourse of Neoliberalism

Hegemonic discourse is composed of careful, rationalized and organized statements, which carry certain ideas that claim to be true and are disseminated by experts and organic intellectuals. Peet (2002) contributes a Gramsci-Foucualdian notion of global hegemonic discourse (GHD) while studying neoliberal Africa. GHD refers to "a system of political ideas, derived from leading class interpretations of regional experience, elaborated in coherent and sequential theoretical statements, as with policy formations, within internationally recognized body of experts" (57). With intense regulatory power and a broad geographic swath, these discourses penetrate different locales and are able to persuade or coerce people to become its subjects. Neoliberalism is one such hegemonic discourse. However, scholars studying neoliberalism have also emphasized the "contextual embeddedness" of hegemonic neo-liberal projects and I argue that the use of civil society in neoliberal discourse is a result their contextual embeddedness and path-dependent interactions.

Let me explain this process with the help of Gramsci's idea of common sense. According to Gramsci, hegemony can also be understood in relation to his concept of common sense. Gramsci maintains that "[E]very philosophical current leaves behind a sedimentation of common sense: that is the document of its historical effectiveness. Common sense is not something rigid and immobile, but is continually transforming itself, enriching itself with scientific ideas and with philosophical opinions which have

entered ordinary life. Common sense creates the folklore of the future, that is, a relatively rigid phase of popular knowledge at a given place and time" (324). However, as Jones (2006) maintains, common sense for Gramsci is also "unsystematic, heterogeneous, spontaneous, incoherent and inconsequential, a 'chaotic aggregate of disparate conceptions' that holds together" (Jones 2006, 54). Common sense can be intervened by hegemonic influences and since by nature it is not rigid, it can be actively created by the mediations of hegemonic groups. I believe that the term 'civil society' currently resides at the level of common sense, where people in India uncritically accept anything associated with civil society as good, democratic, pro-people and community. Hence, it is beneficial for neoliberalism to co-opt the term civil society in order to invade the common sense of people and shape them into neoliberal subjects.

It is easy to see how this has come to happen in the Indian setting. Roy (2003) explains that the discourse of civil society has been used to propagate a neoliberal doctrine of the roll-back of state in terms of less regulation, privatization and withdrawal of welfare initiatives because the discourse of "state" and "free market" are no longer relevant. On the one hand, with the growing discontent of the IMF and WTO, the poor have actively refuted the discourse of a free market. On the other hand, state in many countries of the south is also looked upon with skepticism. For example, in India, it is a well-established fact that after the British left the country, elite groups co-opted the Indian state successfully. Kaviraj (1984), maintains that 'state-bourgeoisie agency' even after independence was based on institutional structures of the colonial rule. The institutional structure lacked a necessary precondition that was supposed to bind it together--unforced commonsense (227). Instead, something else was used to bind the

state together. Nandy (1989) explains that the "(Indian) state has established closed, inviolable links with megascience and megatechnology- not only because it must depend on modern science, and technology to give teeth to its coercive apparatus, but also because it can use the achievement in these sectors, especially when they are spectacular, to legitimize itself as a repository of scientific knowledge and negation of native irrationalities" (10). Armed with a reliable discourse of science and technology, the modernist state agenda never felt the need to co-opt "low culture", the rural, ethnic or "vernacular". Hence, in 1970s and 80s, the developmental state entered a crisis phase with social movements springing up in different parts of the country. The phenomena of NGOs and other community organizations, adorned with civil society discourse, in this backdrop appeals to the "low culture" as they work closely with the community and pay close attention to their issues, even if they follow the same notions of development and modernity as the modernist Indian state or the west.

The Power of Freedom in the Discourse of Civil Society: Promoting Neoliberal Governmentality

The discourse of civil society also aids in promoting neoliberal governmentality. Foucault (1991) maintains that analyzing "regimes of practice means to analyze programs of conduct which have both prescriptive effects regarding what is to be done (effects of Jurisdiction), and codifying effects regarding what is to be known ('effects of 'veridiction')" (75). Foucault's work on governmentality adds not only to the neo-Gramscian analysis of the ideological conditions for the operation of neoliberalism exemplified by Stuart Hall (1984, 1988) on Thatcher's Britain , but also directs our attention to the "ethical and technical character of neo-liberalism as an art of government" (Barry et al. 1996, Burchell 1993, Rose 1993). Foucault saw two major

differences between eighteenth- century classical liberalism and modern neoliberalism. First for neoliberals, the market regulates and controls the state, while liberal theorists state defines the market (Lemke 2001). Lemke (2001) writes that for Foucault the second difference arises from the *basis of government*. Individual freedom was the precondition for the rationale of the government in classical liberalism, and the state could undermine the freedom only when its foundation was challenged. However, in the neoliberal era, where economic norms such as 'cost benefit calculations and market criteria' penetrate the social domain, the rationality of the state is pegged no longer with pre-given human nature but with an 'artificially created form of behavior':

> [N]eo-liberalism no longer locates the rational principle for regulating and limiting the action of government in a natural freedom that we should all respect, but instead it posits an artificially arranged liberty: in the entrepreneurial and competitive behavior of economic-rational individuals. Whereas in the classic liberal conception, *homo economicus* forms an external limit and the inviolable core of governmental action, in the neo-liberal thought of the Chicago School he becomes a behaviouristically manipulable being and the correlative of a governmentality which systematically changes the variables of the 'environment' and can count on the 'rational choice' of the individuals" (Lemke 2001, 200).

Rose (1999) elaborating this phenomena explains that modern neoliberalism operates through the mode of freedom, where *technologies of self* prepare an individual for the subjection of the self. "These technologies – a form of injunctions to moral government …are embodied in language, in knowledge, in technique, in fabrication of spaces" (43). The free human being, a self-activating, self-managing and self-enterprising individual, is transformed and inscribed with mores of work efficiency and optimization and wealth creation. In modern times, in the name of freedom, the process

of self-subjection of individuals has provoked Rose to distinguish "freedom as the formula of resistance from freedom as a formula of power" (65).

Dean extends the concept of *technologies of self* to add "*technologies of agency* which seek to enhance and improve our capacities for participation, agreement and action; and *technologies of performance* in which these capacities are made calculable and comparable so that they might be optimized" (173). These technologies working at the level of family, school, neighborhood, and workplace, reconfigure and reorganize social relations and empower individuals to work as active citizens, responsible customers, and efficient individuals aware of their own risks. Burchell (1996) calls this '*contractual implication'* (29), a term that he borrows from Jacquese Donzelot (1991). This implies that in order for individuals to exercise freedom of action and decision that hitherto were managed by the state; the individual assumes absolute responsibility not only for their actions but also for the outcomes of their actions.

Ram, CCS's national coordinator for the Livelihood Champaign, commented on the kind of freedom that CCS as a civil society organization envisions: "CCS's main goal is free the civil society of India, which means economic freedom, social freedom, political freedom, freedom to do whatever you think...even if it may do some wrong to few people… we'll say, go ahead and do it. Because you are not doing it for me, you are doing it for yourself. If the result is harmful, at least you will blame yourself not someone else."

This new form of *responsibilization* that is an effect of governmentality is the pertinent theme to my study as the street hawkers are also implicated in 'contractual

implication' once the welfare state withdraws from the spaces of informality. Also, civil society discourse that promotes governmentality in the name of freedom, helps different strands of neoliberal ideology to get articulated with the existing ideas, practices and subjects. For example, existing social relations are being reshaped in the form of new socialism or communitarianism based on the western concept of secular yet closed associations rather than the ones based on traditional Indian values of family, clan and kinship. Citizens are encouraged to be transformed into hyper-consumers in order to be a part of an active consumerist society. Modernist spatial ideas are intensified under elite citizens' groups to give way to a sanitized city.

Civil Society as a Floating Signifier

As mentioned earlier, civil society discourse sometimes is more successful in promoting pro-market ideas than are the discourses of the state and neoliberalism. Arnoldi (2009) maintains that in order for an idea to be sellable, there has to be a certain level of catchiness. It is also useful for a term to be vague so that it can be attached to many different referents. According to Rose (2001), "part of the power of a specific discursive formation may rest precisely on the multiplicity of different arguments that can be produced in its terms" (158). A universal discourse is able to penetrate the local common sense successfully if it is deployed through interpretative repertoires, which are "systematically related sets of terms that are often used with stylistic and grammatical coherence and often organized around one or more central metaphors. They develop historically and make up an important part of the 'common sense' of a culture, although some are specific to institutional domains" (Potter, 1996, 131 as cited in Rose 2001, 156)

The concept of civil society can be connected to almost any issue. Specifically listed on the CSS website are education, livelihood, environment, and governance, which themselves constitute vague and inclusive referents. Arnoldi, using Hardt and Negri, explains this vagueness in terms of 'floating signifiers', which work on the principle of inclusion rather than binary exclusions. These floating signifiers can be attached to many different referents precisely on account of their vagueness. This is in fact their strength. Hegemonic discourses are powerful if they are flexible enough to co-opt whatever issues happen to be of pressing importance in public discourse on a day-to-day basis.

For Kumar, civil society is "a concept rich in historical resonances; a concept where a good part of the appeal is the sense of many levels and layers of meaning, deposited by successive generations of thinkers. With it, as most of its uses clearly testify, we are in the realm of the normative, if not indeed the nostalgic. 'Civil society' sounds good; it has a good feel to it; it has the look of a fine old wine, full of depth and complexity" (1993, 376). Civil Society forms an interpretative repertoire which is regionalizing the universal discourse of neoliberalism. Here the buzz words of civil society discourse such as self-help, social capital, decentralization, micro-level planning, and participation are the best in generating neoliberal governmentality.

Conclusion

There are two things that stand distinctly in the analysis of the critical history of civil society. First, every philosopher conceived his notion of civil society at a particular time and in a specific climate. For example, the Hellenistic philosophies drew inward amidst expansion of the Roman Empire and loss of a feeling of belonging in the polis. Medieval philosophies were influenced by the dominance of Christianity while

Enlightenment philosophies reflected the expansion of markets. Hence in our current study, it is important to contextualize the current use of civil society in the contemporary political, economic and social environment. In the last section of this chapter, I have attempted to answer how the model of civil society envisaged by CCS reflects on the current neoliberal environment. CCS's interpretations of civil society draw from the selective theories of Adam Smith and Richard Plain. All of the other conceptualizations of civil society that highlight the importance of state and outlines the dangers of market and individualism in civil society are ignored. Secondly, it is clear that different scholars have posited civil society and state in various configurations throughout history. Liberal thinkers and classical political economists have attributed a degree of autonomy to the sphere of civil society while the works of Hegel- Marx-Gramsci (HMG) highlight that the two are closely interrelated and analysis of one requires the understanding of the other. HMG presented a strong critique of not just the liberal tradition of civil society but via that also a critique of the capitalist society inflicted by exploitation, poverty and alienation. I will use these theories as the base to analyze the current conditions of the marginalized section of Indian society represented by hawkers.

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Chapter 3: Altering the Climate of Opinion: The Centre for Civil Society as a Think Tank

"We must make the building of a free society once more an intellectual adventure, a deed of courage." —Friedrich . A. Hayek (statement of philosophy, CCS website)[20]

Introduction

This chapter is dedicated to the analysis of The Centre for Civil Society (CCS) as a think tank. I begin with a brief discussion of how think tanks and NGOs function as transnational apparatus of governmentality. Next, I provide my working definition of 'think tank' and explain why they are neglected as central objects of analysis in scholarly research, a lacuna that I address. I move on to present a comparative analysis of the rise of think tanks in the US and India and while doing so, I introduce to readers different models of think tanks that exist in the contemporary world. I conduct a literature review and discuss different approaches to studying think tanks that have been developed by scholars and explain how CCS may be difficult to analyze using any one of those approaches. I also outline my methodology for studying CCS that includes discourse analysis and network analysis. In order to show how these methodologies work on think tanks, I present two case studies that chart the tactics of CCS to garner the most important things for its survival—media and public attention.

[20] http://ccsindia.org/academy/

Think Tanks: Transnational Apparatus Of Governmentality

What are think tanks and why do they form an important site of investigation? To scholars studying the spread of hegemonic global capitalism through penetration of neoliberal policy changes in different countries, think tanks can provide an important site of inquiry. According to Harvey (2005), neoliberalism can be thought of as two distinct but overlapping phenomena: a moral-philosophical theory of individual rights with principles of liberty and freedom; and a project to strengthen the capitalist elite. The philosophical theory is used to rationalize the capitalist agenda but where the agenda fails, rhetorical expertise is deployed to justify and obscure the contradictions. Think tanks are "shock troops of neoliberalism" (Cahill and Beder 2005, 43) that make contradictions fuzzy and the climate of opinion more palatable for policy changes to kick in. Sparke (2006) emphasizes that political geography of neoliberalism should investigate how the expansion of neoliberalism in macrospaces of governance (such as cities, SEZs, countries where structural adjustment strategies have been applied) is connected to its development as a practice in microspaces of governmentality (corporations, finance centers, think tanks, universities). Firstly, this can be done by analyzing the "globalist ideologies that suture together ideas about institutional and individual entrepreneurialism with grand vistas of free market led development" (362). Works of "TINA – touts" such as Thomas Friedman and Jagdesh Bhagwat, who is an active member of CCS, provide valuable sources for such analysis.[21] Second is to explore the force of TINA discourse in action-- charting its emergence and marketing through appeal to common sense, exemplified by civil society and empowerment discourse; tracking its spread through

[21] TINA is an abbreviation to "There is no alternative", a slogan used by Margaret Thatcher to emphasize the necessity of free market policy and structural changes.

organizations such as think tanks funded by the World Bank and foreign business donors; and tracing its impact on local policies. About 75 percent of CCS funding comes from foreign contributors. Armed with these funds, CCS invades local policy and advocacy networks, thereby representing foreign interests.

Scholars have talked about how foreign interests easily permeate when state and civil society are separate entities. Ferguson (2006) points out the analytic limitation of the state-civil society opposition and maintains that this opposition is susceptible to anti-democratic political and ideological use. The state-civil society opposition often entails an understanding of civil society as "sandwiched between the patriarchal family and universal state" (Mamdani 1996, 14 as cited in Ferguson 2006, 92). This understanding places state above the local and has enabled the nation-state to gain legitimacy through what Gupta and Ferguson (2002) term as 'claims of vertical encompassment' (982). Three analytically distinct ideas of "superior spatial scope; supremacy in the hierarchy of power; and superior generality of interest, knowledge and moral purpose" (995) – fuse into a single figure, the 'up there' state. They challenge this binary of the 'up there' state versus the 'local', 'community' and 'grassroots'(990) by displacing the primacy of the nation-state frame of analysis. They ask us to visualize state and society on a horizontal instead of vertical level to see how both state and society have been transnationalized. This move also helps to focus and understand the "transnational apparatus of governmentality" of which NGOs and think tanks form an integral part.

Retreat of the state in the neoliberal era does not imply that it has ceased to function. Scholars have shown that the state is far from being eroded and is in fact restructured to play a salient role in disseminating neoliberalism and the globalization of

capital (McMichael 1993, Kafkalas 1987, Peck 2004, Ong 2006, Harvey 2006). US-influenced multilateral international agencies play a key role in opening up countries to structural adjustment programs that are initiated through the state. In this case however, it is not the state, but the Washington Consensus promoted by the World Bank, IMF and US Treasury Department, that is taking up the role of the state in forming certain types of discourses and influencing practices. Often labeled as "re-colonization" of previously colonialized nations, structural adjustment programs not only manage micro-economic relations such as currency-exchange rates but also demand states to curtail social expenditures.

Though many of the NGOs and think tanks that have come up in past two decades identify themselves as part of civil society, they can be understood as extensions of multilateral agencies like the IMF and World Bank, and funding agencies like European church groups and multinational corporate donors. These funding agencies can easily bypass the state and provide funds directly to different NGOs and community organizations in the global south. These NGOs often seek to proliferate multi-sectorial relationships with both the state and capital investors. For example, they seek funds from not just corporate affiliated foundations such as Kellogg and Ford but also multinational corporations such as Nike, Cisco and Microsoft (Roberts et al. 2005).

Scholars have well established the fact that the relationships between NGOs and their donor agencies are skewed and it becomes difficult for NGOs to maintain autonomy when they are so dependent on donors for funds. Not only do NGOs have to follow the managerial style of transnational corporations, scholars maintain that their accountability

procedures are distorted toward the needs of donors rather than beneficiaries (Mcllwaine 1998). Studies have shown that NGOs have "little conceptual understanding of how their interventions facilitate the empowerment process in a situation of cultural change" (Desai 2006, 120). Needless to say, many NGOs, especially the ones that are internationally funded, employ a highly western notion of development and participation (Kamat 2003, Walker et al. 2007). These transnational NGOs operating under the influence of international capital and the logic of economic rationality inhibit grassroots movements which are so vital for the development of a counter- hegemonic current in civil society. On a closer analysis many of the current NGOs and especially the right wing think-tanks such as CCS fall in the category of organic intellectuals of neoliberalism (this obviously depends on their objectives, their allocation to transnational donors). These NGOs and think-tanks are the key for the smooth expansion of a neoliberal working order in many countries. Hence, multilateral financial institutions, neoliberal states and NGOs can be understood in terms of transnational apparatus of governmentality.

Think tanks play an important role in this process as part of what Peet (2002) calls the academic-institutional-media (AIM) complex. "The center of persuasion" (54) or AIM complex influences local politics and disseminates neo-liberal discourse among the masses through policy prescriptions, press releases, popular columns, and commentaries. The Gramsci-Foucualdian framework enables us to understand that think tanks are actively involved in articulating universal discourses with regional ideas to penetrate the common sense. The neo-Gramscians view these hegemonic constellations of neoliberal ideas, networks, and institutions as a project of transnational capitalists interests (Gill 1990). With this understanding, I proceed to study CCS. Here I touch upon the

conventional line of inquiry—studying its influence in local and regional policy-making. Next, I go beyond the traditional approach to think tank analysis by locating the politics of CCS on the local, national as well as global stage. Last, I outline various contradictions in CCS ideology and offer a geographical critique of their work on hawkers and vendors.

What Is A Think Tank?

There are more than 5,000 research institutes of varying character operating in 163 countries (McGann 2010). However, in this 'age of experts' the significance of these intellectual institutions or 'change agents' has not yet been captured in the critical literature and is largely under-theorized as well as under-investigated empirically (Blank 2003, Stone 2000 a). This lacuna is noticed in two areas. First, although there has been a considerable amount of literature on NGOs in the South, most of the studies on think tanks address organizations largely in the United States and Britain and to a smaller extent Canada, Western Europe, and Australia.[22] Secondly, the little attention think tanks have garnered has only come from political scientists.[23] Other social scientists like

[22] There are a few exceptions-- James G. McGann Democratization and Market Reforms in Developing and Transnational Countries: Think tanks as Catalysts, Routledge (2010); Raymond J Stryuck, Reconstructive Critics: Think Tanks in Post-Soviet Bloc Democracies, Washington DC: Urban Institute Press (1999); Johanna Bockman (2007) "The Origins of neoliberalism between Soviet Socialism and Western Capitalism: 'A galaxy without Borders'" Theor Soc 36 (2007): 343-371; Daniel C. Levy "Latin America's Think Tanks : The Roots of Nonprofit Privatizations" Studies in International Comparative Development, 30 no. 2 (1995), 3-24; Barry Naughton "China's Economic Think Tanks: Their Changing Role in the 1990s" The China Quarterly, (2002).

[23] Political Science scholars have focused on the political history of think tanks and their relationship to the rise of the conservative movement, or the New Right: David M. Ricci, *The Transformation of American Politics: The New Washington and the Rise of Think Tanks,* New Haven: Yale University Press (1993); Richard Cockett "*Thinking the Unthinkable: Think Tanks and the Economic Counter –Revolution, 1931-1983,* Fontana

sociologists, anthropologist and geographers have rarely tackled think tanks as research subjects. My study attends to both these gaps. My work provides a case study of a neoliberal think tank in the global south, specifically India, where global demands and regional constraints have crystallized a unique think tank namely CCS. Secondly, I analyze CCS from a geographic point of view by situating it in global politics and highlighting spatial contradictions in its engagement with street hawkers.

Press (1995); Andrew Rich, *Think Tanks, Public Policy, and the Politics of Expertise,* Cambridge, UK: Cambridge University Press (2004); James Allen Smith, T*he Idea Brokers: Think Tanks and the Rise of New Policy Elite*, New York: the Free Press (1991); Andrew Denham, *Think Tanks of the New Right,* Aldershot: Dartmouth (1996); Johanna Bockman "The Origins of Neoliberalism between Soviet Socialism and Western Capitalism: "A Galaxy without Borders" *Theor Soc* 36 (2007): 343-371; Robert Carl Blank " *From Thatcher to the Third Way: think tanks, intellectuals and the Blair projekt", bidem-Verlag* (2003). Recently, scholars have also started conducting comparative analysis of think tanks in various countries: Diane Stone, *Capturing the Political Imagination: Think Tanks and the Policy Process* (London: Frank Cass, 1996); Richard Higgott and Diane Stone, "Limits of Influence: Foreign Policy Think Tanks in Britain and the USA", *Review of International Studies*, 20 (1994): 15-34; Donald E. Abelson and Christine M. Carberry, "Following Suit or Falling behind? A Compartitive Analysis of Think Tanks in Canada and the United States", *Canadian Journal of Political Science,* 31, no.3 (1998): 525-555.; Wolfgang Reinicke, *Tugging at the Sleeves of Politicians: Think Tanks- American Experiences and German Perspectives* (GuÈ ttersloh: Verlag Bertelsmann Stiftung, 1996). James McGann and Erik C. Johnson, *Comparative Think Tanks, Politics and Public Policy*, Cheltenham: Edward Elgar (2005) Scholars have also started studying the role and impacts of specific think tanks on the actual public policies: Donald E. Abelson, *A Capitol Idea: Think Tanks and US Foreign Policy*, Montreal and Ithaca: McGill-Queen's University Press (2006); Richard Haass, "Think Tanks and US Foreign Policy: A Policy-Maker's Perspective" *US Foreign Policy Agenda* November (2002) (http://usinfo.state.gov/journals); Damien Cahill And Sharon Beder "Neo-Liberal Think Tanks And Neo-Liberal Restructuring: Learning The Lessons From Project Victoria And The Privatisation Of Victoria's Electricity Industry" *Social Alternatives* 24 no. 1 (2005); Sharon Beder "Neoliberal Think Tanks and Free Market Environmentalism" *Environmental Politics*, 10, no.2 (2001): 128-133. ; Kevin. G Welner "Free-Market Think Tanks and the Marketing of Education Policy" *Dissent* 58 no.2 (2011): 39-43.

Various reasons can be blamed for the lack of critical attention to these organizations among scholars. First is the bias of social scientists against the study of think tanks (Rich 2004, Stone 2000a), which may have risen from the difficulty in defining and categorizing think tanks. Think tanks are often conflated with or treated as a form of pressure group or NGO. While defining a think tank numerous questions need answers: are think tanks public or private organizations? Do they work for profit? What does one mean by "profit"? In order to qualify as a think tank, does the organization have to conduct original research or can it simply disseminate research done by others? How much autonomy does an organization have to maintain from the state or corporate interests in order to qualify as a think tank?

Secondly, the late development and characteristic of these organizations (Stone 2000a) may also have contributed to the way they eluded scholarly attention. Before the mid-1970s, these organizations were "low-profile actors seeking to inform policy in a detached non-partisan scholarly fashion" (150). These organizations rarely debated about their research or findings in public with one another or with other political actors and hence attracted little attention. Lastly, it is challenging to evaluate the role of ideas in policy and politics. It is equally difficult to gauge success of think tanks, especially when their role is limited to advocacy and setting up a climate of opinion. Hence the attention given to think tanks is less than what they deserve.

A part of the reason for the lack of attention to the think tanks in the countries other than the US is the fact that think tanks are believed to be a quintessentially American phenomenon. Indeed, the exceptional features of American politics – "the

constitutional separation of powers, party system historically grounded in electrical and political ambitions rather than ideology and a civil service tradition that gives leeway to numerous political appointees" (Denham and Garnett 1998, 4-5; Smith 1993, ix)—are characteristic of think tanks.

Because of the relative anonymity of this breed of intellectual influence in critical literature, it is important to first define: what are think tanks; where did they come from; what the nature of their work is. The term think tank was a military jargon for a private room where invasion plans and strategies were discussed during World War II. From there it was borrowed to describe contract research organizations set up by the military in the 1950s, such as the RAND corporation. It was only in the 1960s that the term became popular to describe a variety of private research organizations (Smith 1993). According to Stone (2000a), think tanks are independent (often private) policy research institutes with people who focus on a particular policy or a broad policy issues with intent to educate and influence policy experts or general public.

Think Tanks: Comparative Analysis of the Evolution of US and Indian Think Tanks

Many scholars define think tanks as policy research institutes but as Abelson (2000) emphasizes, it may be more fruitful to classify them based on their central function rather than their institutional characteristics. This is because "like chameleon constantly changing their complexion to suit new environments, think tanks have altered their behavior to compete in the marketplace of ideas" (2000, 216). He recognizes four waves of think tanks in American history with distinct motivations and different institutional character and functions: policy research institutions, government contractors,

advocacy think tanks, and vanity or legacy based think tanks, which are largely an American phenomenon. Abelson says that it is important to understand that one wave of think tank has not replaced the older one, in fact all coexist. In the remaining of this section, I will explain the characteristics of each type of think tanks and outline their different waves in India since the early 20th century. While doing this I will discuss the circumstances that gave rise to CCS.

The first wave of think tanks was characterized by policy research institutions that arose in the first decades of 20th century as an outgrowth of progressive era reforms emphasizing scientific management (Smith 1993, Abelson 2000). A small group of private philanthropists established research institutes to fill the gaps that traditional universities focusing solely on teaching could not address. The studies produced by these institutes met the highest scholarly standards and often prompted the government to assume new social responsibilities. The examples are the Brookings Institution in 1927 and the Hoover Institution on War, Revolution and Peace in 1919. In India, the British established the Societies Registration Act (SRA) in 1860 under which NGOs could function as a legal entity. Even today all modern think tanks in India are registered under this act. It is hard to ascertain if there were any organizations in India that fit the criteria of a think tank before Independence. Sudarshan (2001) argues that there were a few organizations during pre-independence times—notably the Gokhale Institute of Politics and Economics (1930) in Pune, the Indian Statistical Institute (1932) in Calcutta, and the Tata Institute of Social Science (1936) in Mumbai—that deserve to be classified as think tanks. She further maintains that a notable feature of Indian think tanks was that they were involved in both research and training. All the above mentioned organizations, in

fact, worked as proxy universities at the time when institutions of modern higher education were limited. This is the reason I would not necessarily call these institutions "think tanks". Perhaps All-India Village Industries Association (AIVIA) fits the bill. Mohan Das Karamchand Gandhi helped set up AIVIA (Akhil Bharat Gram Udyog Sangh) at Wardha in 1934 under the guidance of J.C. Kumarappa, an economist trained from Columbia University in the US. This was a self-acting, autonomous, non-political organization, which focused on programs and research to reorganize and reconstruct Indian villages. Kumarappa was also the principal preceptor of Gandhian economics and is considered the founding father of green thought in India (Govindu & Malghan 2005). He published the monthly *Gram Udyog Patrika* from 1939 to 1956 from AIVIA's office.[24] In 1935, at AIVIA, Gandhi initiated a movement called *Science for people* with an advisory board of famous scientist and luminaries such as Rabindranath Tagore, J.C. Bose, P.C. Ray, C.V. Raman, San Higginbottom, Robert McCarrison, Vallabhbhai Patel, B.C. Roy, S. Subbarao, M.A. Ansari, Rajabally, G.D. Birla and Jamal Mohammed Sahib, (Gupta 2002, Reddy 2004). However, due to several complications AIVIA was not able to deliver much and was far less influential than what was hoped for when founded (see Lindley 2007). Ultimately, the conspicuous absence of effective think tanks before independence was because the British economic and political dominance restricted organized intellectual activities due to the fear of their subversive characteristics.

The second wave of think tanks in the US began with the government contractors in post-World War II period. In the climate of the cold war and US hegemony, policy

[24] In addition to this Kumarappa designed, organized and wrote up three book-length studies of economic conditions in various parts of rural India all based on extensive household survey (Lindley 2007).

makers actively sorted expert advice from engineers, physicist, biologists, statisticians and social scientists to formulate domestic and foreign policy and strategy. For example, the Rand Corporation (Research and Development) 1948, a product of the cold war period, used system analysis, game theory, and simulation models to serve various state and federal departments, specifically the Department of Defense.

Just as the advent of government contractors in the US was a response to the growing pressures of the cold war, around the same time numerous contractor think tanks also evolved in newly independent India and played a significant role in the nation-building process enacted through five-year developmental plans. In his study of different types of research institutes, Weiner (1979) notes that after independence, the Indian government started opening research institutions within different government and state departments that could provide the government with basic quantitative and qualitative information. Sudarshan (2001) attributes these to the dearth of policy research coming from universities, which were primarily engaged in the "business of teaching and research without seeking to play an active role in policy making" (87). The Bureau of Economics and Statistics was opened within the Planning Departments of the State Governments in early 50s. By the1950s, the Central Government started funding research institutes outside the government department and ministries. The first such institute to come up on the recommendation of Dean Paul H. Appleby, a Consultant with the Ford Foundation, was the Indian Institute of Public Administration (1954). It was inaugurated by Prime Minister of India, Jawaharlal Nehru, who chose to be at the helm of the institute. Other notable examples are Delhi's National Council of Applied Economic Research (1956), Institute of Economic Growth (1958), and Center for Developing

Society (1963). In 1968, the Indian government set up Indian Council of Social Science Research (ICSSR) to fund the existing research institutes and help nurture new research centers in different states that could assist policy makers in regional issues. A few organizations that emerged as a result were the Institute for Social and Economic Change (1972) in Bangalore, the Centre for Development Studies (1971) in Trivandrum, and the Madras Institute of Development Studies (1971) in Chennai. Up until the 1980s, the task of different think tanks and research institutes was to fill the existing gaps in the information available to policy makers (Sudarshan 2001). In the 1980s, India moved a step closer towards liberalization in macro-economic policy and avenues of foreign funding opened up. As the state funds were limited, private and international donors stepped in and number of institutes arose that focused on development as the central concern and stayed out of advocacy. Notable think tanks of this time were the Indian Council for Research on International Economic Relations in Delhi (1981) and the Indira Gandhi Institute of Development Research in Mumbai (1986).

Breaking from the nonpartisan approach of the former think tanks, the third wave of think tanks in the US in the 1970s were the advocacy think tanks. Institutes such as the Heritage Foundation and Institute of Policy Studies do not adhere to the high standards in scholarly inquiry and sophisticated research to serve public policy and instead appear more like "interest groups and political action community" (Abelson and Carberry 1998, 537). According to various scholars (Denham and Garnett 1996, Weaver 1989, Arnold 2007) such think tanks are more concerned with "influencing the public debate, brokering political ideas, and especially with mobilizing public and media support"(Arnoldi 2007 58). These institutes function as lobby groups and seek to influence the electorate rather

than the scholarly community. For this they hire staff based on political affiliation instead of academic credentials; produce low quality research for already prescribed audience; seek funding from politically motivated donors; and spend time and money to gain access in media and policy circles (Arnoldi 2007, Denham and Garnett 1996, Stone 2003).

In India think tanks at different times have engaged in advocacy on numerous issues. For example, the International Institute for Population Sciences in Mumbai (1956) advocates raising the "positive value of demography and population sciences as a developmental tool among political representatives and other strata of society" (IIPS 2010, "About Us").[25] The Indian Institute of Foreign Trade in Delhi (1963) advocating for foreign trade, National Institute of Urban Affairs (1976) seeking improvement in urban infrastructure and Centre for Women's Development Studies (1980) advocating gender equality are few other examples. In the 90s educated Indians with elite backgrounds started joining think tanks with the intent to influence policy and public opinion. With increasing globalization and India's formal entry into IMF-led liberalization changes, themes such as liberalization, its progression in various sectors and its effect on the general population, growing urban crisis in the cities, defense strategy, and diplomacy started being tackled by new think tanks that sought funding from government, private donors and big corporations from home and abroad and international agencies. For example, the Indian Council for Research on International Economic Relations (ICRIER) in Delhi (1981) conducted research and advocacy on trade liberalization; Gateway House: Indian Council on Global Relations in Mumbai (2009) brought corporations and other prominent people to engage in foreign policy discussions.

[25] http://www.iipsindia.org/about.htm

However, the advocacy think tanks that dotted the US landscape in 1960s and 70s had not yet found expression in India.

In January of 1991, India was running an account deficit of $10 billion. The IMF had loaned $1.8 billion that did not resolve the problem and the reserves were down to two weeks' worth of imports. With its credibility low, financial borrowing was out of question. The inflation surged to an annual rate of 13 percent with minimal inflow of foreign currency from non-resident Indians. That is when India opened to the era of market liberalization under the leadership of Narasimah Rao and then Finance Minister Manmohan Singh. However, scholars maintain that over the last decade, neoliberal changes have been very slow due to the local resistance by the general public and politicians alike. India's slow progress on the neoliberal route could be attributed to popular democracy (Chibber and Eldersveld 2003) and limited popular support (Yadav 1996). Since then, lobbying by an extensive international network –comprised of foundations, institutes, research centers, publications, scholars and writers--has sought to normalize the neoliberal reforms. One of these constituents, the think tank CCS, is the first of its kind to openly embrace market principles and disseminate neoliberal ideas and anti-state sentiments through various channels. They do this in a slightly different way than their US counterparts. Operating in a popular democracy where a majority of people are poor and have voting rights, CCS positions its arguments as pro-poor and pro-marginalized, and then proposes market-based solutions. In the next section I will briefly discuss different approaches that are used to study think tanks. These approaches have framed my research questions as well as methodology.

Approaches to Study CCS

According to Abelson (2002) scholars have used three different conceptual frameworks to study think tanks. First, they regard think tanks as elite organizations that maintain close ties with policymakers to forward their or their sponsors' agendas. This approach helps to discover latent, close ties between the members of think tanks and powerful people in business and government. Also, by analyzing boards of directors at different times, scholars can interpret why some institutions enjoy more funds or media coverage than others. However this approach faces many disadvantages. This conceptual framework is well-suited to investigating big think tanks like the Brookings Institution and RAND, but many small think tanks do not necessarily represent elite organizations. For example, there are many left-leaning think tanks in Washington DC such as the Institute for Policy Studies that do not necessarily represent elite interests and work with pro-poor agenda. Despite the limitations of this approach, it will be useful for studying the impact of CCS in policy circles and success in gathering funds from donors. The CCS Board of Trustees and Board of Advisors are filled with high profile names from media and corporate worlds, industries, law and private equity firms. These 'learned practitioners' not only provide 'institutional access routes' (explained later in the chapter) into various political organizations and government departments, they also act as spokespersons in an already staged public theater. For example, when the founder of CCS, Parth Shah, moved to India to set up the think tank, he faced the challenges of finding a temporary place to live in crowded Delhi, gaining access to a temporary office to start the organization, and building credibility to attract funds. Ashok Desai, a famous University of Cambridge educated economist, who in 1991 helped then finance minister (now Prime Minister as of 2013) Manmohan Singh to kick start market reforms, provided

Shah his own apartment to make a home office. Shah describes the initial months of the think tank:

> Before and immediately after the formal launch of CCS, our primary focus was on identifying individuals who were classical liberal in approach, and respected and well known in their areas of expertise. Even though the think tank may be a new concept, there are usually several individuals in various walks of life who sympathize with classical liberal ideas and policies. We brought them together and created a Board of Scholars. Listing the names of these scholars on the letterhead opened many doors, provided credibility, and gave us a solid standing in the public arena. They also became our advocates when engaging with government bodies, the media and donors (Parth Shah 2008).

The second approach scholars use while studying think tanks comes from the pluralist tradition, where think tanks are considered as one of the many groups--such as trade unions, environmental organizations-- competing in the marketplace of ideas to attract attention from political leaders. One advantage of this approach is that it makes researchers acknowledge that in spite of the increased visibility of think tanks in policy circles and debates, they are just one in many groups that compete for power and influence. Also, think tanks sometimes employ strategies similar to other non-governmental and grass root organizations to gain attention in a market place of ideas. This framework provides insights that the think tanks themselves sometimes ignore. For example, CCS started clearly as an advocacy think tank; they openly accepted that they simply want to influence ideas and opinions of the people. Ram maintained that for a long time, CCS's motto was "social change through public policies." But Parth Shah admitted that this model was not working in India as both the policy makers and the donors wanted to be associated with an organization that demonstrated that the ideas could work on the ground-- something NGOs such as Self Employed Women's Association (SEWA) and National Association of Street Vendors in India (NASVI) were

doing in the case of street hawkers. This constant comparison with NGOs is not surprising as according to a government estimate, India had about 3.3 million NGOs in 2009. That is one NGO for approximately every 400 people, and many times the number of primary schools and primary health centers in India (Shukla 2010). While talking about CCS' initially unsuccessful efforts of pitching different liberal policy ideas to policy leaders, Shah maintained that "they (leaders) liked the idea and said that 'it makes sense but we don't see how it will work on the ground'". Shah explained that in order to gain credibility, "we do things that many US think-tanks may not do. We are not just a think-tank that does research on policy issues, brings out publications and seminars, we do research, we do advocacy, we run campaigns, we focus on one or two issue campaigns like livelihood campaigns, school choice campaigns and we run pilot projects. We have even gone beyond that, we help government, help them establish schemes. You have to respond to your constraints, to your customers" (2010). Hence, scholars studying think tanks can use this approach to broaden their field of inquiry to analyze complexities and contradictions between ideas and practice. For my research on street venders this approach enables me to identify the internal politics between different actors-- think tanks, NGOs, hawkers associations, resident's and trader associations. Also, as I will discuss later, analyzing the work of CCS on the ground with other NGOs, helps me identify various contradictions between their theory and actual practices.

Even though the pluralist approach is useful, it also suffers from some disadvantages. As it dispels the overhyped importance of the think tank in policy debate, it does not acknowledge that many think tanks are by their very nature associated with intellectual elites and are indeed in a better position to influence the policy debate than

NGOs that more often work with marginalized people on the ground. For example, CCS tactics to organize and take credit for arranging the executive conference regarding implementation of NPSVI in Jaipur were clearly more efficient than those of its counterparts like NASVI. NASVI's coordinator for organizing the conference in Jaipur told me:

> I did all the work, met with several hawker's union heads to arrange the conference, took them to the state departments etc, but the final letter from the government that was sent to various departments urging planning executives to participate in the conference only mentioned CCS as the organizer. My boss shouted at me when we saw that our name was not on the letter. But what can I do? This is a perfect example where someone reaps the fruits of someone else's hard work because they are at the right place at the right time; they have connections with big people (NASVI Staff 2010).

Think tanks that work to influence the climate of opinion through advocacy work may not be properly analyzed with this approach as they engage in a war of ideas that many NGOs do not. Clearly, this approach is useful only when it is integrated with others.

The third approach is the institutional approach and can also be categorized into three subsets. First is the historical approach that focuses on the evaluation of a specific think tank or changing role of a think tank in a particular country. The main disadvantage of this approach is that it doesn't provide data to support or deny the claims of any specific think tank that it has played a significant role in a particular policy. The second institutional approach is that of epistemic or political community, in which the think tanks consist of elite experts and organizations and are invited to participate in policy discussions with government decision makers. At the beginning, this approach indeed appeared helpful to study CCS as its members attend many policy discussions. However during my field work on CCS's street hawking operations, I realized that many of these

policy discussions with the government officials were in fact called for and organized by CCS itself. For example, in the Jaipur Conference that I discuss in detail in Chapter 7, CCS and NASVI invited other NGOs as well as a few hawkers to discuss implementation of NPSV with government officials. In some cases, many campaigns that CCS conducts are anti-government in nature and do not particularly involve working with the government. For example, my first acquaintance with CCS was during a conference called "Delhi Citizens Critique of the City Development Plan," where participants discussed issues such as slums, transportation, water, sanitation, and housing in the proposed Master Plan of Delhi 2021. Although the title suggested that it was Delhi government's initiative to hear the concerns of the citizens, the conference was organized solely by CCS and the participants were not common citizens, but intellectual elites from different organizations that formed part of CCS networks. Although the list of participants was narrow, there was a huge audience (including myself), perhaps because of the popularity the topic and venue (India Habitat Center). One attendant asked the head chair of all the discussion panels Dr Shreekank Gupta, who is a professor at Delhi School of Economics and serves in the board of scholars of CCS, why officials of the city development plan were not invited. To this he replied "We wanted to keep this a civil society event." He meant that at this point they were trying to avoid any discussions with the state or the government officials. So in this case we see that the epistemic community approach is not best suited for the think tanks that seek to change the climate of opinion and is relevant for the ones that actively participate in policy debates with government officials. Another problem (methodological in nature) with using this approach is that when CCS participates in policy discussions, it uses the networks that it has formed with

other NGOs or experts to raise an issue. For example, in the Jaipur discussion organized by CCS, members of at least four other NGOs (including SEWA, NASVI, Nidan) were debating with government officials on the issues. As Abelson writes: " this approach may tell us who is sitting at the table when key issues are being discussed, but it does not profess to tell us whose voices have struck a responsive chord with those in a position to influence policy decisions" (2002, 55). Another issue with this approach is that some intellectual elites—including many who are associated with CCS—are also part of many different networks such as that of media, academic institutions or corporations and also other think tanks. Hence it becomes hard to distinguish which particular position or network is providing them more authority to leverage their ideas in a debate.

Abelson calls his third institutional approach the policy cycle approach and maintains that like NGOs, think tanks vary in size, resources and priorities. Thus, the best way to study them would be to analyze their efforts in different stages of public policy. After all "not all organizations have the desire or the necessary resources to participate at each stage of policy cycle" (2002, 57).

I believe that both Abelson's elite institution and pluralist approaches provide some insights to the study of think tanks, but one should use caution not to impulsively label think tanks as either elite or NGO-like organizations as if the two are mutually exclusive. Aided by insights from all of the above approaches, the policy cycle approach provides the best framework to investigate CCS as a think tank. This approach enables me to identify climate of opinion as a part of the policy cycle. The data set used to evaluate the success of CCS then can be composed of tangible as well as intangible performance indicators. For example, although CCS is not able to influence many

policies directly, it is indirectly creating a climate in which policy changes can be pushed or readily accepted. The indicators to look for are not just successful media citations, but also presentations before government officials, designing and offering workshops to further their ideology. According to Stone (2000a), if a think tank wants to impact long term government thinking, it may invite politicians and bureaucrats to attend seminars rather than reach them through magazines and scholarly research papers. The think tank will place higher value on influencing media if it wants to frame the parameters of the policy debate.

These above approaches have helped me to understand the larger political economy in which CCS functions. The first part of my analysis of CCS looks into the political economy of think tanks while in the second half I do an in-depth analysis of CCS discourse on hawkers. While the first part adds to the existing literature on the new right think tanks, the second part develops a new line of inquiry of think tanks by critically challenging their actual work and ideas.

Methodology To Study CCS

While studying CCS, I use discourse analysis to analyze and unravel the process through which the global discourse of neoliberalism hegemonizes and articulates with the local discourse of civil society. This process cannot be studied in isolation from the political-economy of ideas. The credibility of an idea in the market determines its potential value and use for different actors (like politicians) and therefore plays a significant role in its dissemination in the wider society through policies. Along with rhetorical use of language, a set of mutually enforcing networks are important in providing credibility to ideas. In order to study the political economy of an idea, I find

both discourse analysis and network analysis very helpful. I spoke with two main members of CCS during my fieldwork. Parth Shah is the President of CCS, with whom I conducted a semi-structured interview that lasted for about 2 hours in their Delhi office. The National Coordinator of Jeevika Champaign, whom I call Ram (name changed), had worked for CCS for three years as a coordinator to the Youth Program and was the most vital subject of my research. After completing a Masters in Social Work, Ram had joined CCS and later with the help of Parth Shah went to Canada to get a degree in Think Tank MBA from Atlas Economic Research Foundation. During the time of fieldwork, he moved to Jaipur to overlook the Jeevika (livelihood) Champaign for the hawkers. Ram, after working for CCS for many years came to firmly believe that neoliberal ideas provide the only solution to the complex problems that India faces. This he often explained in simple sentences and by giving small examples. When I asked why CCS picked Jaipur for their hawkers' project, he explained that their main donor had agreed to fund CCS only on the condition that they would set up an office in Jaipur and work in partnership with other NGOs that were already working with hawkers. So he had moved to Jaipur to figure out in what way the hawkers could be helped.

England (2002) maintains that gaining access to elites is hard work. But in the case of CCS which is an advocacy think tank, more attention means more success, and they invite researchers' attention. Indeed, Shah was pleased to know that a graduate student from a US university was interested in writing about their work and interactions with the street hawkers. However, I believe that if I had wanted to investigate instead some of their other projects, like the controversial School Voucher Campaign, my research position and background might have invited more scrutiny and skepticism. But

the current work of CCS on street hawkers echoed with many other NGOs and academic scholars who were pushing for implementation of NPSV; hence, Shah was probably happy that instead of NASVI or SEWA, I chose CCS as my site of inquiry.

But just because I was welcomed by my research subjects does not mean that my actual fieldwork was not ridden with anxieties. On the one hand, my preliminary field work in 2008 was a guiltless exercise as I did not realize at the time that CCS was a free market think tank. I approached it just like any other research institute and made use of their library and reading room to study their work on street hawkers. On the other hand my main fieldwork that ran from 2010 to 2011, made me quite nervous because of my negative position on the think tank. I felt like an exploiter, albeit an exploiter of the elite exploiter. While I spent time with Ram, I was always conscious that the result of my research would cast him in a bad light. I also occasionally anticipated CCS' fierce response if they discovered my stance towards their activist work. For that reason, I self-censored and decided to not ask things that I thought they would not want me to know, such as information about funding of the street hawkers project, the demands of the funders, and how CCS worked to get that funding. I planned to simply accompany Ram during his interactions with street hawkers and do a participant observation. I did ask some general questions about what he thought about certain issues, but none of the questions required dispensing some hidden or private information. Most of the quotes in the dissertation came from group discussions that involved hawkers from Vidhyadhar Nagar *mandi*, members of other NGOs or from the Jaipur conference which was open for public.

Discourse Analysis

Discourse can be thought of as a socially constructed set of ideas, or a group of statements, that frames our understanding about something. Fairclough (2003) explains discourse as "an element of social life which is closely interconnected with other elements" (3). According to Peet (2002) discourses are symbolic formations that result from collective interpretations of historical experience. Rose (2001) maintains that "*discursive formation* is the way meanings are connected together in a particular discourse" (137). For Foucault it is a regularity within the systems of dispersions between different statements. The rules that govern the dispersion (or regularity between the objects, types of statements, concepts or thematic choices) are the rules of formation; that of "coexistence, maintenance, modification and disappearance" (1972, 37-38).

There are various adaptations of discourse analysis but broadly they can be categorized into two mutually overlapping but somewhat different methodological emphases (Fairclough 2003, Lees 2004, Rose 2000, Van Dijk 1997). Rose (2003) calls them discourse analysis *I* and *II*. *Discourse analysis I* pays close attention to the text and images. This kind of analysis is more linguistic and visual, which directs greater attention to the structure of the statement. This discourse analysis is more "concerned with discourse, discursive formations, and their productivity" (140). *Discourse analysis II*, a methodology more "left implicit" pays attention to the "practices of institutions" and takes our attention to issues related to power/knowledge, regimes of truth, institutions and technology. Here discourse is synonymous to the ideology itself, it attempts "to conceal the power of the vested interests and to induce the consent of the dominated to their own domination" (Lees 2004, 102). Fairclough writes that even though social scientists tend

to ignore the first method, there should not be any 'either/or' and scientists should try to connect these two in their analyses (2003, 3).

This separation assists to distinguish ways in which I approach both my methodological and theoretical argument. *Discourse analysis I* helps as a methodology to do what Foucault asks: disturb the tranquility of the pre-existing categories in the texts (1972, 25). For me, these texts are CCS web resources, media coverage, and publications by the occasional contributors to CCS. The CCS publication *Law liberty and Livelihood* proved to be the most important text for my project and was analyzed through *discourse analysis I*. Interviews conducted with two CCS members and quotes from two hawker's conferences were also analyzed using this methodology. *Discourse analysis II*, on the other hand, assists in understanding the broader neoliberal changes associated with the rise of NGOs, community organizations, hyper-consumerist spaces such as malls, and other institutional practices that initiate neoliberal subjection.

Discourse analysis as a methodology to study CCS

According to Tonkiss (1998) in discourse analysis "language is viewed as the topic of research… rather than gathering accounts or text so as to gain access to people's views and attitudes, or to find out what happened at a particular event, the discourse analyst is interested in how people use language to construct their accounts of social world" (Tonkiss, 1998, 247-8). Language is considered a social practice that orders and shapes people's identities and their relation to things. Fairclough (2003) maintains that textual analysis helps in social analysis where the language or texts are evaluated on the basis of their effects on power relations. This method is insightful as it allows me to pay

attention towards the choice of words used to convey a particular idea. For example, CCS builds a case that presents external regulation of the state as undesirable. If the state regulates at all, it should do so based on economic rationality. This idea is communicated to the people in the form of a set of discourses selecting particular words like civil society, empowerment, liberty, entrepreneurs and self-regulation. This discourse subjects consumers of CCS' ideas as agents with economic rationality. I have already explained this concept at length in chapter two.

Finding the sources to analyze discourse is not difficult, but does require an open eye. Fairclough (2003) maintains that while doing textual analysis, not only are written and printed text useful, but also the transcripts of conversations and interviews, webpages, visual image and sound effects can provide important material for analysis. Depending on the project, there can be large variety of sources such as government documents, newspaper articles, political speeches, parliamentary debates, personal accounts, advocacy pamphlets, and interviews. At the collection stage, Tonkiss (1998) maintains that the richness of the textual data matters more than the actual quantity of the data. The flexibility in terms of data collection in discourse analysis encouraged me to access multiple sources that were listed on the CCS website. In order to conduct discourse analysis of CCS, I looked at : A) the content and language of posts on the website and their printed publications such as *Law Liberty and Livelihood: Making a living on the streets*, and *Ward Power: Reforms in Urban Governance* ;B) the organization and layout of the CCS website, identification of contributors in its different categories, and their situation in terms of intellectual and material affiliations; C) the

public image and interactions of CCS in the media; and D) CCS's quotes during conferences and workshops on street hawking.

Rose (2001) maintains that sometimes while conducting initial discourse analysis, the coding process and content analysis can be helpful to identify the tone of statements. According to Tonkiss (1998) even though the coding process involved in discourse analysis is similar to qualitative interviewing, the way data is handled in the former is different. It involves a "process of shifting, comparing and contrasting the different ways in which these themes emerge within the data" (255). This is fitting with Foucault's assertion to let go of conventional categories, "disturb the tranquility" and look for the relation between the different statements in a new way while analyzing discourse. By this he means that we should forgo "first, the quest for a secret origin behind the discourse, and second, the search to identify a deeper and hidden meaning behind the 'already said'" (25). This does not mean that we should forsake the old categories, but rather they should be kept in suspension for some time. The point is that we should be able to identify the rules of dispersion between different statements.

Coding and content analysis during preliminary fieldwork in the pre-proposal phase framed my research project in unexpected ways. During the initial phase CCS's campaign for street hawkers was intriguing to me for its altruistic tones. Allured by the 'civil society as panacea' maxim, I set out to investigate the role of think tanks as agents of civil society to help fight the battle of the deprived. Weeks passed as I followed their advocacy work through meetings and conferences that they had arranged. I visited their office where they happily offered me some of their publications and directed me to their

website which had a copious supply of information. After conducting a visual content analysis of their website and coding their various publications, a different theme surfaced. Numerous articles on vastly different subjects such as hawking, forest conservation, education, wildlife, had the same common theme in the concluding paragraphs--dissatisfaction with the state and showcase of "free market" was the panacea to all the problems. Words such as competition, market, liberty, freedom and individual rights came up several times. Also, the phrase civil society was always linked to individual rights, free market, entrepreneurship, education, etc in such a way that it directed attention to state inefficiencies and corruption.

Since discourse is socially produced and it is concerned with social modalities of the text (Tonkiss 1998, Rose 2000), there is a special need to look at "strategies of persuasion" while analyzing such texts. This takes us to the matters of the power of truth. A researcher must pay attention to how certain ideas are made to look true. What is it that is providing credibility? Tonkiss maintains that one way to find this answer is to pay attention to variations in the text. Paying attention to difference in the accounts points to the work that is done to weld things together so that they appear smooth (see case study B).

This aspect of discourse analysis also gives flexibility to analyze the layout and organization of the CCS website to see what and who (scholars) is included where and what are the variations between different categories. Then with the help of network analysis, one can determine the reason behind the organization of the website in such a fashion (see case study A).

According to Foucault, discursive formations are not coherent and hence it is important to pay attention to "complexity and contradictions" (Rose 2001, 155). Potter (1996) uses the term *interpretative repertoire*, for something like mini discourses which have evolved over history and reside on the level of our "common sense". With an understanding of Gramsci's idea of common sense and hegemonic discourse, I believe that the persuasive hegemonic discourses are the ones that are able to penetrate our common sense and make us believe in something that is mediated as natural and in tune with our culture. Hence, the interpretative repertoires are local and specific in nature where universal discourses get coated with regional understanding (I have discussed in chapter 2 how the term civil society is more effective in dissemination neoliberal ideas in India than the state and the discourse of free market itself). In a similar vein, Tonkiss (1998) maintains that another crucial component of discourse analysis is *attending to silence*. This involves paying attention to gaps and silences and letting our thoughts run to the alternative accounts that have not been mentioned or are excluded from the text.

Network Analysis as a methodology to study Think Tanks

It is important to be mindful of networks, partnerships and alliances, both vertical and horizontal, in the terrain of global hegemonic politics. In methodology, network analysis is a subset of discourse analysis that examines the relational embeddedness of the speakers. A network can be thought of as consisting of nodes, which are subject positions linked to each other through ties such as ideology, vision or funds. People can occupy many subject positions in different networks and their different subject positions can help them enhance the capacity of all their networks. For this reason, I use network analysis, which includes assessment of material, social and intellectual connections of the

key actors involved in the functioning of CCS. Fox (1993), using an integrative approach[26] to study state and civil society, provides an excellent framework to analyze networks. *Institutional access routes* are "structurally selective filters in the state apparatus that make some institutions especially vulnerable to the concerns of particular societal actors" (39). The basic premise of this concept is that various non-state actors can get access to different agencies by means such as funds, relationships, and ideological associations. While keeping this in mind, it is easy to pay attention to the political and social affiliations of CCS and the help they receive from those associations to access different state departments and political organizations. *Policy currents* are the coalitions between state and social actors, which become political and ideological bridges that run between state and society. These are linked through institutional access routes. The different political currents running through the state and society may also form objective alliances with each other or individual agents to influence the state. This idea is

[26] For Fox, it is insufficient to describe the state's power in terms of one way capacity. States action is a result of reciprocal interaction with society and therefore the unit of analysis of the state needs to be changed to "actors." State organizations comprise a range of actors with different interests. These state actors form relationships with other actors in order to pursue their goals: "Mobilizations provoke counter mobilizations among both state and social, and the way these processes unfold are not predetermined by a static initial distribution of power resources" (23). State's actors are motivated by varying combinations of goals, for example national interest, rent-seeking, subaltern interests. Similarly, for Fox, civil society is not a residual category outside state. Social actors influence state in two ways, first they pressure the state for reforms, and second their response to the reforms determines the success of the reforms. Collective actions by a social group demands two things: "the *perception* of shared interests or identity (represented by class, race, community, gender etc) and the *opportunity* to act as a group." Collective action does not necessarily mean mass defiance but passive resistance and hidden nonconformity also forms a part of collective action (25). When social action regularly interacts with the state, whether through defiance or negotiations, they are necessarily affected by such interactions. The identities might not change, but the negotiations may change them as actors. Social actors are shaped by 1) institutional structure of state 2) regime governing electoral politics 3) electoral politics 4) diffuse foot dragging 5) mass direct action 6) armed struggle 7) representative leader

particularly useful to understand hegemonic politics discussed in chapter two. According to Fox, different policy currents in the objective alliance may be each other's enemy but since they may gain from each other's victory, they join hands. Both institutional access routes and policy currents can be local as well as global in nature and hence international strategies need special attention when studying a policy change. According to Garth and Dezalay (2002) the concept of "*international strategies*" requires us to study the relationship between global influences and state transformations. It refers to the ways in which "national actors seek to use foreign capital, such as resources, degrees, contacts, legitimacy, and expertise …to build their power at home" (7). The authors maintain that national actors build their influences based on competing forms and technologies, which are available to them through international capital. This happened in Chile when the Pinochet regime came to power with the help of the Chicago boys and also later when they were discredited based on international human rights laws. International strategies are more often learned strategies. Learned practitioners include not just academic scholars but also lawyers, consultants, economists and public administrators. Since "learned practitioners play a major role in international transformations", think tanks and independent research institutes need to be part of any analysis of state transformations. While analyzing international strategies, one should be wary of the risk of decontextualizing international strategies and not paying attention to the "national field of power in which they are embedded" (8).

In order to conduct discourse analysis of networks I find the method of *relational biography*, like the one used by Dezalay and Garth (2002) very helpful. This method involves lengthy personal interviews. For my project it assists in conducting network

analysis, which includes assessment of the material and intellectual connections of the key actors involved in the functioning of CCS. Network analysis helps in identifying the AIM complexes, the import and export of ideas as well as funds at various scales. According to Dezaly and Garth, "this method helps to overcome the artificial segmentation that prevents an understanding of relationships and influences that cut across categories and institutions" (9). In an attempt to bypass the conspicuous unities, this methodology assists in identifying the regularity within systems of dispersion. Dezaly and Garth maintain that biographies link categories that have been constructed, in part, to hide connections. Using this method it is easy to ascertain how various agents mutually reinforce each other's legitimacy.

Interviewing elites such as scholars, however, involves certain difficulties of gaining access and attaining information about the personal lives of the subjects. England (2002) maintains that as a researcher she has to practice 'shameless eclecticism' or 'methodological opportunism' to penetrate this usually inaccessible circle of elites. Some scholars working with elites have found that although elite institutes are inaccessible and elites are too often elusive, there is usually a large amount of data with which to verify statements and triangulate findings (Herod 1999, Cochrane 1998). CCS has a very explicit website with publications and biographies of the elite contributors that I used frequently.

Center for Civil Society: Analysis

Neo-liberal think tanks form the organizational backbone of the new right or radical neoliberal movement. Scholars have tracked and accounted for the spread of these

neoliberal ideas through the networks of right wing think tanks and associations such as the Mont Pelerin Society and the Economics Department at the University of Chicago (Bourdie and Wacquant 1999, Cockett 1995). The Center for Civil Society is perhaps one of the first few advocacy think tanks in India that openly admits to free market ideologies and actively pursues liberal policy changes. But, unlike other liberal think tanks around the world, CCS takes a slightly different approach- it first champions for the poor and marginalized and then moves on to discuss market-based solutions. During an interview, Parth Shah said that this approach highlights "the human face of liberalism" (2010). While blaming the State for the hardships faced by the poor, CCS does not shy away from taking a pro-rich approach. In their publication *Law Liberty and Livelihood,* Shah and Mandava (2005) maintain that "the reason for the plight of the poor is often depicted as exploitation by the rich or callous… (this) is more of a mythology or folklore" (19).

Dr Parth Shah, a US trained economist, set up CCS in 1996. One of his associates recounted a rather quixotic tale of the circumstances that made Shah move to India to set up the think tank. Sometime in 1995 or 6, Shah met with a serious accident. At that time he promised himself that if he survived the injuries, he would quit his job and go back to India to do something for the betterment of his country.

Shah writes:

> [I]nitially, I wanted to start a think tank soon after I completed my PhD at Auburn University. I visited India in the late 1980s and met a large number of people, but the level of support was lukewarm. I realized that I needed to learn the roots of the think tank trade and, more importantly, save enough money to support my personal expenses for at least three years. While studying economics at Auburn University, I learned a great deal, first hand, by working at the Mises Institute on the campus. Later, while teaching at the University of Michigan-Dearborn, I was fortunate enough to be able to attend several excellent workshops hosted by the Atlas

> Economic Research Foundation[27] and I was inspired by Leonard Liggio[28] and Alex Chafuen. I was encouraged by the network of like-minded people across the world and by the work of institutes such as the Cato institute (Washington DC)[29], the Institute for Human Studies (Arlington, Virginia), the Foundation for Economic Education (Irvington-on-Hudson, New York), the Heritage foundation (Washington DC) and the Mackinac Center for Public Policy (Midland, Michigan). The key person who got me to buy my one-way ticket to India, however, was David Kennedy of the Earhart Foundation when he promised to support my institute during its initial years (Shah 2008).

In this conversation, Shah names numerous famous individuals who propagate neoliberal and free market idea. Shah's academic and personal connections therefore were important for the CCS to start working as a think tank. Not only has Shah taken advantage of the international strategies to get support and recognition, over the last decade Shah has also been able to identify institutional access routes in various state and central departments, and political organizations.

Organization of CCS website: Case Study A

The political economy of ideas and think tanks are as important as the ideological hegemony of which they are a part. This section pays attention to the political economy of the think tank by conducting both network and discourse analysis. Think tanks are a useful application for network analysis, as they usually provide lists of their personnel and records about their financial contributors, author attributions, etc. on their websites. An important first step in web-based think tank analysis is to track down institutional and financial affiliations. More than 75 percent of the funding for CCS comes from

[27] Atlas Economic Research foundation is a US based nonprofit organization that supports and strengthens about 400 free market think tanks around the globe.
[28] Leonard Liggio is a classical liberal scholar, professor of law at George Mason University and is also the vise- president of Atlas Economic Research Foundation. Atlas Economic Research Foundation is a non-profit that has connected a global network of 400 free market research organizations around the world.
[29] Ceto institute is a free market think-tank based out of Washington DC.

international donors, the names of whom are not mentioned in the audit records, unfortunately.

In the United States, many NGOs and think tanks trace their funding back to the Ford Foundation. Historically, funders like the Ford Foundation have been known to be called upon by the CIA to wage cold war on cultural fronts in many countries. Anti-left intellectuals were specifically recruited to dispel the communist threat. In India, Nehru solicited the support of the Ford Foundation to co-opt communist led agrarian struggle through community development projects. Since the mid1980s in India, the international funding for NGOs has increased 20 times and since then the registered NGOs have also increased by 250 percent (Biswas 2006).

Think tanks are often funded by grants from larger institutes that form a part of corporate philanthropy. It is no surprise that these institutions adhere to a model of development influenced by the west and dream of a western kind of utopia by imposing rational solutions. Part of the funding for CCS can be traced back to two such philanthropic institutions --Sir Ratan Tata Trust (SRTT) and Sir Dorabji Tata trust (SDTT), both associated with the key industrial groups in India. SRTT was set up in 1919 to help usher India into the industrial revolution that Europe had already witnessed.

Affiliations that cross institutional lines can often be discerned by looking at the overlap of personnel. One can seek answers to questions such as: are many of the researchers affiliated with a particular university; are some of them former World Bank employees; or did they all go to the same business school? These are ways to attain important information about the intellectual and financial affiliation of the think tanks. If a statement or a publication on the website has a name of the author, it is easy find

something about the speaker's network position by looking at biographical sketches often included on the think tank web sites. With the help of biographical sketch we can also determine the institutional access routes of the members within different state organizations and various international strategies that they employ.

Here I have used the method of discourse analysis and network analysis to critically examine the divisions and the layout of the CCS website. For example, there are separate sections for research and commentaries on CCS website. Why has this separation been created? One of the first names that come up during the initial analysis of the commentary section is Gurcharan Das, who is a famous writer, a venture capitalist, and also consultant to industry as well as the government of India. A Harvard MBA alumni, he served as CEO of Procter & Gamble, India, and took an early retirement to become a full time writer. In his book *India Unbound*, Das claims that the period after 1991, or post liberalization era is the golden period in India's 200 year history. This book has made him a household name in India. Das is a well- connected personality in terms of access to the media as well as the industry. But for CCS he is more of a symbolic than social and scholarly capital. A closer look at his written contributions for the CCS website shows that although he served in the board of directors at one time, he no longer writes articles for the think tank specifically. But his articles that are written elsewhere such as daily newspapers are picked up and posted on CCS's website under the commentary section. In order to gain legitimacy and readability, which is often linked with sell-ability, think tanks can attach themselves with famous names such as Gurcharn Das and gain access to the market.

Arnoldi maintains that think-tanks often a face dilemma of how to conduct and portray their research. On one hand their research should be rigorous to gain academic legitimacy, and on the other it should be legible and understandable for the general public. And so CCS has thus created two separate sections of commentary and research to attract different readerships.

Public altercations: Case Study B

Weaver (1989) maintains that advocacy think tanks often "synthesize and put a distinctive 'spin' on existing research rather than carrying out original research" (567). CCS openly admits that it takes the research of other "experts" and uses it to support its agenda. During a conversation Ram explained: "In our network, there are people who work at the grass-root level on street vendors, they do exceptionally good work and they are emotionally attached to these people. They do good research, articulate great ideas and writing papers, so we do not need to do that. We can bring our expertise to their work, our expertise is in implementation at the policy level" (2010).

But that does not mean that the adoption of others' research is a straightforward process. I have used a public controversy between the CCS and another researcher concerned with the plight of street vendors to highlight the nature of CCS involvement in the case of vendors and hawkers. Public arguments between competing producers of discourse are often the most insightful entry points for analyzing hegemonic politics.

Tavleen Singh, a famous journalist and political reporter, wrote an article in a weekly magazine *India Today*, disassociating herself from a preface that she had written for a book published by CCS called *Law, Liberty and Livelihood: Making a Living on the*

street. She maintained that she only wrote the preface of the book because "some months ago a man who identified himself as Parth Shah, called me and pleaded with me to write a preface for a book that he said his Centre was bringing out on street vendors and rickshaw-pullers…He made it sound as if Madhu Kishwar, Manushi's driving force was associated with the book…"(2005). Madhu Kishwar is the founder of *Manushi*, a feminist journal, the scope of which extends beyond social justice for women to include minorities such as peasants, workers, slum dwellers, rickshaw pullers and hawkers. Based on her commitment for the rights of street hawkers, Kishwar did experiments with an ideal market in which she tried to designate fixed places to hawkers and vendors so that the spaces looked aesthetically modern and well organized.

Singh further writes "Imagine my horror when Madhu rang me last week to tell me that Parth J Shah had plagiarized huge chunks of research and documentation done by Manushi and had not bothered to slip in the smallest acknowledgment" (2005). Singh later berates CCS as a "phony center" and condemns "misguided international funding" that awarded CCS's publication with a prize. She said during their conversation Madhu maintained that "Not one street vendor or rickshaw-puller or small shop owner would endorse CCS's claims to be the champion of their rights." Here, Kishwar is basing her claim for credibility on her personal relationship with the vendors in her empirical research while denouncing CCS on the grounds that they do not have this personal connection.

Shah sent in his response to the newspaper saying:

> Urban livelihoods is one of the six areas of our focus, apart from Education, Environment, Governance, Globalisation and Rule of Law. We appreciated Ms

> Kishwar's work among street hawkers and cycle rickshaw pullers in Delhi and began to develop it further by more detailed case studies and surveys in other cities and towns of India with the help of enthusiastic college students as research interns. Economic freedom—the freedom to produce and trade—is one of the core principles of CCS work. That is the message we want to bring to our current as well as the future decision makers. They are our audience, not the actual street hawkers or shop keepers. Street hawkers experience everyday the effects of the lack of economic freedom—the brutality of the license-inspector raj. It is the decision makers and the middle-class mindset that need to be challenged. Therefore our more than 35 student seminars over last five years attended by over 2390 students from all over India where speakers like P Chidambaram, Swaminathan Aiyar, Ashok Desai, Bibek Debroy and many others have discussed these ideas. And the programs for IAS officers, professors and teachers, and the CCS Policy Meet for MPs (Shah 2005).

Naveen Mandava wrote a larger CCS's response to this article (appended at the end of the dissertation) and took a completely different approach than Kishwar to claiming credibility. Before refuting the allegations, he included a paragraph, which highlighted rational markets and the idea of competition behind CCS' philosophy. First, he uses vendors as a metaphor to discuss the intellectual competition between CCS and Kishwar, noting that CCS has been more successful at *selling* ideas derived from Kishwar's research. Like an uncompetitive vendor accusing a successful vendor of having shoddy goods, Kishwar is denouncing CCS as the desperate last resort of an uncompetitive seller. Later in the article Mandava denounces Kishwar for having no understanding of how markets work. Here, a technocratic understanding on the abstract model of free market theory is taken as superior to an empirical knowledge of the vendors themselves. The use of rational principles of modern science and knowledge of the market can be identified as a strategy of persuasion.

While doing discourse analysis of this response, I have tried to pay attention to the silence and gaps within the argument. I realize that one major gap in Mandava's piece is that the urban politics of space in which vendors are involved is not even mentioned.

Even Kishwar espouses the principle of empowerment, liberty and free market, and fails to realize that the problem of vendors is intricately related to the problem of a bourgeois city that is increasingly becoming neoliberalized. Mandava does not mention the Resident Welfare Associations and Trader Welfare Associations in his response and directs all the attention to the corrupt state agents. The inherent contradiction between the unruliness of vendors and the entrepreneurial neoliberal city is silenced in the mind of the readers. In Shah's response, the hawkers are not described as the target audience of CCS's advocacy. The middle class, elite politicians and bureaucrats are targeted as they are the ones who will bring about change. In the latter half of this dissertation, I will demonstrate how such sentiments are getting translated to NPSV and other policy recommendations that are coming from CCS.

Conclusions

In this chapter, I explained the global and local political economy of which think tanks form a part. While doing so, I have tried to bring light to the penetration of neoliberalism on the level of ideas and opinions. Thank tanks are the backbone of neoliberalism and form an important component of a neoliberal bourgeois civil society that actively seeks consent for implementing neoliberal policies. Here, I set the stage for the remaining chapters by describing different types, models and politics of think tanks. The analysis of CCS provides the readers with a background of the organizations and will help to contextualize their work and stance on street hawkers within the larger political economy of ideas.

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Chapter 4: Hawkers as Informals: Theoretical Reflections

Introduction

A street hawker[30] is a person who sells goods ranging from clothes, to utensils, to cooked food or vegetables and fruits in public space or the city streets. Most street hawkers in India are informal: they do not have a legal permit to sell goods and thus work illegally. Street vending is characterized by mobility and flexibility, and because of the low cost of investment it is relatively easy to enter. According to Bhowmik (2010), 2.5% of India's urban population is involved in street hawking. Out of 10 million street hawkers in India, commonly accepted estimates state that approximately 200,000-250,000 work in the city of Delhi. Some studies suggest that this number could be as high as 500,000 (Manushi Trust 2001). Perhaps this concentration in Delhi is so because Delhi is the fastest growing city in the country. Between 1991 and 2001, Delhi's population increased by 47.02 % in comparison to Mumbai's 20.03% (Kumar and Bhowmik 2010). Of all these hawkers, only 10% have a formal permit or *tehabazari* to sell in the city and the rest are informal.

Street vendors are a significant group of informal workers, often surrounded with controversy, mostly because of their acute visibility in public space. The state's ambiguous response to hawkers oscillates between violence and protection, from taking bribes, carrying out raids, or forcing evictions to tolerance, replacement, and

[30] There are different kinds of street hawkers. There are hawkers that squat on the side of the road and sell their goods to passersby. Then there are *phere walla* or *reripatte walla*, the itinerant hawkers who roam around different neighborhoods in the city during various hours of the day.

rehabilitation. Even though the number of hawkers and vendors are increasing rapidly (Kumar and Bhowmik 2010), there is hardly any substantial research available on this issue. Perhaps this is the reason why an anti-hawking policy such as NPSV and a think tank that at its very core is anti-hawker and antagonistic to poor people is able to appeal to the sensibility of those who wish to help hawkers. On May 1 2013, the Union Cabinet of the Government of India passed NPSV as the Protection of Livelihood and Regulation of Street Vending Bill and hence the analysis of NPSV and its supporter CCS becomes even more of a pressing issue.

In this chapter, I create my own theoretical framework through which I understand and analyze hawking specifically and informality in general. Then I outline how my understanding of street hawking and street hawkers is different from the one typically espoused by NGOs and think tanks. I later provide a historiography of the Indian state's response to street hawking since the time of the British and describe how it has changed as the Indian nation state and its democratic institutions have matured. Finally, I address questions regarding methodology and reflect on my own positionality as a researcher. These epistemological discussions not only help me critically analyze different policy measures and solutions to tackle problems of street vending that have been proposed by CCS and other NGOs, they also enable me to form a substantial critique of CCSs knowledge and methodology.

Informality

The term informal economy first surfaced in the work of Keith Hart (1973) to describe self-employed street based entrepreneurs in Ghana; since then, according to

Rakowaski (1994), the research on the informal economy (also called informal sector) has diverged into four different paths. In the 1970s, the International Labor Organization (ILO) - PREALC[31] propagated the two sector dichotomy under a structuralist framework. They view informality as an antithesis of modernity and as often associated with the third world and a traditional economy. Informal activity is seen as a survival strategy for the poor who have failed to enter the process of industrialization due to structural factors such as excessive supply of labor, worker characterization, and rural to urban migration (Cross 1998, AlSayyad 2004, Rakowaski 1994, Whitson 2007). Research under this paradigm is no longer relevant in the face of growing informality in spite great advancements in industrialization; even so, interpretations that link the informal to the traditional or third world is still prevalent in the everyday jargon of the NGOs that I interviewed.

Stepping away from the dualistic framework is the underground economy approach comprised mainly of work by neo-marxists. While retaining the structuralist approach, they consider informality as integral to the successful working of the capitalist economy as it ensures a reserve army of labor (Castells and Portes 1989; Sassen-Koob 1987).[32] Informal workers are in fact "disguised employees" that form a part of capitalist exploitation. Both approaches differ but they still associate informality with poverty and

[31] PREALC or "Programa Regional del Empleo para América Latina y el Caribe" is a policy-oriented think tank of Latin America and Caribbean comprised mainly of economists.

[32] Focusing on "exposing class conflict, exploitation of labour, the spread of imperialism, through worldwide economic restructuring", neo-marxists maintain that "infomalization is a mechanism to reverse the costly process of proletarianization, weaken the rights of workers and unions, and disenfranchise a large sector of the working class- with the acquiescence of the state in the interest of renewed economic growth" (Rakowaski 1994, 503- 4).

view it as an expression of the uneven nature of capitalist development where informal workers either survive or face the predetermined fate of super exploitation.

The third approach is a neoliberal-inclined legalist approach that views informal workers as entrepreneurs and argues against state intervention. Developed by the Peruvian economist Hernando De Soto (1989), here informality is believed to be the cause of over-legalization and state regulation. He writes that the "informal economy is the people's spontaneous and creative response to the state's incapacity to satisfy the basic needs of the improvised masses" (Soto 1989, 14). Disagreeing with the neo-marxist on the victim status of informal workers, the legalist celebrates their heroism. Although more optimistic than the previous two approaches, the legalist approach further propagates the dualism between the formal and informal, thereby overlooking how informal workers are often disguised employees in the formal enterprise. The fourth approach identified by Rakowaski is the micro enterprise development approach, comprised mostly of NGOs. These are oriented towards action and do not necessarily adhere to a specific conceptual ideology. However, they are typically neoliberal in orientation and integrate the ILO approach of assisting informal workers in overcoming barriers to growth.[33]

[33] At first glance, CCS seems to fit the microenterprise approach, but from a closer look it is apparent that it follows a strong legalist paradigm. Of course it is the legalist approach that assists CCSs main agenda of retreat of state from every sector- not just from the informal economy, but also from education, health, water, and electricity. The right of hawkers to vend in public space is not the main concern of CCS. The subtle difference between the last two approaches became apparent during my interview with other NGOs and organizations working on behalf of hawkers. According to members of NASVI they did not have a model to understand the problems faced by street vendors.

My Theoretical Framework: Entangled Spaces of Informality

The above approaches tend to equate informality with poverty; attribute informality and poverty to informals' isolation from the global economy; and delegate the condition of poverty to the poor themselves. However, the most significant flaw in all but one of these approaches is that they actively uphold the dichotomy of formal and informal in their conceptualizations. Scholars have maintained that the formal/informal dichotomy overlooks complex social relations and strategies (Crichlow 1998, García-Rincón 2007, Morales 2001, Roy 2005). Although true, I believe the critique of this dichotomy must go further. It has been long debated in social theory that boundaries and categories such as self/other, white/black, west/non-west, core/periphery that appear natural or neutral are in fact not pre-given (Adorno and Horkheimer 1991) but are product of a hegemonic process that favors the former (Foucault 1970, Laclau and Mouffe 1985). It has also been widely recognized that constitutive power of latter or other or outside is actively engaged in framing the former (Derrida 1974, Natter & Jones 1998). In that sense, formal and informal are not innocent categories but are actively constructed, sustained and reworked as tools of domination. In addition, the informal participates in the construction of the formal; the traces of the informal are always present in the formal in order for it to function effectively. Based on these criticisms, recent scholarly inquiries denounce this dualism. For example, Tom Angotti (2006) criticizes Mike Davis's (2006) 'apocalyptic' Planet of Slums as a kind of 'urban orientalism' for fomenting simplistic dualisms that ignore the multiple connections between formal and informal (Varley 2013). I believe that lack of this understanding encourages misguided politics that aims to achieve utopian dreams. My research demonstrates that the most direct implication of basing politics on this dichotomy is rather grave. Foremost on the

agenda for NGOs and think tanks such as CCS regarding street hawkers is the aim to formalize them. Ram asserted that "once the hawkers are formalized their problems will naturally get resolved. (2010)" On the contrary, in the next two chapters I will discuss why problems of hawkers can never be resolved by merely giving some of them a formal status in a so called "hawking zone" or elsewhere. First, in this chapter, I will outline my theoretical understanding of informality.

Roy (2005) suggests an alternative to bypass the above conceptual shortcomings: instead of a sector, informality should be thought of as a mode of urbanization. Roy and AlSayyad (2004) use the term *urban informality* to describe "a series of transactions that connect different economies and spaces to one another…(and) indicate an organizing logic, a system of norms that governs the process of urban transformation itself" (Roy 2005148). As a compatible alternative, Saskia Sassen (2005) proposes "a re-reading of the city through representations of its post-colonial relationship to topography" (cited in Varley 2012, 84). Here 'topography' refers to the "approaches that divide informal settlements from the rest of the city" (Varley 2012, 5). Elsewhere scholars have begun to establish how street vending can be understood as a space of power in which multiple actors struggle to negotiate meaning and control through deployment of diverse forms of power (Jimu 2005, Whileson 2007). It is safe to say that to a large extent, recent critical inquiry on street vending has begun to understand informal activity as a spatial practice. These developments exemplify the current geographic tradition influenced by Lefebvre's conception of space which has brought space to the forefront of any social political theory (see Gregory 1994, Soja 1996). According to Lefebvre, each mode of production has its own organizing logic and creates its own dominant unified space. Following

Marx's concept of abstract labor, Lefebvre calls this the abstract space, homogenized and unified by dominant ideology that is prescribed and imposed at all times. This is the space of the hegemonizer, and this dominant or abstract space also subsumes subordinate forms of the use of space. However, just like hegemony is never complete, hegemonic space is replete with uncertainties and contingencies. Lefebvre describes the dialectical production of space as a concrete universal just like the Hegelian universal state, which is something that is a perceptible and abstract and yet contains particulars such as representation, practices and forms that constitute the unity of the abstract. Owing to this dialectical production one can say that the space is socially produced and at the same time produces the social, i.e. space and society are mutually constituted. Both reformulate and reproduce, mediate and transform the other. Low (2000) further divides social production of space into two processes. By *social production* she means production of material settings through social, economic, ideological and technological factors that include historical emergence and the political/economic formation of urban space. *Social construction* denotes actual spatial transformation through "phenomenological and symbolic experience of space as mediated by social processes such as exchange, conflict and control...where people's social exchanges, memories, images, and daily uses of material setting" convey meanings (128). This insightful division assists in paying attention to a variety of social processes while analyzing space. In this regard, I believe that informal activity is an organic part of the production of urban space and in turn is framed by it.

So what exactly does the urban space of the informals look like? Informality understood as a space where there is constant struggle over meanings, opens a possibility

to recognize multiple actors performing on that site. This urges us not to treat hawkers as a uniform and homogenous category. Informality understood as a mode of urbanization entails that even if these sites appear disjunctured, they are connected spaces and form a continuum that drives urbanization. With this in mind, we can avoid the tendency to view hawkers as subjects framed only through their economic practice of hawking on the streets. That misleading practice inflicts not just the core understandings of various NGOs and think tanks but is also rife among academicians who tend to study hawkers as fixed economic subjects within the boundaries of market place or public space. Their focus is narrow and only concentrates on hawkers' interaction with the state or customers. I propose to view street hawkers as diverse subjects who are framed by what I call *entangled spaces of informality* where they continuously interact with multiple actors in multiple spaces. Within these entwined spaces, in one space they may clash with one actor and form strategic alliance with the other while in the same space at a different time or different space at the same time they may reverse their relationship. Also, one needs to understand that different spaces in the city are connected. As Roy (2011) maintains, informality "connects the seemingly separated geographies of slum and suburb" (233).

The theory of entangled spaces of informality has implications on the understandings of current political struggles and how these struggles are staged or ought to be staged. Based on these understandings my work makes contributions on two core areas. First, this new way to study informals brings forth the complexities of everyday lives of hawkers, which is often ignored by the researchers who study them. Here I view hawkers as diverse subjects of a larger political economy. The focus is not restricted to their interaction with inefficient government and its corrupt enforcement agents but also

includes their interactions with a benevolent state that they often call for and in some ways desire. I conceive the space where they operate as much larger than the market place or spaces of utility. This space includes Indian streets or "spaces of common" which are a part of indigenous public space, private spaces of their homes in slums, as well as those of the rural hinterland from where most hawkers come. I contend that a study of hawkers will always be incomplete unless it pays attention to the entangled spaces of informality.

Once this is done, it is easy to visualize the everyday life of a hawker who navigates the multiple and connected spaces of informality. Imagine a hawker who sells her goods illegally on the street and returns home to an illegally constructed slum. In order to survive everyday in both spaces, she fights to ward off state enforcement officials through multiple tactics. In the last two decades, we have seen how free-market NGOs and think tanks like CCS attempt to represent hawkers. They attempt to make the hawkers conscious of their rights to hawk on public space and stand up against the state and its corrupt enforcement agents. In response, hawkers have started organizing and demanding a kind of formalization from the state in the form of property rights in spaces of home and work. However, the hawker described above who uses illegally obtained water and electricity to cook food may have different aspirations; she would prefer the state to ignore these resource overflows and not penetrate and formalize these spaces of leakages. Indeed, I've learned when some kinds of formalization occur, namely neoliberal changes and resultant privatization of basic amenities, slum dwellers are particularly unhappy. During my interviews, a common complaint of hawkers was how it was better for them when these amenities were state-owned. Private companies do not

give any concessions and charge exorbitant prices for simple amenities like water and electricity. Similarly, hawkers' children go to government run schools and get free books, stationary and a mid-day meal. In case of a medical emergency, a government hospital, which also offers subsidized drugs to the poor, is the best place to go. Hence, despite their complaints about inefficiencies and corruption of the state that inflects the hawking spaces, hawkers still desire a benevolent state that they believe functions as a provider. Here, we suddenly see a reversal in the relationship between hawkers and the organizations that claim to have their interests in mind. Free market think tanks such as CCS would find themselves standing against hawkers who say no to privatization. Similarly, a hawker experiences the politics of the middle class not just when he practices hawking, but also when his shack is demolished by bulldozers. At the same time, very often it is the middle class which calls upon the services of hawkers. Hence, taking into account these entangled spaces of informality, new questions arise about relationship between hawkers, the state, wealthy citizens and NGOs that represent hawkers.

It is important to let different fields of informality speak to one another in political space in order to quell deceptive political struggle and claims of illusionary victories. This is the area of my second focus in which I create a dialogue between these spaces. I dismantle one by one the claims of CCS and other such organizations that have come to the forefront of the political struggle of hawkers and wish to represent them in their fight against the state. For this I will analyze NPSV and other publications of CCS in chapter 5, 6 and 7. In the next few sections I will tease out the complex relationships between hawkers and other interest groups that they encounter every day.

An Overview : Street Hawkers In India

Hawkers are often considered contested figures in urban modernity (Rajagoplal 2001). They appear as the ones who defy the desired spatial and visual order of the city and hence are portrayed as out-of-place and dirty (Appadurai 2003, Andri Yatmo 2008, Popke & Ballard 2004). However, time and again scholars have asserted the importance of hawkers by showing how diversity on the streets and in public space brings liveliness to the city. Jane Jacobs in her famous study of Greenwich, New York in the 1960s showed how the very people who appear disruptive on the streets such as vendors, old people and children were in reality important in maintaining the safety and vibrancy of the neighborhood. Since then New York has gone through a series of "revitalization" projects under the reign of Mayor Roudolph Gulliani (1993 to 2001) whose zero tolerance maxim for dealing with any sort of disorder has turned the city into a purified neoliberal nightmare for unlicensed peddlers and homeless people. Scholars have shown how these New York style neoliberal urban polices travel around the globe and wreak devastations of much greater magnitude in countries with already existing deep inequalities (Smith 2001, Swanson 2007, Wacquant 2003). Local governments fuse these neoliberal polices containing modernist undertones with regional prejudices and provincial discriminatory discourse to sanctify public space for unfettered capitalist consumption. For example, scholars have shown that urban revival actively engages with racial discourses such as mestizasation and the project of *blanqueamiento* or whitening in countries such as Ecuador to drive out street hawkers from popular urban spots (Swanson 2007). In South Africa, the repression of street vendors has been saturated with the apartheid sentiment that constructs black immigrants as 'temporary sojourners' in white dominated cities (Beavon & Rogerson 1986). Various scholars have documented

Operation Sunshine as an Indian version of the revanchist city endeavor (Roy 2004, Bandyopadhyay 2009). This drive to clean the streets of Kolkota of dirty street hawkers happened on the eve of the visit of Britain's Prime Minister John Major, when the communist state government started making efforts to make the city more investor friendly. In total, they removed about 100,000 hawkers from the streets. A few weeks after Major's visit, a bill was passed by the West Bengal Legislative assembly to make hawking a "cognizable and nonbailable offence" (Rajagopal 2001).

Authorities often reclaim public space by relocating hawkers from the city center to mall-like complexes where they are meant to cater to tourists rather than local customers (Morales 2000; Lewinson 1998). In some cases, hawkers simply choose to return to their old location (Cross 1998; Hansen 2004; Stamm 2005). A considerable amount of attention has been given to how these relocation projects have been a part of overall scheme of tourism promotion (Bromley 2000, Middleton, 2003, Cutsinger, 2000), although some scholars have also explored how street vendors contribute to tourism by attracting tourists (McGee and Yeung 1977) and are sometimes used by the authorities to revive destroyed city centers (Karides 2001). While most studies have investigated the politics behind displacements in terms of gentrification and tourism, a few have also investigated the implications of such displacement, such as reduced sales and income (Donovan 2008, Bromley & Mackie 2009).

From the above discussions it is apparent that there has been a considerable amount of attention given to the rise of the anti-hawking policies, the state's response, and how the policies get translated on the streets. However, there have been few discussions on how the hawkers respond, resist and sustain in a neoliberal milieu, that is,

the coalition of neoliberal state, neoliberal government and neoliberal citizenry. This gap in the research is consistent with the trend that the economic activities of informality get more academic attention than its political and cultural activities (Stillerman 2006, Whiteson 2007). Through life biographies and ethnographies, my study on hawkers contributes to the work that is emerging to fill these gaps. Most importantly, hardly any study pays attention to how hawkers are divided and then reorganized and mobilized to form a part of global hegemonic discourses of neoliberalism that in turn shape "anti-hawking laws," this time with their consent. While filling that gap, my work investigates the role of the third sector in the politics of hawking.

There have been some insightful works that attempt to define the politics of informals. According to Scott (1987), mundane survival strategies of poor workers such as foot-dragging, dissimulation, false compliance, slander, arson, and sabotage are acts of resistance that do not necessarily frame poor people as victims. Bayat (2000), however, finds several reasons to differ with Scott's assessment. First, these acts of resistance by poor workers such as hawkers are engaged in not simply to survive, but also to move forward. Second, these acts are not just defensive but also "surreptitiously offensive." These kinds of actions differ from both old and new forms of social movements and are best described by Bayat as the "quiet encroachments of the ordinary…marked by quiet, atomized and prolonged mobilization with episodic collective actions – an open and fleeting struggle without clear leadership, ideology or structured organization, one which makes significant gains for the actors, eventually placing them as counterpoint vis-à-vis the state" (533). Unlike Gramsci's passive resistance, these activities are not carried out with a political intent, rather, they are acts of necessity to survive and live a dignified life.

Even so, these quiet acts of resistance do end up shifting the realms of the politics at some point. I extend this line of thought to the politics of hawkers in Delhi. At this point, I would not call what is happening in the urban areas simply acts of resistance to survive. Indeed it is so for majority of hawkers, but the politics of hawkers over all has taken on a new visibility with their growing association with various NGOs and think tanks like CCS. Hawkers are forming a variety of alliances with other actors to make demands on the state. These alliances give them visibility and more power to negotiate. But the same is true for the other actors such as CCS, which is also demanding specific things and make certain claims while pursuing the politics of hawkers. Even if these agendas correspond to the hawkers immediate demands, they may have a completely inimical aftermath. In sum, several spatial contradictions are hidden at the site of convergence of these similar but multiple agendas. Such internal dynamics of the politics of hawkers where multiple actors converge to make claims have not yet been investigated in any of the studies of hawkers. My work attempts to analyze this area where hawkers operate as political subjects who form multiple alliances in a neoliberal city in order to get by every day.

India: Historiography of the State's Response to Hawking, 1860s- 1980s

The British government in its Asian and African colonies considered street hawkers as remnants of antiquity, noisy, obstructive, and dirty (Anjoria 2012, McGee 1973, Robertson 1997), who were also "Low Caste and Born Thieves" (Vahed 1999). The Indian state's punitive action toward street hawkers until the late 1980s was guided by numerous sections of colonial Indian Penal Code, 1862 (IPC) and the Indian Police

Act of 1861[34] that sought to criminalize vendors for posing obstructions in public space and roads and also acting as hazards to people in a "public way or public line of navigation."

Box 4. 1 : Sections of Indian Penal Code that work against Street Hawkers

Section 283 of IPC called "danger or obstruction in public way or public line of navigation" states that "whoever, by doing an act or by omitting to take order with any property in his possession or under his charge, causes danger, obstruction or injury to any person in any public way or public line of navigation, shall be punished with fine which may extend to two hundred rupees."

Section 431 of IPC called "mischief by injury to public road, bridge, river or channel" states that "whoever commits mischief by doing any act which renders or which he knows to be likely to render any public road, bridge, navigable river or navigable channel, natural or artificial, impassable or less safe for travelling or conveying property, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both."

Box 4.2 : Section of Indian Police Act that work against Street Hawkers.

No Person shall cause obstruction in any street or public space by

- Allowing animals or vehicle.
- leaving any vehicle standing or fastening any cattle in the street or in the public place.
- Using any part of a street or public place as a halting place for vehicles or cattle.
-Leaving any box, bale package or other things whatsoever upon a street for an unreasonable length of time or contrary to any regulation.
- By exposing to anything for sale or setting out anything for sale in or upon any stall, booth, board, cask, and basket or in any other way, whatsoever."

What was the reason behind the colonial government's stern approach regarding streets? For this, it is important to situate the IPC within the wider historiographies of the British Empire in relation to control of space and colonial territory in the 19th century. I argue that the British colonial government had two reasons to have such a stern stance for

[34] Although, post-independence, some of the states like Delhi, Maharashta, and Kerala have enacted their own police act, these are heavily modeled on the Indian Police Act of 1861. http://www.humanrightsinitiative.org/programs/aj/police/papers/advocacy_paper_police_act_1861.pdf

any kind of street obstruction. First, as Das and Verma (1998) maintain, the Indian police system developed by the British was meant more for the maintenance of order than prevention and detection of crime and in this way it served the "commercial interests of an expanding capitalism in search of new markets and resources" (Brogden, 1987 quoted in Das and Verma 1998, 357).[35] Second, unlike Europe that had Foucault's elegant sovereignty-discipline-government triangle, the Indian colonial state did not develop vis-à-vis a civil society, and thus did not have the structure to mobilize the capillary forms of power (Prakash 1999). For this reason, the colonial Indian police served more as coercive agents that disciplined society than did their British counterparts in London, who were primarily involved in prevention and detection of actual crime. Of course, the IPC and Police Act cannot be separated and were intricately linked to the British modernist vision and desire to beautify the colonial cities, especially imperial capital of Delhi (Hosagrahar 2005 Irvin 1981). After independence, the Indian national government legitimized itself through the project of democracy that was emphasized to be a more fitting way to represent Indian citizens than the colonial model of dominance without hegemony outlined by Ranjit Guha (1998). But as scholars have noted, there was hardly a dramatic rupture that marked the beginning of decolonization at that time and definitely colonialism did not have a settled ending in 1947. In fact, even though at the time of independence it is easy to identify a sharp political discontinuity between colonial and nationalist India, economic and social continuities can be traced to a much later time (Legg 2006). One example of these continuities is the colonial spatial laws of the IPC and

[35] In comparison, the Metropolitan London police model emphasized crime prevention, working in cooperation with locals by winning their trust. The police tried to integrate themselves into the neighborhoods and advocated restraint on the use of force (Das and Verma 1998).

Police Act that were seamlessly inherited by the Indian government. These laws continued to criminalize marginalized citizens such as street hawkers for inciting disorder.

Most Municipal Corporation laws pertaining specifically to street hawkers, slum dwellers and unskilled migrant workers were identical to the Bombay Municipal Corporation Act (BMC) of 1882 that drew heavily on laws passed in England. The Delhi Municipal Corporation Act of 1957, which in turn was identical to the BMC required hawkers to obtain licenses to practice hawking (Bhowmik 2010). The Municipal Corporation issued hawking licenses and expected only those with licenses to be on the streets. Of course the number of licenses, also called *tehbazari,* that were given covered a fraction of hawkers. Manushi notes that MCD claims that currently there are 300,000-500,000 hawkers in Delhi. Of these, less than 3,000 have licenses. So nearly 99 percent of existing hawkers "are treated as legal offenders and face daily punishments, harassment and penalties. (Kishwar)" [36]

There are several other problems with the Municipal Corporation's dealings with the hawkers and its tehabazari system. First and foremost, instead of a democratically elected councillor, an undemocratically appointed Municipal Commissioner has the authority to issue licenses or dismantle and destroy any hawking stalls. I spoke with a female street vendor near Sufdar Jung hospital in Delhi who claimed to have been evicted more than 30 times in the last 9 years by municipal authorities. Besides MCD flaws, section 34 of the Police Act of 1951 (see box 4.2), gives the local police the right to remove and arrest even licensed hawkers for causing obstructions. The system of

[36] http://www.manushi.in/articles.php?articleId=720&ptype=campaigns

tehabazari is so complicated that it is difficult for vendors themselves to understand. In addition, the law deals only with existing vendors and makes no provisions for new and aspiring vendors. Because of the inconsistencies between different laws and the limited number of licenses despite the growing numbers of hawkers, hawking has become a site of conflict and corruption in post-independent urban India. In Delhi alone state agents take bribes from hawkers that are as high as Rs 600 crore[37] annually (Bhowmik 2010).

The judiciary in post-liberalization India has successfully added itself as another layer to sovereign rule over street hawkers and slum dwellers. Besides the MCD and Police, now Supreme courts and regional High courts are acting on behalf of middle class citizens, and instituting nuisance laws to deal with hawkers and slum dwellers. Nuisance literally means something that causes annoyance to other people. In Indian common law, nuisance can be public or private and creating a nuisance is a criminal offense. The first time slum-related nuisance was invoked in the courts was in 1980 in Ratlam Municipal Council vs Vardichan, which blamed the municipality for stagnant and putrid water originating from the slums. This was also the first time a nuisance law was used for an environmental issue (Sengar 2007). Since then, and lately with the rise of middle class environmentalism, nuisance laws have been used with ferocity to deal with slums, hawkers (especially food hawkers), and poor people in general. I will explain how the nuisance laws have been mutated and used to remove poor people from urban space in the next section, but here let me highlight the section in the legal system that details the nuisance laws.

Box 4.3: Section 133 in The Code Of Criminal Procedure, 1973

[37] Six hundred crores Indian Rupee is approximately one hundred million US dollars according to current (July 2013) Rupee-US dollar conversation rate.

(1) Whenever a District Magistrate or a Sub- divisional Magistrate or any other Executive Magistrate specially empowered in this of behalf by the State Government, on receiving the report of a police officer or other information and on taking such evidence (if any) as he thinks fit, considers-

(a) that any unlawful obstruction or nuisance should be removed from any public place or from any way, river or channel which is or may be lawfully used by the public; or

(b) that the conduct of any trade or occupation, or the keeping of any goods or merchandise, is injurious to the health or physical comfort of the community, and that in consequence such trade or occupation should be prohibited or regulated or such goods or merchandise should be removed or the keeping thereof regulated; or

(c) that the construction of any building, or, the disposal of any substance, as is likely to occasion configuration or explosion, should be prevented or stopped; or

(d) that any building, tent or structure, or any tree is in such a condition that it is likely to fall and thereby cause injury to persons living or carrying on business in the neighborhood or passing by, and that in consequence the removal, repair or support of such building, tent or structure, or the removal or support of such tree, is necessary; or

(e) that any tank, well or excavation adjacent to any such way or public place should be fenced in such manner as to prevent danger arising to the public; or

(f) that any dangerous animal should be destroyed, confined or otherwise disposed of, such Magistrate may make a conditional order requiring the person causing such obstruction or nuisance, or carrying on such trade or occupation, or keeping any such goods or merchandise, or owning, possessing or controlling such building, tent, structure, substance, tank, well or excavation, or owning or possessing such animal or tree, within a time to be fixed in the order-

(i) to remove such obstruction or nuisance; or

(ii) to desist from carrying on, or to remove or regulate in such manner as may be directed, such trade or occupation, or to remove such goods or merchandise, or to regulate the keeping thereof in such manner as may be directed; or

(iii) to prevent or stop the construction of such building, or to alter the disposal of such substance; or

(iv) to remove, repair or support such building, tent or structure, or to remove or support such trees; or

(v) to fence such tank, well or excavation; or

(vi) to destroy, confine or dispose of such dangerous animal in the manner provided in the said order; or, if he objects so to do, to appear before himself or some other Executive Magistrate subordinate to him at a time and place to be fixed by the Order, and show cause, in the manner hereinafter provided, why the order should not be made absolute.

India: Historiography of Hawkers' and NGOs Response, 1980's onwards

The general understanding towards hawkers changed in the late 1980s after a Supreme Court ruling:

> If properly regulated according to the exigency of the circumstances, the small traders on the sidewalks can considerably add to the comfort and convenience of the general public, by making available ordinary articles of everyday use for a comparatively lesser price. An ordinary person, not very affluent, while hurrying towards his home after a day's work can pick up these articles without going out of his way to find a regular market. The right to carry on trade of business mentioned in Article 19(1)(g)of the Constitution, on street pavements, if properly regulated cannot be denied on the ground that the streets are meant exclusively for passing or re-passing and for no other use. Proper regulation is, however, a necessary condition as otherwise the very object of laying out roads – to facilitate traffic – may be defeated (Sodhan Singh vs NDMC, 1989).

Although this landmark ruling changed little on the ground as hawkers continued to be harassed and evicted, it depicted a subtle and gradual change in political post-colonial India that can be associated with the development of a mature third world nation-state outside its western breeding grounds.[38] It is important here to explain the political environment that has produced this change. According to Nandy (1989), lately the Indian elite and middle class have grown impatient with the politics and democratic process

[38] Nandy notes the growth of the nation state over three hundred years in the west, since the treaty of Westphalia, particularly since the British and French established their global hegemony and Bismark created the nation state in Germany(1989, 4). But according to Chatterjee (2004), the chronological sequence of modern state in India has been short and rapid as the governmental technologies that accompany nation-states were applied by the colonial government long before the formation of the Indian nation-state.

"because these sections have gone too far in empowering the irrational and atavistic elements in the society"(11). This dissatisfaction has been concurrent with the growing reliance of the poor on democratic institutions and electoral politics. Chatterjee (2004) expands this to include the rise of the debate on the rights to entitlement that shape the politics of informals. In a larger discussion, he explains that civil society, a product of modernity, is essentially a bourgeois society "characterized by modern associational life originating from the western society that is based on equality, autonomy, freedom of entry and exit, contract, deliberative procedures of decision-making, recognizance rights and duties of members, and such other principles" (Chatterjee 2003, 135). Political society, on the other hand, is a product of democracy and encompasses the populations that have been left out of civil society. Chatterjee identifies this political field as the swath where governmental technologies work. To describe this he makes two different routes of connections of both civil society and political society to the state-- "one is the line connecting civil society to the nation-state founded on popular sovereignty and granting equal rights to citizens. The other is the line connecting populations to the governmental agencies pursuing multiple policies of security and welfare" (2004, 39).

For many of the groups in political society, including street hawkers, the everyday reality of life involves violation of legality, and it is here that Chatterjee's work provides a breakthrough analysis. Why do state authorities let these acts go by? One explanation provided by CCS is that the state actors are corrupt and hence they ignore such transgressions for personal profit. But I believe that Chatterjee would explain that the fundamental reason why corruption practices are organized and rampant is that the state authorities "deal with these associations not as bodies of citizens …(as) their activities

are often illegal and contrary to good behavior…but as convenient instrument for the administration of welfare"(49). This is a response to the "marginal groups and underprivileged population… (who) make a claim to a habitation and a livelihood as a matter of right"(49). The dilemma for state authorities is how to reconcile the fact that the marginalized groups need help because the welfare programs of the state have not reached them, and the awareness that this problem persists, and if tolerated every time, can invite further "violation of public property and civic laws"(40). This result in a series of negotiations between the marginalized and the state agents on an uncertain political terrain. Corruption and evictions are only one aspect of the full story. The other aspect is represented by authorities letting hawkers into otherwise restricted and enclosed spaces. Benjamin (2004) describes this phenomena as 'porous bureaucracy', a space that has been created beyond the formal realms of planning to accommodate the demands of poor. Public interest litigations such as Sodhan Singh to the Supreme Court-- in which the hawker claimed that his fundamental rights, and specifically his right to carry on business or trade according to article 19(1) (g), are violated by state authorities each time he is evicted from urban space--reify this everyday politics of political society on the national stage.[39] As Chatterjee maintains "the field of citizenship, at certain points, overlaps with that of governmentality" and hence we can say that this insertion, of course, takes advantage of the tactical fact that the marginalized now have voting rights and assert their rights of citizenship to demand rights to livelihood. The decades-long confrontation after these game changing rulings, according to Bandyopadhyay (2012), has resulted in setting

[39] For more information on various court cases concerning politics of hawking in urban space read Sundaram, S (2008), "National Policy for Urban Street Vendors and Its Impact" Economic & Political Weekly, October 25, 2008.

"the stage for the emergence of a uniform understanding of the categories of 'urban' and 'street vendor' at a national scale" that are different than the IPC categorization of street hawkers.

Through the Advocacy Coalition Framework, Lintelo (2010) charts the creation of a mass alliance of civil society organizations, mainly NGOs and think tanks that came together in the late 1990s to develop NPSV. This coalition started coming together through the initiative of the Self-Employed Women's Association (SEWA). Having done advocacy work for street hawkers as a part of the larger informal sector, SEWA took the issue of street vendors to prominence after its president Ela Bhatt became an independent member of Rajya Sabha, the upper house of Parliament of India. Bhatt recognized the advantage of strategic alliances between different groups of planners and research scholars to lead towards an effective policy for street vendors at the national level. This led different groups and organizations such as scholars and planners to come together. Some of these were Kolkata Hawkers Sangram Samit that was established in 1996 after Operation Sunshine, Manushi headed by Madhu Kishwar that started work on street hawkers in 1995, Vasant Kunj Rehri Vapyari Morcha, founded in 2001, and then CCS that started working on the livelihood issues in 2001.[40] In 2002, various members of the coalition helped to draft the National Policy of Street Vendors (NPSV) and the union cabinet accepted this policy in 2004. The central government, which saw a change in leadership after the initial discussion on the policy, asked the National Commission on

[40] It is important to mention that Manushi is one of the few critics of the NPSV, but it also follows the same neoliberal economic and spatial logic regarding vending that is followed by many of the other NGOs and think tanks. Many social workers from different NGOs who are a part of Hawker's alliance, maintained that Manushi's Madhu Kishwar was only antagonistic towards NPSV because she was not invited or involved in the creation of NPSV.

Enterprise in the Unorganized Sector (NCEUS) to create a revised draft of 2004 version and in 2009, after several years of debate, NCEUS came up with a second draft of NPSV which was almost identical to the earlier draft.[41] Lintelo explains that the reasons behind the emergence of the NGO alliance were that the urban informal sector had been rapidly growing in recent decades and due to economic reforms there was an increase in the state's repression that needed to be counteracted. However, as I have explained in the previous chapters, this growing role of NGOs and think tanks is in fact an indicator of the growing presence of multilateral organizations that initiated the economic reforms in the first place. As mentioned in previous chapters, many of the NGOs that have arisen in recent times can be identified as organic intellectuals of neoliberalism and are the key for the smooth expansion of the neoliberal working order. Because of this fact, the National Policy of Street Vending has strong neoliberal undertones. In the next three chapters, I will discuss how NPSV is a neoliberal spatial plan to discipline hawkers and create an ordered urban space for the transition to a neoliberal city. CCS has taken an active role in this alliance of activists and has supported the development of NPSV. Through its intense media focus and strong advocacy ties, CCS continues to support the adoption of NPSV in different states. Hence, a critique of NPSV is also a critique of CCS's ideas concerning street vending. Also, one should not forget that some of CCS's policy ideas are even more anti-hawker than the ones outlined by NPSV, so I will highlight this fact by looking at different publications of CCS.

It is important to mention here that the Ministry of Housing and Urban Poverty Alleviation (MHUPA) was asked to frame a Model Act inspired by NCEUS's 2009 bill

[41] From now on NPSV refers to National Policy of Street Vending 2009

that could be implemented nationwide. The Model Act MHUPA became known as Street Vendors (protection of Livelihood and Regulation of Street Vendors) Bill, 2009. This bill has been a source of discontent among the national alliance for street vendors that includes different NGOs and think tanks. Bhowmik, the leading scholar and researcher on street vendors and one of the key members of the National Alliance, outlines a few points on how this bill disregards the issues that were key concerns in NPSV. In subsequent sections, I will bring up these points to discuss the complexities and contradictions in NPSV, its conflicts with its nearly identical and equally problematic Model Act, and CCS's own muted versions of the solution of street vendors laid out elsewhere. After an outcry from the alliance, the Union Cabinet of the Government of India made small changes in the model bill and passed it as the Protection of Livelihood and Regulation of Street Vending Bill on 1 May, 2013. CCS and other NGOs are now involved in various states to oversee the execution of this bill. They maintain that their work from now on will focus on training officials to help execute the reforms.

Questions Of Epistemology And Methodology

During an informal conversation, I asked Ram, the CCS representative for the Livelihood Champaign, about the fact that hawkers are often seen as a vote bank. He replied "I've wondered that although hawkers are huge in number, we've never really been used as vote banks and the reasons again is because we are illegal and informal...like say I set up a business here, I'm a person from rural area and I live on the street side…I don't have my identity here… legal identity, and that is why I can never be seen as a vote bank…the same happens with a big chunk of street vendors. (2010)"

This response by Ram was intriguing. Not because he failed to acknowledge the fact that in many instances poor and marginalized are mobilized for political gains -- appeased by local politicians only during the time of elections to obtain votes, and seldom provided any long-term benefit with this association. What I want to point out here instead is that while putting his stance forwards, very quickly Ram switched from a second person description to a first person narration even before he finished his first sentence. During these conversations he would often use "we" instead of "them" to talk about hawkers, even though he has always been an advocate and never actually sold goods on the street. This instance captures the complexities of representations. As a researcher, I attempt to study the interactions between CCS and hawkers and in the process critically examine CCS's rhetoric which implies that its political interests and the political desire of hawkers are identical. CCS claims to represent hawkers, but representation, as Spivak (1988) maintains, is often violent where it destroys the ability of the one who is represented (i.e the subaltern) to speak. Spivak (1988) has taken western intellectuals such as Foucault and Deleuze, the "best prophets of heterogeneity and the Other" (67), to task by pointing out how they tend to conflate *darstellen* (re-presentation which is representation as aesthetic portrait) and *vertreten* (representation by proxy or to fill in for or to stand in the place of) while talking about a subject. She writes-- "these two senses of representation—within state formation and the law, on the one hand, and in subject-prediction, on the other--are related but irreducibly discontinuous" (70). Marx, according to Spivak, tried to address this textuality seriously. In *The Eighteenth Brumaire of Louis Bonaparte*, he explains that the peasants cannot represent themselves and have to be represented. Here by representation, Marx means *vertreten* and

acknowledges the mechanics of agency in formation of the subject. Deleuze, on the other hand, collapses both when he declares that "there is no more representation; there's nothing but action" - "action of theory and action of practice which relate to each other as relays and form networks" and hence theory is practice (70). Foucault also mis-identifies agency in his 'metaphorics of power' and thereby "masquerade(ing) as the absent non-represented who lets the oppressed speak for themselves (87)." Both poststructuralist theorists end up working with a positivist essentialist assumption and create a universal subject of Europe. I agree with Spivak when she says that the failure to recognize one's own complicity in the process of representation results in "essentialist, utopian politics." So instead of helping the subaltern speak, the intellectuals become complicit in creating a Eurocentric homogenous subject – thereby silencing the subaltern altogether. The idea of politics of representation developed by Spivak is helpful in developing a critique of the work of CCS. Ram in the above quote did exactly what Spivak disavows- he spoke for hawkers as if he and they were identical. This is perhaps the reason why he demonstrated no awareness of such a common cause of frustration among hawkers as noted by Bhowmik (2005) – hawkers are promised certain things at the times of the elections but get no benefit once the elections are over. Throughout the next few chapters, I will demonstrate how the subaltern, here the hawkers, are silenced repeatedly through CCS representations. These representations not only essentialize them as a homogenous and closed subject but also romanticize their politics.

According to Roy (2011) Spivak's work asks us "to study how the subaltern is constituted as an object of representation and knowledge — in lieu of the conscientious ethnography that claims to speak for the authentic subaltern"(229). Researchers should

first deconstruct how the universal subject of Europe is created. Let me show how to do this by analyzing the work of Hernando de Soto. I find that his interpretation of informals as petty entrepreneurs produces a heroic subaltern. For hawkers, this gross romanticization disavows the obstacles that they face not just in the place of their work but elsewhere as well. Also, here hawkers are inscribed with single and ahistoric consciousness. The historic and structural causes of their position are suddenly removed and they are only understood as the legal or nonlegal subjects of the state. Here, the subaltern is also considered anything but heterogeneous. When de Soto demands legalization of informals as the core solution to their problems, their differential positions in terms of caste, gender, and income are fused into one. This is contrary to the reality. For example, through my interviews, I have found that most female hawkers face much more hardship than their male counterparts. Those who treat hawkers as a uniform homogenous group often support faulty ideas and deleterious policies. In chapter 7, I will discuss this point further in relation to NPSV, which advocates unionization of hawkers.

Even though I use Spivak's work to analyze CCS's discourse, I note that often times Spivak has a paralyzing effect on researchers who wish to study subalterns. After all, she never acknowledges varying degree of complicity and leaves everyone equally guilty of silencing. In light of this guilt, what is the best way to move past paralysis in order to do research that does not silence the subaltern? Spivak herself answers this by saying that we are all 'subject-effects', and in order to study subalterns meaningfully we first need to understand our institutional positioning and accept our complicity in constructing the other. We need to unlearn and then learn again from below. So as a "native informant" let me first acknowledge my privileged position. I come from a fairly

wealthy and upper class family in the metropolitan city of Delhi. I have graduate degrees from premier universities of India and the US. I am married to a similarly privileged Indian man who has a lucrative corporate job in the US. In the academic world, I have been influenced by the Marxist tradition and hence have a proclivity towards issues of social justice and politics of resistance. With such a privileged background, matched with a strong desire to help, I arrive at the politics of the subaltern with lot of baggage. But I feel that trying to tell a story is better than not attempting to tell one. While I am aware that my own social and institutional positioning can taint my understandings of various issues, I believe that it is still possible to do meaningful research in which the researcher learns from below by simply observing and paying attention to discrepancies and awkward moments. Because of the very nature of my project, it became essential for me to question my own assumptions and learned knowledge. When I started getting interested in studying hawkers, my own ideas were not much different from the ones followed by CCS. For example, my first inclination was to do something that could help hawkers fight corrupt state agents. As my own research project developed and I began focusing on the interactions between the think tank and hawkers, to my chagrin I realized that I shared many of the assumptions followed by this extreme free market think tank. I learned over time that these assumptions were clearly western centric and followed a distorted model of the urban utopia, modernity and development. So if my own project had not involved the analysis of the interaction between the think tank and hawkers, I might have fallen prey to the same claims and generalizations about hawkers that are made by various NGOs and think tanks. For my project I did what Spivak asks us to do -- rather than make the silences speak, focus on what the text cannot say. To do that, I do

not propose any broad claims, policy ideas or solutions to the "problem" of hawkers. I am simply not in a position to do so. What I do is to create a dialogue between what CCS says and my own observations.

Methods

Because of the sheer number of interfaces between hawkers, the state, and neoliberal changes, a closed study would not yield meaningful results. There are certain methodological implications of raising research questions that demand a spatial analysis of entangled spaces of informality. Here an extensive statistical data or complete ethnography or an absolute survey of a target group of hawkers of a small section of a particular city may not always be rewarding. Ethnography has a tendency to focus too much on the subjective experience. While I'm looking for that, I'm also interested in different discursive formations and historical contexts, which create hawkers as a subject as well as an object. So instead, life biographies of a few hawkers provide a glimpse of the entire economic, social and political landscape as well as provide their historical contextuality of different spatial conflicts. Life biography is one of the most useful methods to build a kaleidoscopic view of street hawkers in a city where neoliberal changes have been rolled out. I had numerous formal and informal exchanges with about 70 hawkers from different parts of Delhi and Jaipur. Some discussions lasted several hours while others finished in just few minutes. But each interaction provided a new perspective, and that enables me to provide a tale has not been told by the NGOs and think tanks such as CCS.

In order to make entangled spaces of informality speak to each other, I audio and video recorded some of the meetings and conferences that CCS had arranged for

hawkers. Various government officials, state agents, and urban developers attended these conferences. Here I was able to observe first hand the power dynamics between hawkers and various groups claiming to represent them during the times of negotiations.

I also conducted focus group interviews where groups of 4-8 hawkers were asked questions. Most of these meetings occurred in natural settings, meaning that hawkers were interviewed while they were squatting and selling wares, or when they were taking a break.S Since focus groups put these hawkers into a group setting, the interactions between them gave me more room to construct their social and environmental issues. Here these hawkers formed conversations in which they shared knowledge, challenged and contested different perceptions, prejudices, and views while making sense of their own. Gloss (1996, 118) maintains that it is this dialogic characteristic in focus group interviews that gives a researcher access to 'multiple and transpersonal understanding' thereby reflecting the discourse that emerges in original context. This methodology also allows examination of the process of social meaning-creation in action, as members of the groups negotiate (Pratt 2002). When a set of unrelated questions are asked, they might not provoke definite answers. In such instances, the discussions between the groups of people raise multiple statements that are easily analyzed discursively. For example, even though it is evident that the state is hostile to vendors and hawkers, it would be interesting to discursively analyze their discussion as a group about their opinions on the role of the state. Issues like what areas they think the government should be active in and what areas from which the government should withdraw are complex and vendors I spoke with had never even thought about such issues actively. Hence, a focus group

discussion provided environment for such questions to be discussed in an interactive manner.

Conclusion

In this chapter I discussed how the artificial dualism constructed between formal and informal by NGOs and think tanks leads to skewed political practices. In order to bypass this dualism, I developed the concept of entangled spaces of informality, where different actors and different connected spaces drive informality as a mode of urbanism. I explained how understanding hawkers as one of the multiple actors who struggle to negotiate meaning and control in the spaces of power can bring new insights to the issues surrounding street hawking. It is important to problematize the presence of NGOs and think tanks in advocacy campaigns of hawkers and for that reason I have presented the differences in epistemology and methodology between their and my own research. I have also outlined a historiography of street hawking and the state's contradictory response to it vis-à-vis the development of a democratic Indian nation state. These discussions set the stage for the remainder of the chapters, where I analyzed CCS's stance towards hawking and the anti- hawking characteristics of NPSV.

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Chapter 5: Public Space: The Transformation of Streets into a Capitalist Commodity

Introduction

The premise of this chapter is that a neoliberal approach treats space as a capitalist commodity. Space as a commodity should be accessible through a service-delivery system that should be based on the market mechanism. According to neoliberal proponents, the optimal distribution of space is only possible when it is justly bought and sold on the market. Those who can afford it are entitled to it, and those who cannot-- such as street hawkers--should leave. CCS extends this line of thought to urban vending space and hence, all pro-hawking ideas or solutions that come from their direction require analysis. Most of CCS's ideas of space as a capitalist commodity find expression in the so called "pro-hawking" National Policy of Street Vendors, 2009 and hence it becomes critical to analyze that as well. On deeper analysis, we see that NPSV engages in the rearrangement of space with a neoliberal rationality. As Bandyopadhya et al (2012) note, the NPSV is a part of a larger strategy to discipline and document the Indian retail structure as a realm in which corporate and foreign multinational entry in retail is sought after and hence the presence of hawkers is deemed pre-modern and undesirable. In this chapter, first I will discuss CCS's version of public space and their vision of hawkers in it. Second, I will show how the creation of hawking and no hawking zones which CCS demands through enactment of NPSV is a neoliberal rearrangement of space that disrupts the social culture of Indian streets.

Public Space

Different facets of the politics of street vending boil down to one core issue–the contestation of public space (Yatomo 2008, Cross 1998a &b, Hansen 2004, Hunt 2009, García- Rincón 2007). Yet, scholars have noted that the access to public space by street vendors has not been given its scholarly due (Pratt 2002, García- Rincón 2007). When talking about the conflict of public space one has to pay attention to two things. First, understanding that the conflict over who controls public space, the "street", in part stems from inherent contradictions and confusions in defining what the "public" means in "public space." There are various interpretations of "public" that work for or against each other, often enabling or stifling one another. Second, the popularized versions of public space are western constructs and need to be problematized when applied to the Indian context (Kaviraj 1997, Favero 2003). The act of imprinting the western concept of public space onto Indian 'spaces of common' lies at the heart of the current contestations over public space in India. So what exactly is public space? Gulick (1998) maintains that the literature on public space and its disappearance concentrates on three overarching connotations. I will discuss each of these connotations at length in the context of India and then move on to show how CCS takes part in diminishing the openness of the public character of public space, something that particularly hurts street vendors.

In my research, I find that public space is a good entry point to discuss and analyze the ideas of CCS regarding streets hawkers and the solutions they prescribe to the problems of street hawking in urban space. In order to analyze CCS's stance on hawkers in public space, it is important to understand exactly how CCS visualizes hawkers in urban public space. I have found that instead of promoting one unified vision of hawkers' presence in space, CCS proposes different and conflicting visions. In their publications,

such as *Law, Liberty and Livelihood* and *Ward Power*, they vacillate between advocating ward-level governance of streets or public space and favoring complete private ownership of these spaces. In public conferences, seminars and meetings with NGOs and hawkers, they ask specifically for two things: street hawking zones and formal legalization of all the existing hawkers (i.e giving permits to all of them instead of a select few). These parallel and incongruous stances help CCS achieve different goals and success with different audiences. Arnoldi (2007) asks us to look at a small advocacy think tank as a "nodal statement disseminator, and 'impartational hub" (62), which tend to focus less on generating large-scale research and more on picking discrete ideas and brokering them in mass media. While the idea of private ownership of public space may sound appealing to free market sympathetic media, multilateral agencies like the World Bank and big corporations, ward level governance find friends in the emerging new urban middle class, elite Citizen Groups, and Resident Welfare Associations. The model of creating hawking and no hawking zones is advanced by other NGOs like NASVI, and here instead of facing the danger of being "ignored or dis-counted because the institution is perceived as rigid and predictable" (Weaver, 1989, 568), CCS changes its demand and asks for the designation of hawking zones that have been proposed by others. This is a move to adapt and form a place within the bigger NGO network. CCS representatives, only in front of hawkers, would mention legalization of hawkers, i.e giving all existing hawkers the legal right to practice their livelihood. Arnoldi (2007) rightly maintains that the discrete ideas of think tanks should not be seen simply as reproducing certain discursive formations or ideologies. There is one more logic at work here-- the logic of attention (62). CCS's different and conflicting ideas are promoted where ever they are

suited best to garner as much attention as possible. These insights are essential for understanding the hegemonic politics of neo-liberal think tanks.

Public space: From unruly streets to private roads

Gulick's first connotation identifies public spaces as those "properties where right of a private person to exclude another person from 'habitation' is suspended" (136). In Delhi, this notion of public space has its origins after the first Indian rebellion for freedom in 1857 when the British assumed power by overthrowing the last Mughal emperor. Prior to this era in the Mughal city of Delhi, the society was studded by different races, castes, communities, and religions, where bazaars, streets, squares primarily were "a male domain, were spaces of anonymity, identity, display, and interaction" (Chakrabarty 2002, Ballhatchet 1980, Kaviraj 1997, Hosagrahar 2005). Kaviraj (1997) maintains that the public/private division is a result of western concepts of modernity and is often conflated with traditional Indian cultural concepts of inside/ outside, own/others, self/not-self. He further calls Indian open areas 'spaces of common' instead of public space. Unlike western public spaces, which are based on the notion of universality of access, these spaces of common had their own inherent norms of inclusion. These space of common or indigenous public space were regulated by "a traditional logic of strict nonuniversalism" and " by logic of segregation and a strict doctrine of appropriateness and title"(90). However when the British took over, they deemed such spaces of common not only dirty, unhealthy, and unsafe, but also as spaces of opportunity where they could create "a secular publicness that aimed to celebrate the libertarian ideas of benevolent government" (Hosagrahar 2005, 55). Gradually, some public spaces (like newly constructed parks) in Indian cities became modern private

property of the state, accessible to all, irrespective of differences. This universal character, however, always was and is misleading as, instead of Hindu traditional logics of inclusion and exclusion, now it is the bourgeois state that formulates laws governing the use of its property. As Kilian (1998) writes, "such laws have usefully vague wordings [that] can be used and are enforced quite selectively…(may) legalize the practice of spatial segregation that developed independently of a law and that subsequently came to be seen as proper" (119-20). The disappearance of public space with regards to the conception of property would mean closure of property to "only those marginal social groups –street hawkers, sex workers, the homeless- who rely on it for their material maintenance" (Gulick 1998, 136). To explain it further, in pre-capitalist Indian societies, "the rich repertoire of concepts of common responsibility, obligation, and action" deemed beggars, homeless, and even street hawkers appropriate in the public space (Kaviraj 1997, 89). But in neoliberal Indian cities, instead of the traditional logic of inclusion and the doctrine of appropriateness, market rationalities frame the laws that define the terms of access to public space. For example, although CCS works for the cause of street hawkers, bemoans their eviction from public spaces, and often says that hawkers have a right to be in public spaces,[42] they outline a contradictory understanding of public space in *Law, Liberty, and Livelihood*: "This "factor of production", that is, the space used by the street vendors is often not designated or intended for their use, but has been paid for by the tax-payers' money and designated for other uses—streets or pavements for example. By using these spaces to hawk their wares, a "public good" is getting diverted to private use and a rent is being charged by those who have not invested in the public

[42] During my ethnography and interviews Amit rhetorically declared several times that hawkers have the right to be in the public space.

goods. This represents a diversion and deprivation of the tax payer's right" (Shah and Mandava 2005, 74).

Here CCS implies that the actual owners of public space, which at present unfortunately functions as a "factor of production" in the informal economy, are neither hawkers nor the State but the tax-paying citizens. By doing this CCS outlines its vision of who is qualified to be an actual citizen and who is not. Spaces, more particularly public space, have been known to be one of the important sites where "citizenship is forged, given meaning, contested, and changed" and yet the role of these sites in citizenship formation is overlooked (Marston and Mitchell 2005, Staeheli 2009). In the cities where neoliberal rationalities are just starting to penetrate into policy making, streets as public space become sites of intense upheaval where the meaning of citizenship is constantly rearticulated. Hunt (2009) describes how in Columbia, public space was recovered from street vendors in order to preserve it as a privileged site for citizenship. Here public space is conceived as an exclusive site "for citizens, thus intimately linking space and citizenship to a political space other than the national territory" (Gledhill 2005, Hunt 2006). Ong (2006) explains this further, saying that the "components formerly tied to citizenship- rights, entitlements, as well as nation and territoriality- are becoming disarticulated from one another and rearticulated with governing strategies that promote an economic logic in defining, evaluating, and protecting certain categories of subject and not others" (16). Of course, geographies of consumption have established how a certain kind of public space is produced in order to create the ideal consumer citizen. I will delve into this detail while discussing the next connotation of public space. First, here I want to bring attention to how CCS, through quotes like above, promotes the ideas of bourgeois

ownership of public space thereby rearticulating citizenship in terms of proprietorship. Urban governance and the state in many Indian cities are going through a wave of restructuring influenced by the changing conception of public space, and I will go into the details of this further while talking about the *bhagidari* system in the next chapter.

In the above quote, the "other uses" or the more appropriate use refers to the use of streets as roads that are meant only for commuting and fast transportation. CCS's version of streets is akin to Lefebvre's ideal "representation of space"--the space of planners, scientists, urbanists etc. Shetty (2012) writes that in the discipline of planning, the language of cartography is employed to plan urban areas. Here the streets are straight lines between polygons that represent private properties. The planners conceive of this space between polygons for passing through and nothing else. Anjaria (2012), agreeing with this view, maintains that "the street is an object of spatio-legal regimes and a technocratic gaze – of policy makers', planners' and engineers' visions" (8/13). However, it is important to note that CCS's notion of streets takes the view of government-sponsored planners one step further. CCS, in their publication *Law Liberty and Livelihood* book chapter called "Urban Land Management Plans: Master plan for Disaster" writes: "Planning tools think of the community as a static concept, which is why it is presumed that the future can be determined reliably and controlled by local and regional governments…the zonal plans prepared at the local levels and also land-use regulations don't integrate development as a fundamental element of the plan or planning process" (Shah and Mandava 2005, 173).

Indeed, the problem with planners is that they conceive of streets as public space with a functional value where they only serve as roads for commuting. CCS too

vehemently criticizes this sort of planning mechanism but only because the planners here don't give preference to the community. CCS bemoans how the community is treated as static, when in a real sense it is dynamic. What does CCS mean by dynamic? One may be led to believe that dynamic community should encompass all the actors that are present on the streets, for example, the upper and middle income propertied residents, lower income households, slums and informal houses that mushroom in and around formal neighborhoods, street performers who survive by creating scenes of spectacle, itinerant *yogis* and *sadhus*[43] who take refuge under a big street tree for many weeks at a time, gardeners and street sweepers who mingle with the local crowd at specific hours of the day, local *paan* [44] and cigarettes shops that attract idle urban onlookers, household help, maids, hawkers and vendors, rickshaw pullers. But unfortunately many of these people find no place in CCS's so-called dynamic community. CCS's community is one that knows how to "adapt and grow as per the changing needs and preference of the time" (173), i.e the neoliberal time. It is a community represented by the people who own the polygons along the streets and those who have adapted to the neoliberal rationalities and desire an ordered and neat public space. This community that is constituted solely of the propertied class has a bigger function to perform:

> In view of the performance-nuisance conflict inherent to the issue, a framework involving private property rights offers us the most effective policy solutions. Remember that most encroachments that happen- from hawkers to slums- are usually on public space owned by the government, spaces not vested as private property. Anything other than property rights based approach will not

[43] Yogis and sadhus are hermits belonging to various sects of Hinduism, who are often found roaming on the streets and taking refuge under big shady trees on the roadside to meditate or talk to their followers.

[44] Betel leaf stuffed with a variety of things such as addictives like betel nut, tobacco or coconut, and fruit preserves is smoked and consumed widely in South and South- East Asia.

> work in the long term and will serve only as a temporary solution. It is only private parties that have every incentive to seek negotiable and voluntary solutions for unforeseen problems (Shah and Mandava 2005, 85).

Here not only does CCS imply that the tax paying citizens should have more control over the streets than those who do not pay, they declare that the only solution to the problem of street vending is legal privatization of public space, that is, the streets. If the community owns public space wherever it exists, encroachment is not an issue. Here for CCS, the "right to be there" is exchanged with the language of "encroachment". In this regard, elsewhere CCS has called for the repeal of the Urban Land Ceiling Act (discussed in chapter 7).[45] Let me take a moment here to tie this vision of a private public space to my earlier argument on civil society and the state in the context of neoliberal India.

As discussed earlier, Chatterjee (1986) has described the Indian struggle for independence as a kind of passive revolution that after its success did nothing to eradicate colonial institutional structures or the pre-capitalist dominant class. This passivity was due to the relative weakness of modernizing the bourgeoisie who after independence were forced to form an alliance with the rich peasantry and the state's planning elite in order to lead the transformation. It was the state's planning elite or 'the body of expert' that were to helm Nehru's modernist nationalist vision via planned development, maintaining the relative autonomy and managing the competing interest of the bourgeois and other dominant classes. Gradually their relative autonomy started eroding and they began forming an alliance with the pre-capitalist forces in order to survive (Kaviraj 1984, 233). However, this state bureaucratic agency, which was still based on the colonial

[45] The Land Ceiling Act of 1976 prohibited concentration of urban land in the hands of a few people, aimed to avoid speculation of land and profiteering, and intended to bring about an equitable distribution of land to serve the common good.

institutional infrastructure, practiced domination through the non-discursive politics of command (225). Yet another important feature of this agency was that it "had feet of vernacular clay (227)." Fullar and Harriss (2000) explain this further-- "as the state expanded, a profound gap developed too between the bureaucratic elite, at home with the 'modernist discourse' which often corresponded fairly well with Weberian rationality, and the personnel at a lower level, whose 'vernacular everyday discourse' was not structured around the principle of formal rationality at all" (8). By the time policies are transferred to those "very low in the bureaucracy, they are reinterpreted beyond recognition" (Kaviraj 1991, 91).

CCS understands this phenomenon when it says "remember that most encroachments that happen- from hawkers to slums- are usually on public space owned by the government, spaces not vested as private property (Shah and Mandava 2005, 85)." What CCS through its advocacy politics is trying to do is get rid of the lower level of bureaucracy that has 'feet of vernacular clay' and readily give concessions to poor. In that way they are attempting to make encroachment of public space impossible. Instead of the lower level of bureaucracy controlling public space, CCS believes that private individuals with rich bank accounts should both manage and own public space. I will explain this phenomenon in more detail in the section on Resident Welfare Associations and the Bhagidar System in chapter 6.

Semiotic Public Space: From Streets to Shopping Spaces

The privatization of public space in the simplest sense means an exchange of entitlement to the use of public space from the hands of the government to private parties. But it does not end there. Free market ideology demands a certain type of public space in

which privatization results in actually changing the physical character of the space. Privatizing public space means developing a certain character in space that sheds the public nature, the open character that enables people to interpret it in their own subjective way. CCS explains its vision for privately owned public spaces:

> That streets can be developed and owned privately is not too far-fetched an idea. There are already numerous real world examples of private streets, which functions highly effectively. Like the private streets of St. Louis, the streets of shopping malls and shopping centers (even the aisles of groceries and department stores may be considered), gated communities or towns world-wide, and the rural roads owned by associations of property owners in Finland and Sweden (Shah and Mandava 2005 180-1).

In order to explain the implications of the privatization of public space or streets, let me introduce the second definition of public space by Gulick-- a "democratic semiotic space." Semiotic spaces are those in which artifacts correspond to a sign system that make them open to visual consumption and sensual experience. These are the places "where the meanings are mediated by the intentions of [three variants] - landscape architects, the practices of landscape inhabitants, and the latent 'systems' (such as a capitalist economy, imperial state or a modern totalitarian state) that govern the landscape's development" (Gulick 1998, 137). Perhaps inspired by Arendt's distinction between public space and social space, Gulick declares that the more one-dimensional and ahistoric the nature of the landscape, the less democratic or public is the character of the public space. For Arendt, the public sphere signifies "a world that is common to us… accommodating the political life, the life of freedom from bare necessities" (Arendt 1973 quoted in Donohoe 2003, 239). The private sphere, on the other hand, accommodates the necessities of life. In addition to the public and private sphere is the social sphere, where members of the society behave in adherence to shared norms. Social behaviors such as

shaking hands or standing neatly in a line are deemed proper. “The social realm is often confused with the public realm, but it in fact is exclusive of political action that is characteristic of the public realm” (Arendt 1973 quoted in Donohoe 2003, 239); the social sphere dismisses the multiplicity of perspectives and follows a common norm while the public comprises numerous perspectives of the ones who experience it and all who participate in it. A democratic semiotic public space in effect would be that space that lets itself be experienced and consumed “without exchanging in the formal process of commodity exchange (Gulick 1998, 135).” These urban sign systems are public because they do not govern, produce or surveil the desire of its subjects.

The semiotics of public space has been a dominant character in constructing Delhi. In 1863, the British established the Delhi Municipal Committee with an aim to reinvent the old city and make the changes not just appreciable but also aesthetically modern. They were soon disabused of any hopes to control and modernize the dense old city with its long history of settlement and the population’s growing disobedience, open protests, legal appeals, subversive construction, delays, and feigned ignorance (Hosagrahar 2005). With the transfer of the capital from Calcutta to Delhi, the British realized a need to restore to Delhi its lost ancient grandeur. Outside the old walled city they started building a city called New Delhi, a symbol of imperial power and peaceful domination. The non-democratic symbolic nature of the new capital of Delhi built by the British has not gone unnoticed by scholars (Irvin 1981, Jain 1990, Volwahsen 2002). Irvin (1981) compares Rajpath, then called King’s Way, with Grand Trunk Road (2600 Km) built by Sher Shah Suri in the 16th century, a major symbol of authority and administration: “The mile-and –a-half King’s Way, too, embodied an image of

disciplined action and achievement, recalling those straight roads that betokened authority over India" (251).

Post-independent Delhi's Master Plan follows the same interventionist biopolitical rationality, western modernist vision, and politics of segregation through arbitrary laws as well as semiotics that exclude the marginalized. Delhi Development Authority (DDA) was constituted in 1957 to manage the space of Delhi and its major task was to avoid any haphazard and unplanned growth. Baviskar (2003) notes that the Delhi Master Plan "envisaged a modern city, prosperous, hygienic and orderly, but failed to recognize that this construction could only be realized by the labors of large numbers of the working class poor, for whom no provision had been made in the plan"(91). During the 1970s, in the wake of the upcoming Asian games in 1981, a massive construction project was taken up to build flyovers and luxury apartments, and in these projects DDA violated many of its own regulations for creating symbols of national prestige. Delhi later hosted the Commonwealth Games in October 2010, which gave the government a good reason to push for and legitimize many infrastructure and urban-renewal projects (Dupont 2011) that could "finally put the city, and the country, on the world map" (Vinayak and Ghosh, 2006, 24). Bhan (2009) has noted how a series of media campaigns--such as the one by a leading newspaper *Times of India* called the transformation of Delhi from the "Walled city to World city"-- justified a ban on street food hawkers and vendors from the major areas of South Delhi.

Ironically, in one of the CCS research papers, Viniak and Ghosh (2006) acknowledge that the facelift of the city, that is, the aestheticization of the streets of Delhi has harsh consequences for the poor and marginalized. They explain how in an effort to

rise to global standards "there are numerous steps being taken to transform the face of the city, from better street lighting, to sleeker bus shelters to upgrading the airport. This effort is resulting in over Rs. 100 Crore[46] being spent on street furniture and landscaping alone (Roy 2006). This will give the city a much needed facelift in terms of utilities like bus shelters, dust bins, street lighting and park benches" (Viniak and Ghosh 2006, 26). However, the authors question this and shows suspicion that such "developments may be anti-poor, badly planned and ecologically unsound" (7).

With this let me direct attention to the unpublicness of specific public spaces that CCS aspires to create. Scholarly research shows that the privately owned public spaces of music halls, multiplexes, restaurants, clubs, tourist sites, shopping malls, gated residential communities and, more importantly, privately owned streets, are spaces of consumption that elevate leisure as a structural realm of everyday life (Mansvelt 2005, Ritzer 1999, Sorkin 1992, Zukin 1998). The coercive measures that regulate these semi-private public spaces such as video surveillance and security guards generally work well to exclude undesirable elements, but as Rose (1999) notes, "where consumption is the objective, coercive security would be a reminder of the fragility and futility of attempts to consume one's way to pleasure. Hence control must be designed- embedded in the very structuring of time, space and environment…artifacts such as flowerbeds, fountains, and street sculpture are both aesthetic objects, designed to manifest and induce civility in those who pass" (251-252).

[46] This amount converts to about $150 million.

The landscape of Delhi epitomizes 'India's mall boom'[47] with scores of shopping malls being constructed every year. Detilleux (2007) describes these spaces as the 'new temples of India,' dedicated to consumption and leisure where foreign retail chains, cinemas, and restaurants invite only the exclusive customers for whom these shopping delights are designed. "Window shopping and hanging out in the air-conditioned postmodernist environment" promote leisure as a new activity that can only be afforded and sustained by the upcoming middle class. Also, this kind of mall culture "promotes 'foreign' as superior to the 'domestic' and in turn, reflects and creates aspirations of 'success' as being embedded in global identities" (Dupont 2011, 543).

The Public Sphere: From Street Bazaars to No Hawking Zones

Indian streets defy the conception of streets as merely roads for commuters and pedestrians. Indian streets have functioned as part of the public sphere since time immemorial. A public sphere, according to Gulick (1998), is a place where citizens gather and engage in rational critical discourse to outline a common good, and also, where one experiences a sentiment of social solidarity. This third conception of public space is influenced by Habermas' and Arendt's work on the public sphere. Both maintain that the public sphere transcends the private realm where one is motivated by personal benefits. The public sphere is thus a springboard where the issues for the common good of society acquire public relevance (Calhoun 1992, 8). There is a deep relationship between the public sphere and civil society, as the former is an important component of the latter, a space where citizens can address each other openly. For Habermas, this

[47] See Anuj Kumar's and Sangeeta Barooah Pisharoty's article 'In the pursuit of pleasure', *The Hindu*,20 April 2008. (cited in Dupont 2011)

manifestation of the public sphere occurs via rational critical discourses where the public, or civil society, confronts the state, which before that had been an "impersonal locus of authority" (Habermas 1989). For Arendt (1973), however, this transformation happens when human beings act together in a space of appearance,[48] the public realm, a field of presentation and beginning, not necessarily discursive as in the case of Habermas (Curtis 2004). So for Arendt the space of appearance is like a public theater, a space of freedom in which human beings disclose themselves (Curtis 2004). Influenced by Arendt's ideas, I critique Habermas' notion of the ideal public sphere for privileging rational discourses in the public space. First, this often implies that the bourgeois public spaces must be open and orderly in order to facilitate rational discourse. Under this logic, in order to make an ideal public sphere for rational discourse, anything disorderly in the space must be tamed. I will discuss these disciplining techniques and their spatial implications in detail in the section on hawking and no hawking zones. First I explore the problem with giving primacy to rational discourse instead of alternate indigenous discourses that are based on native knowledge, sometimes influenced by religious beliefs and ideas of kinship. I believe that the traditional Indian bazaars, which served as spaces of openness (public space) were more politically discursive than CCS' closed and ordered public spaces such as malls and shopping centers. Chakrabarty (2002) writes how the sacred spaces of the inside were clean and secure as opposed to the outside spaces of the bazaar or 'chowk' which were dirty and ridden with ambiguity. The constant risk of a rebellion

[48] For Arendt the spaces of appearance are the spaces of freedom in which human beings are disclosed. (Curtis 2004)

demonstrated the political nature of public space. Similarly, Guha (1983) highlights the importance of rumors in the bazaar in the political mobilization of peasants during colonial rule. Attention has also been drawn to the tradition of folklore in public space that is not necessarily rational but is sympathetic to the logic of the culture (Muthukumaraswamy & Kaushal 2004). These works lead to the second critique of Habermas: he constructs a homogenous public sphere. Feminist theorists have recently brought attention to something Habermas failed to identify-- the "mulitpulicity of publics" or "counterpublics" and their role in democracy. For example, Franser (1992) explains:

> The point is that in stratified societies, subaltern counterpublics have dual character. On the one hand, they function as spaces of withdrawal and regroupment; on the other hand, they also function as bases and training grounds for agitational activities directed towards wider publics. It is precisely in the dialectic between these two functions that their emancipatory potential resides. This dialectics enables subaltern counterpublics partially to offset, although not wholly eradicate, the unjust participatory privileges enjoyed by members of dominant social groups in stratified society (124).

Indian streets have acted as spaces of appearances where multiple public and subaltern counterpublics exist at the same time. Hence, CCS' ideal public spaces such as shopping malls, entertainment parks and private streets lack the most essential character that makes a space public – multiplicity of political discourse.

Hawking And No Hawking Zones

The rationale behind a pro-hawker's NPSV is the contribution of street vendors to the growth of the urban economy. It states:

> Accordingly, the starting point for this policy is the recognition of the positive role of street vendors in providing essential commodities to people at affordable prices and at convenient places. It also recognizes the need for regulation of street vending by way of designated 'Restriction-free Vending',

> ‘Restricted vending’ and ‘No vending’ zones based on certain objective principles. Such regulation is consistent with the imperative to ensure free flow of traffic, smooth movement of pedestrians and maintenance of cleanliness and public hygiene while facilitating vendors/hawkers to sell goods/services at convenient locations frequented by the public (NPSV 2009, 2).

There are two key takeaways from the above statement. First, NPSV and its creators acknowledge the primacy of the services provided by hawkers rather than emphasizing the value of hawkers themselves. This rationale is ultimately anti-hawker because if the service value of hawkers is diminished in the future, the supporters of NPSV may withdraw their support for hawkers. Second, importance is given to fast-moving traffic, pedestrians, cleanliness and hygiene over hawkers.

Having highlighted how these inherent contradictions make NPSV’s pro-hawking pursuits anti-hawking in nature, now I will problematize the idea of creating hawking and non- hawking zones. For this, Timothy Mitchell’s (1988) concept of enframing, which he used to describe colonial spatial “acts of confinement, regulation and supervision of the population” (34) in 19th century Egypt, provides an excellent framework.

Containing Life in Abstract Space

Mitchell describes enframing as a “method of dividing up and containing, as in the construction of barracks or the rebuilding of villages, which operates by conjuring up a neutral surface or volume called space” (44). This kind of planning of the space-segmenting it and putting definite dimensions, introduces it as “abstract and neutral, a series of inert frames or containers” (45). Reading from Lefebvre (1991), I understand this abstract and neutral space as a space of instrumental rationality, something that is fragmented, commodified and homogenized by state planners, capitalists, and technocrats for profit. Altering the indigenous “order without framework” arrangement and creating

an abstract space makes space relate negatively to "that which perceives and underpins it-namely, the historical and religio- political sphere"(1991,50). These enframing practices of the city are an attempt to eradicate concrete or lived space, replace spaces of representation with the representations of space, and take away local space histories to create a hollow container where subjects become more visible and productive. Drawing on Foucault's work, Mitchell indicates that such enframing techniques are the panoptification of urban space. The new container space envisaged by the zoning practices are easily represented in plans, thereby putting in place a specific kind of spatial order. This kind of spatial order as Mitchell notes also produce and codify a "visible hierarchy."

So what is the Indian street culture and local history of urban street bazzaars that NPSV's zoning recommendations as an enframing practice encroach upon? Appadurai declares that "streets and their culture lie at the heart of public life of contemporary life of India … they encompass a huge range of activities from worship to business, from political protests to funeral and marriage processions" (1987, 13). Modern street culture has its origins in the pre-modern thoroughfares and small alleys. This rather cosmopolitan street culture emerged in the historical context of pilgrimage and religious travel.

Traditional Indian bazaars in modern times include roadside shrines and trees as sites of worship. A myriad of street actors such as barbers, ear cleaners, tea stall owners, knife sharpeners, cobblers, ice candy sellers, and balloon sellers roam the streets at different times of day. Streets are also stages of spectacle where various kinds of street performers, fortune tellers, snake charmers often attract passerby. There are hawkers who sell fruits, vegetables, cooked food, textiles, utensils, magazines, juices. Private acts,

such as brushing teeth, taking a bath, and washing clothes spill over from crowded houses onto the streets in densely packed neighborhoods. Also, Indian streets much like 19th century Parisian arcades are site of a kind of flaneurie, or to be more precise, sites of what Appadurai calls "organized idealness" (discussed later in the chapter). People, wealthy or poor, who have some time to spare during any part of the day come to hang out at the local *paan* and *beedi*[49] corner simply gazing at the passersby. Encompassing this variety of actors, the overarching characteristics of Indian street culture in the words of Appadurai are that "there is something shared, which justifies the use of singular. Two most important features of what is shared are the great range of activities that occur on Indian streets and give them their ambiance and the way that which street culture blurs the line between private and public life" (17). What he means is that the streets are "spaces of common" where life unfolds and every subjective expression is acceptable. This range of activates and multiplicity of subjective experiences form the basis of Indian street culture and public culture in general that zoning practices desire to order and segment.

Chandu, an itinerant vendor whose life biography I documented, let me follow him during the days to document his time spent on the street. While selling vegetables on the streets, Chandu manages to do all sorts of other activities. He practically lives on the streets, although he has a small shack in the nearby slum that he built with the help of loans taken from his wealthy customers, including my mother. While selling on the streets, he eats from nearby food stalls, listens to news on the radio while taking an afternoon nap on the pavement, plays cards and board games with fellow hawkers during

[49] *Beedi* is a type of indigenous cigarette.

non-peak times, and assists countless lost travelers and passersby with directions. During these lazy hours of the afternoon, Chandu mingles with not just other vendors but also with the nearby household help, plays street cricket with them and the rich kids, and sometimes helps them fulfill certain household tasks. Sometimes, even the female heads of household from the nearby residences call him to do work in their homes by changing a light bulb, helping in an upcoming wedding celebration, or fetching a locally made mortar and pestle from the nearby industrial district.

There is a specific kind of sociability associated with the streets, shared by lower-income hawkers, street sweepers, gardeners and upper or middle income residents that zoning practices of segmenting and abstraction erodes; in this way, the regulations are more anti-hawker than pro hawker. As mentioned above, these spatial orders produce and enforce a spatial hierarchy as the politics of zoning involves not just creation of abstract space but also the politics of outlining such spaces. Deciding which neighborhoods or roads should have a hawking zone and which should not, is not an a-political decision. For example, Ashok Vihar, a wealthy neighborhood in northwest Delhi, has forty-six Resident Welfare Associations (RWAs). In an interview with the treasurer of Ashok Vihar's main RWA that encompass all the smaller ones, I was told that members of different RWAs constantly fight with each other on various issues. One such issue is where to demarcate hawking zones. Each RWA wants a hawking zone in close proximity but not within its own territory. Also, wealthy households try to get their streets to be "hawker free." The president of the same RWA mentioned that people want to buy vegetables on the way home from the office. They don't want hawkers to be squatting near their own homes, but they don't mind if the hawkers are in a residential area as long

as they are near someone else's home. The city of Mumbai saw similar disagreements in 1998 when Brihanmumbai Municipal Corporation (BMC), the Municipal Corporation of Greater Mumbai, started allotting hawking and non-hawking zones. Rajagopal (2001) describes how residents of various neighborhoods revolted against hawking zones being placed in their neighborhoods. Some were powerful enough to send petitions to the courts requesting that the locations of hawking zones be moved. BMC reacted to these petitions excluding hawking zones from those neighborhoods. In fact, Rajagopal notes that every important hawking venue of the city of Mumbai was made into a non-hawking zone on the pretext of protecting public thoroughfares, parks, gardens and other entertainment attractions. Pertinent here is the discussion on the issue of the natural market that NPSV seeks to preserve. Bhowmik (2010) complains how the model act ignores the concept of natural markets. He writes:

> These markets spring up in places where the consumers find them useful. Hence there will be street vendors outside railway stations and bus depots. People returning from a tiring day at work would rather purchase their necessities from these vendors rather than make a detour and go to the market situated a few kilometres away. Similarly, there will be fruit sellers, food vendors, etc, outside public hospitals and fruit sellers and flower sellers outside temples. Hence natural markets serve the interests of the people and they are convenient. The national policy suggests that instead of forcibly removing such markets the municipalities should try to regularize them by allotting space. Unfortunately the model law on the other hand completely ignores the issue of natural markets (13).

Through support of NPSV, CCS accepts the importance of preservation of natural markets. In an interview, Ram mentioned that CCS is demanding the creation of a hawking zone in the natural markets--"We advocated the idea called the natural market…so that's why CCS has asked while demarcating hawking zones, the idea of the natural market also be considered. Let's say we have a temple, on a cross section. People go to the temple and while there, they can buy their groceries. There are streets that are

busy, where people while returning from work can buy the vegetables without taking a detour."

In this quote, Ram mentions the importance of natural markets and demands creation of permanent hawking zones in the spaces of natural markets. But the above discussion on the politics of enframing shows how the creation of hawking zones in the natural markets can be controversial because of the presence of RWAs. CCS itself in their publication *Law Liberty and Livelihood* describes the problems with the creation of zones in the natural markets because of commonly ensuing corruption. Shah and Mandava (2005) write that "invariably, some of the most profitable zones for hawking will lie within the no-hawking zones. And the hawker will keep returning there and will be willing to pay requisite amounts in the form of illegal payments to the regulatory authorities to enable them to start or continue their trade" (78-9). Of course, the solution that CCS gives to this problem is privatization of urban space and handing the Ward Committee, which is comprised of wealthy residents, the authority to delineate hawking zones. They argue that the residents or private interests will regulate the streets better than the government because they will not permit unlawful encroachment. This move is the most anti-hawker in the long term. I will discuss this further in the section on the politics of RWAs in the next chapter.

Dividing Space to Bifurcate the Social

The second feature of street culture that Appadurai discusses is the blurred boundary of public and private life. This very characteristic is eroded by the second spatial strategy of enframing described by Mitchell. Enframing creates a fixed distinction between the outside and inside, between the bourgeois interior and the public exterior.

Mitchell describes how colonialism in Africa tried to create fixed boundaries between inside and outside via domestic architecture and urban design, thereby codifying community, family, and gender relations in a manner alien to the African system of domestic order. In a similar vein Grover (2007) notes the development of public space as a discourse during British colonial rule in India. The new public spaces, although visibly not much different than the indigenous spaces of common, included some subtle and invisible differences that were significant. "By naming certain urban properties and spaces 'public,' drafting rules governing what activities could take place there, and enforcing these rules through new urban institutions, the colonial government created both a concept and a corporeal substance – public space - that had no prior history in Indian cities" (Grover 2007, 212). Also, unlike the western outside that was subject to control, surveillance and discipline, the indigenous outside is "not amenable to control. The exterior is abandoned to an intrinsic disorderliness. No order, rules, restraints can be expected there" (Kaviraj 1997, 99). Although the sensibilities of neoliberal India have changed and private acts such as bathing or urinating or sleeping are deemed improper in public space, these acts do not simply cease to happen. We can identify the creation of zones and enforcement of the boundary of inside and outside as part of a new wave of enframing practices, the first being the introduction of the concept of public space in India.

Initiating a Tourist Gaze

The last spatial strategy of enframing is to provide a place from which the individual can observe. The individual could survey the city, as a means of "abstracting and objectifying the built environment" (Myers 2003). This strategy forwards the idea of

the world as an exhibition and initiates a tourist gaze. This strategy through which the character of Indian streets that has been marked by a "profusion of personal encounters" (Ahuja 1997) is changed to not just cater to tourists and wealthy clientele but also turn an ordinary customer into an observer who is both inside and outside at the same time. One such hawking zone that I studied was Vidhyadhar Nagar *mandi* in Jaipur. The head of CCS, Parth Shah, invited me to study CCS's work for street hawkers, by spending time with Ram, the national coordinator of their *Livelihood Campaign.* Ram at that time had moved to Jaipur on request of the corporate funder for their project of street hawkers. The corporate funder wanted CCS to partner with another NGO which had already been working on street hawkers. Also, the state of Rajasthan, of which Jaipur is the capital, was perceived to be somewhat receptive and open to implement NPSV. Ram through his contacts with the other NGO learned of a model hawking zone which had been created about 8 years prior in a fairly wealthy, newly developed colony called Vidhyadhar Nagar. The hawkers of the *mandi* were resettled from a busy road near the city center which had been declared a non-hawking zone. Along with a six by six meter spot in which to hawk, the hawkers were given small subsidized residential plots just behind the *mandi*. They were strictly asked not to hawk outside the hawking zones if they wanted to retain their spots and residential plots. Although the *mandi* was not part of the street, it is important to study it as a hawking zone because most of the proposals for hawking zones by NGOs ask for spaces that could be constructed like a *mandi*, where hawkers squat in multiple rows between which the customers can navigate. Generally *mandis* sell only fruits and vegetables but occasionally one would find hawkers selling household supplies like utensils. Ram took me to the *mandi* with him on the very first day of my fieldwork. He

immediately assumed that I had come to him to help in his work for street hawkers and if I needed information from him, it was only appropriate that I help him in his work. Vidhyadhar Nagar *mandi* was indeed cleaner than any other *mandi* I had ever visited. I was introduced to the head of the *mandi*'s hawkers association, a man called Ghyan Shyam. Over the course of one month, I became friends with Ghyan Shyam, and had many opportunities to study Ram's interactions with Ghyan Shyam. Ram, when introducing me to Ghyan Shyam, explained how was trying to help him and the *mandi* conduct better sales. Ghyan Shyam mentioned that although the hawkers had proper spaces to squat and had licenses, they were not making enough money. In fact their sales had gone down in the previous 5 years and few customers came to the *mandi*.

Ghayn Shyam explained:

> "When we moved here we were very happy as we had our own fixed space to hawk. But looking back we regret it because we were doing much better business before. When we moved here this area was still being developed. Now there are so many posh colonies. A number of departmental stores have opened here like Reliance Fresh, Sudiksha, Handloom, More and people prefer to get their vegetables from there…within a few days of the opening of these stores, our sales went down. Now we cannot go back to our previous spots because there is no space to hawk there and even that place has all these departmental stores.
>
> Another big problem is that even though we have fixed hawking spaces in this *mandi*, we have a kind of secluded location. People cannot even see the *mandi* from the street as the gate is located in the back street. They have to go out of their way to make a visit to the *mandi*...and nowadays everyone is busy. They don't have time to make a special trip to the *mandi*…they would rather stop some place on their way to work or way to home to buy groceries. So for us one good solution is to relocate this *mandi* to a better location that has more accessibility and lesser number of departmental stores. Also we need basic amenities in the *mandi* like toilets. The government should provide help in keeping the *mandi* clean. Right now we are doing it ourselves with very limited resources that we have but if the government has made us settle here…than they should provide some kind of amenities (2010)."

Although Vidhyadhar Nagar was a fairly dense colony, wealthy residents didn't come to the *mandi*. Ghayn Shyam asked my help to understand the reason behind it. Meanwhile Ram proposed that I conduct a survey of 40 upper-income households to find out the reason they avoid the *mandi*. I was asked to prepare a questionnaire that would ask questions about the cleanliness of the *mandi*, behaviors of hawkers, and the quality of time spent in the *mandi*.

Before conducting the survey, I asked Ram what he thought the reasons were behind the reduced clientele of the *mandi* and what his suggestions were for increasing it. Over a month's time Ram outlined the reasons he thought the *mandi* had low clientele and discussed a number of suggestions that he thought of implementing in order to tackle the problem. During his explanations, he constantly compared the *mandi* with the newly opened department stores that were taking away the *mandi*'s clients.

The first problem identified by Ram was that the *mandi* is dirty. Although this *mandi* was cleaner than others, he maintained that it cannot compete with the modern department stores where great efforts are put into cleanliness, order and symmetry. Some of the customers agreed that department stores were cleaner than the *mandi* and that was the reason they liked to shop there. Ram suggested multiple solutions to revamp the appearance of the *mandi* to attract middle income groups. He said that the *mandi* should be cleaned twice a day. Sometimes the entrance is clogged by a herd of cows or group of stray dogs who feed on the refuse from the *mandi*, so care should be taken to keep stray animals out at all times. The items that are sold should be properly washed or cleaned if possible. The pavement used to display the products should be covered with clean cloths instead of old drab material. Measures should be taken to avoid dust blowing in the wind.

For example, water can be sprinkled twice a day to settle the dust already in the air or avoid further dust from accumulating. The vendors should make sure to bathe everyday and wear clean clothes. Ram never acknowledged that these measures could be expensive and laborious and never explained how the poor vendors would find funds to accomplish these tasks. Many people surveyed mentioned that *mandis* are generally dirty but they did not say that this deterred them from going. In fact some did not even know that there was a *mandi* nearby, as it was hidden behind a temple and the *mandi* was no allowed to put any sings on the busy main road. Also the entrance to the *mandi* was located on the side street where the lower income neighborhood starts and hence none of the residents from the wealthier areas were drawn there.

Another issue that Ram discussed was that very often people go to department stores to eat. Some of the retail department stores in Jaipur, such as Handloom, have a separate snack section where a variety of snacks such *pav bhaji*, *chawmine*, *chaat*, *chole bhature* are available for hungry customers. Many people go to the departmental stores for a quick meal or evening snack and end up buying their groceries in the same location. In order to attract these customers to the *mandi*, Ram believed that the character of the *mandi* should undergo massive change. It should function not as specialized vegetable market, but more like a fair or carnival. *Mandis* should not only allow snack vendors to put up stalls on their premises, they should also encourage people from their nearby community to put out stalls for traditional Rajasthani food like *dal bati churma*, *Sangar sabzi* and *bajra roti*, *halwa* and *badaam milk*. Also some games kiosks should be opened to keep the children entertained. Again, *mandis* should be cleaned daily so that they have

hygienic surroundings for people who want to enjoy a snack while they shop for their groceries.

All the above suggestions made by Ram imply that the wholesale vegetable *mandis* which have functioned as natural markets are no longer relevant in the age of retail stores and malls. These *mandis* now have to function like tourist spots, where the attraction does not end at buying. Spending time in the *mandi* should be a complete experience to the customers, where they are not just buying produce but observing the scene, and enjoying while observing. With this technique of enframing, Mitchell (1988) describes how "the relation of a person to the world (is) changed from being 'natural' to a 'careful and curious construction'. The subject (is) set up outside the facades, like the visitor to an exhibition, and yet (is) surrounded and contained by them. It (is) a position at once both of outside and inside…The world is set up before an observing subject as though it were the picture of something"(60). This artificial enframing attempts to create a space of representation dominated by commodity entertainment instead of other forms of social practices and relations. The subject here also undergoes change. As I mentioned before, the Indian street scene, maintains Appadurai (1987), is a site of organized idleness where people just gather and simply watch the activities of the street or random passersby. In fact, organized idleness or "hanging around is a highly cultivated aspect of Indian street culture, and here certain settings like *paan* and cigarettes shops are the key backdrops" (20). During the hours of hustle and bustle, "there is always a steady audience of those who are in no hurry to go anywhere" and can simple sit and gaze on the streets for hours while consuming numerous cups of tea and cigarettes from the local vendors. Enframing as a technique attempts to change this organized idleness into Flânerie.

In order to understand the difference between organized idleness and Flânerie, let me first explain what a Flâneur or Flânerie signifies. Western literature on shopping malls explains them as sites of collective dreaming, pleasure and diversion (Backes 1970). Malls are often believed to be characterized by a certain kind of strolling by the Flâneur. In his famous work on the 19th century Paris arcades in *The Arcades Project*, Walter Benjamin (1999) theorizes the Flâneur as a cultural being who took pleasure in strolling through the arcades where luxury goods and people were displayed for visual consumption.

Benjamin highlights the functional nature of the Flâneur as the consumer of the phantasmagoria, or the fantastic display of malls. I believe that the Flâneur is also a producer, for without him there would be no need for the phantasmagoria. Flânerie, an activity of the Flâneur, is strolling in the city, observing the landscape, people, their behavior, noticing small ephemeral things, and reading the city as text. Flânerie for Benjamin involved a dialectical image of the landscape: "We know that, in the course of Flânerie, far–off times and places interpenetrate the landscape and the present moment" (1999, M 2,4). It is possible to recognize a similar cultural identity as a near embodiment of the Flâneur in modern times and in completely different landscapes. According to Gluck (2003), the modern day Flâneur can assume diverse roles such as a privileged bourgeois male with a destabilized masculinity (Wolff 1990) or a detective investigating social space (Frisby 1994) or an urban consumer participating in mass culture (Schwartz 1998). However, in my opinion there is a subtle difference in the basic characteristics of the Flâneur and any other kind of observer, as the identity of Flâneur is tied to a specific kind of visual consumption that is only related to phantasmagoria and capitalistic

commodity culture. The figure of the Flâneur is believed to have disappeared from the streets of Paris. But Buck- Morris (1986) maintains that "if the Flâneur has disappeared as a specific figure, it is because the perceptive attitude which he embodied saturates modern existence, specifically, the society of mass consumption… and the Flâneur, thus, becomes extinct only by exploding into myriads of forms, the phenomenological character of which, no matter how new they may appear, continue to bear his traces" (104- 105). What this enframing technique attempts to do is change the indigenous observer, the one who participates in organized idleness, into a Flâneur who is active observer of nothing else but commodity culture and capitalistic display.

Another issue brought up by Ram during our conversations was how essential it was for the *mandi* vendors to trade their traditional scales for electronic machines. He maintained that these antiquated scales are sometimes faulty and create mistrust among the customers. Some vendors even use stones that they pick from the streets instead of weights. Ram also mentioned that the vendors should put fixed price placards in front of their produce in order to gain the trust of customers. According to him, customers get frustrated with the invariable bickering on the rates of products at the *mandi*. This was intriguing considering the fact that during the survey many of residents maintained that sometimes the department stores are more expensive than the *mandi*. Also, hardly any customers showed any concern about the weighting stones and scales and there was a general feeling of trust towards the poor vendors in comparison to the big retail stores. Two questions arise from this conversation. Why did Ram feel that changes in the weighing techniques from traditional to modern were essential in making the *mandi* successful, even though customers didn't note this as a deterrent? Why did the customers

prefer the big departmental stores in comparison to the traditional *mandi*, even though the *mandi* was often cheaper?

To answer these questions let me point to an observation made by Rajagopal (2001), who calls the hawker a contested figure in Indian modernity. This contestation is evident in conversations with Ram, who though tasked with helping hawkers, believes that the fact that the hawkers use pre-capitalist modes and technologies to sell their products makes them ancient in the circuits of the modern global consumerist world. Haggling, though not a big cause of concern in the eyes of the customers, appears disruptive to Ram. He maintains that it is important to avoid haggling and instead approximate more standard capitalistic exchange through fixed placards. This shift thereby changes the sensory experience between the seller and the customer from an auditory interaction to a fixed, visual, and disembodied mode of communication. Since hawkers change their rates for different customers, especially by charging more money for the same product when that are dealing with a wealthy customer, Ram argues that this change of communication will ensure customers trust.

Ghayn Shyam, however, did not seem to agree with the Ram on the issue of weights and scales. One day while explaining how the *mandi* is a better place to shop for vegetables, he explained the benefit to customers of having traditional weights and scales versus electronic ones:

> "These malls have electronic balances but we have traditional balances. So we end up giving 10-20 grams extra to the customers. You will ask how? Let me explain it. Here in the *mandi*, we first weigh the produce, then put it in the bags, but in the malls, they put things…like even 2-3 green chilies in the bag and then weigh it. Since the price is all electronic, you can't change it. Also, if the produce is 1kg 10 grams, they will charge for that same quantity, but with us if the produce is 1kg and 50 grams, we will only charge for 1 Kg. So we always round off. The malls cannot round off as they have electronic scales. Also with us if the

> customer has purchased vegetables worth 105 rupees, they will only hand us a 100 rupee bill and tell us to forget about the rest...we are totally comfortable with that. Can you do that in a mall? Absolutely not! (2010)."

This fact was confirmed during the customer survey. Many customers maintained that the *mandi* had cheaper produce than the supermarkets. One customer said that "it does not mean that they are poor so they will be thieves. In fact they have more morals than the rich people in department stores. And let's say they make a rupee or two more, because of the weights…but they quickly adjust it. They'll give us free cilantro, garlic and green chili with other vegetables. What's the harm in that?" There were a handful of customers who did acknowledge the practice of differential rates and faulty scales used by hawkers but they were quick to point that that it did not bother them much. According to most customers a different kind of capitalist seduction is taking them away from the *mandi* and to the retail stores.

Rajagopal (2001) discusses these seductions in an essay on the violence of commodity aesthetics on the lives of hawkers. The department stores employ aesthetics in display of products for consumer seduction and meticulously control the points of purchase in order to increase the power of sellers. Systematic display of goods, proper labeling and stamping of produce, and seemingly standardized pricing of the products on placards build layers of meanings to the act of purchasing. In contrast, the *pherewalas* has only himself and his limited produce as the mediating agent. And in this process he reminds the modern customer of something pre-modern and pre-capatalist with no formal display of pricing system and no formal contract.

Secondly, when a customer buys from a vendor, he or she makes auditory as well as visionary interactions evoking "multiple registers of accent, cadency, pitch and tone"

(Rajagopal 2001, 98). In contrast, in modern department stores, vision is the only sensory interaction allowed and the customer makes a decision based in what he or she sees is on display. Thus the power of the seller increases as the customers are only allowed to employ their gaze to make decisions on what to purchase. In an odd way this order makes the customers falsely believe in their own power as subjects. Here again the world is set up as a picture of something. This enframing technique, according to Mitchell (1988), creates a picture where "its order occurs as the relationship between observer and picture, appearing and experienced in terms of the relationship between the picture and the plan or meaning it represents. It follows that the appearance of order is at the same time an order of appearance, a hierarchy. The world appears to the observer as a relationship between picture and reality, the one present but secondary, a mere representation, the other only represented, but prior, more original, more real" (60). Ram wants this kind of relationship between seller and customer in the *mandis* too. He suggests that the vendors of the *mandi* should be given an etiquette tutorial where they are taught not to haggle, and be extremely polite with the customers. "Speak only when you are required. Don't go on to telling your life story…my mother is sick and my children are hungry." As the customers become tourists, vendors are asked to become absent negotiators who like department stores should only using display or an appearance of order to communicate. But is this transformation actually possible? During the survey, a customer eloquently proclaimed "*mandis* can never become malls!" In Chapter 7, I will discuss the politics of department stores and malls and the stance taken by CCS to deal with the conflict between *mandis* and department stores.

Conclusion

In this chapter I have discussed how CCS and NPSV aim to transform the rich social spaces of the Indian street into the compartmentalized and segmented space of capitalist production and consumption. I have discussed this phenomenon using three connotations of public space in the context of India. First, public space is a public property owned by the state, second it is a democratic semiotic landscape, and third it is a sphere of rational critical discourse where citizens "experience sentiments of social solidarity in public sphere." I showed how CCS's recommendations on managing public space dissolve the public character of each of these three connotations. In the second half of the chapter, with the help of the concept of enframing developed by Timothy Mitchell (1988) I problematized NPSV's proposal to divide the Indian city into hawking and non-hawking zones. Mitchell developed the concept of enframing to describe the 19th century imperial practice of colonizing Egypt through dividing, segmenting and compartmentalizing social space. Through my ethnographic fieldwork I show how NPSV and NGOs and think tanks such as CCS practice enframing techniques to colonize the social space of Indian cities for the global capitalist economy.

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Chapter 6: Analyzing NPSV as Passive Revolution: Problems with Participation

Introduction

Gramsci referred to the adjustments made in the historical process to reproduce capitalism as passive revolution. This technique of statecraft involves two discrete but interrelated processes both working towards the same goal (Gray 2010)--the survival of the capitalist state. The first process involves the "historical fact of absence of popular initiative" and refers to "a revolution without mass participation, or a 'revolution from above', involving elite-engineered social and political reform that draws on foreign capital and associated ideas while lacking a national popular base" (Morton 2007, 41). The second process, is related to the reproduction of hegemony by "seeking to both forestall and at the same time adopt subaltern demands, yet without bringing those subaltern groups into the ruling historical bloc" (Gray 2010, 454).

NPSV represents both of these processes. On the macro level, the formation of NPSV represents a historical necessity that has been created with the advent of neoliberal policies that have brought foreign and corporate funded NGOs and think tanks to the forefront. The aim of this "third sector" is to take up the role of governance while seeking to reorganize the state, society and space. But this reorganization is accomplished in the face of mass deprivation of the poor due to growing disparities of income and access to basic amenities. At the same time, poor are attaining class consciousness which has been brought about by the voting rights associated with the democratic process and the

promise of citizenship. Hence, NPSV's true purpose is also to sedate the growing demands of street hawkers.

NPSV is touted by its proponents as a participatory development strategy through which street vendors would become empowered. It asks for the creation of Town Vending Committees or Ward Vending Committees with active participation of hawkers to take care of the issues associated with street vending. NPSV as passive revolution represents "a type of politics in historical moments that are full of possibility for radical change, but that ultimately takes the initiative away from radical social forces" (Gray 2010, 43). I believe that this participatory discourse is a kind of passive revolution that fortifies the existing systems of marginalization and exploitation and actively creates new ones that intensify stratification of society. The discourse of participation in NPSV hides "donor-driven, predetermined categories of people and activities that do not allow much flexibility for changing existing power imbalances" (O'Reilly 2006, 1082). Just as Nash (2013) has shown in the case of municipal participation in South Africa, in this chapter I will show how the current model of participation envisaged by NPSV speaks to Gramsci's passive revolution theory because it allows only forms of participation which elite NGOs and the capitalist state deem acceptable. NPSV falls short of ensuring that hawkers have the opportunity to fundamentally shape their own politics. In the following pages, I will analyze the nature and role of the TVC or WVC that is laid out in NPSV and while doing so, I will describe how this kind of "invited space" in effect is anti-hawker and anti-hawking. The second part of the chapter is dedicated to Resident Welfare Associations that form a part of the TVC. I will discuss how their modernist and elite urban imaginations have created an environment of distress for hawkers and so including

them in the participatory process to achieve hawking solutions for vendors can actually attain the reverse result. Lastly, I will discuss the entangled space of informality that hawkers confront every day in order to prove that reforms like NPSV will do little to solve anything on the ground.

Structural problems with Town/Ward Vending Committee

NPSV describes the nature, constitution and role of Town Vending Committees:

Box 6.1: NPSV directive of Town/ Ward Vending Committee.

a) Designation or demarcation of 'Restriction-free Vending Zones'/'Restricted Vending Zones'/No Vending Zones' and Vending Markets should be carried out in a participatory manner by the Town Vending Committee, to be established at town/city level. A TVC should consist of the Municipal commissioner. Executive Officer of the urban local body as Chairperson and such member of members as may be prescribed by the appropriate Government, representing firstly, local authorities; planning authority and police and such other interests as it deems proper; secondly, associations of street vendors; thirdly, resident welfare associations and Community Based Organizations (CBOs) (rwa and cbos don't include lower income residents); and fourthly, other civil society organizations such as NGOs, representatives of professional groups (such as lawyers, doctors, town planners, architects etc, representatives of trade and commerce, representatives of scheduled banks and eminent citizens.

This Policy suggests that the representatives of street vendors' associations may constitute forty percent of the number of the members of the TVC and the other three categories may be represented in equal proportion of twenty per cent each. At least one third of the representatives of categories of street vendors, resident welfare associations and other civil society organizations should be women to provide a gender focus in the TVC. Adequate/reasonable representation should also be provided to the physically challenged in TVC. The process for selection of street vendors' representatives should be based on the following criteria:

- Participation in membership- based organization; and
- Demonstration of financial accountability and civic discipline.

As mentioned in NPSV, Town Vending Committees (TVC) need to be constituted at the City/Town level. NPSV further states that the TVCs may constitute, in such a

manner, and for such purposes as it deems fit, Ward Vending Committees (WVC), if required. Let me take a moment to describe wards as administrative units. Often called the third tier of democratization, electoral wards are the smallest unit of government, represented by locally elected councillors, brought together by the city council. After the 1991 economic liberalization, in an effort to decentralize urban governance, the 74th Constitutional Amendment laid down a list of activities that different state governments could delineate for ward committees. In my opinion, NPSV's demand to create TVCs and WVCs based on the administrative unit of wards poses many problems. To begin with, the very provision for creation of TVCs is ambiguous and unspecified. What is supposed to be the size of the TVC in a big town with no wards? Or for that matter, how many TVCs or WVCs can exist in a big city with multiple wards? For example, Delhi has 134 wards. Will each ward have its own WVC? If yes, who will arbitrate disputes between different WVCs? How much authority does each WVC or TVC have within the larger Ward Committees? If WVCs and TVCs are supposed to function as a component of the larger ward committee, shouldn't the level of success or failure of the ward committees in general be evaluated first? Further, even though CCS supports the creation of TVCs and WVCs through its support for NPSV in front of the larger NGO community, it does not mention vending committees at all in its publication *Law, Liberty and Livelihood* and maintains that the larger ward committees alone should manage hawkers. To quote: "In advocating ward-based ownership of public space, we build on the Draft National Policy on Street Vendors' recommendations of regulating hawkers by Ward committee" (85). Also on their *Jeeevika* webpage in an essay called *Livelihood Freedom Campaign*, CCS writes:

> Centralized decision-making can never accommodate preference of all members of a community. In this context, it is important that the locus of decision-making regarding the use of public space be changed from a single municipal body to multiple wards. The ward committees are a good example of decentralized, local, participatory government. Comprising of elected members representative of a hawkers union, RWAs, MTAs, Housing/Cooperatives etc. and citizens of that ward who elect the members of Ward Committee, they enable people of a specific ward to know its problems, to identity its need and priorities them and take decisions on subjects which can best be handled at that level. The ward committee can collectively take decisions, among other things on where and how many hawkers and rickshaw pullers they want in their area. This is a much better option that decisions based on bureaucratic whims that arbitrarily decide which market comprises encroachers who need to be evicted. [50]

Various studies and research undertakings, including one conducted by CCS, have concluded that the functioning of the Ward committee is ridden with many problems. The fact is that the provision in the 74th Constitutional Amendment (CAA) to set up ward committees across all states of India has had limited acceptance and enactment. According to Kundu (2011), there are many cities in India where ward committees don't even exist. Moreover, in some cities where they do exist, committees are non-functional or structurally flawed. This is perhaps because of the fact that CAA never clearly laid out the specifications of the scope and functions or compositions of the ward committees, and every ward committee is different. Scholars have also noted that the sizes of the wards in some cities are too large to manage (Tava Lama-Rewal 2007, Ghertner 2010, Kundu 2011). Often several wards are included together to create one ward committee. Tava Lama-Rewal (2007) maintains that ward committees often operate on a scale defying the very notion of proximity. When several wards are grouped together, the size and population become difficult to manage. For example, in the case of Delhi, only 12 ward committees have been created to manage 134 wards. The average population represented

[50] http://jeevika.org/livelihood-freedom-campaign/ last accessed on July 8th 2013

by each ward committee is slightly more than a million (Mathur et al 2006), a number too big to handle. Mathur et al, participants in the CCS held workshop *Ward Power: Reforms in Urban Governance* and contributing authors in a CCS publication of the same name write "barring WCs in Kerala and West Bengal, urban decentralization has not actually meant devaluation- the transfer of responsibilities as well as power and finance- but mostly it has been deconcentration: the half-hearted creation of new bodies which are more like field offices controlled by the central city. They have very limited tasks, powers and funds, hence little autonomy, and are dependent on and accountable to central city corporations" (Wit 2005,12-14 cited in Mathur et al 2006, 20). The inability of ward committees to start the decentralization process is further aggravated by the growth of middle class activities through Resident Welfare Associations (RWAs). In the case of Bangalore, Smitha (2010) has noted how RWAs tend to undermine "conventional democratic channels" by playing in opposition to local leaders such as incorporators, members of wards. Gherthner (2011) found that in Delhi some RWAs in the Bhagidari system tend to get as much money as the elected councillors of particular wards through a fund called "My Delhi, I Care." In this way, RWAs have increasingly started functioning as "de facto representatives of wards and neighborhoods and bestow official sanctions on middle-class urban development norms" (525).

When the successful creation and functioning of WCs is a halted process, why does CCS ask ward level management of street hawkers for the solution to the problem of hawking? In a similar vein I question the assumption by proponents of NPSV that the creation of TVCs and WVCs will be an easy, quick and efficient process when the larger Ward Committees have failed to materialize in many cities.

Another problem with NPSV is that it seems to limit the democratic process in many ways. For example, the head or the Chief Executive Officer of each TVC/WVC is a commissioner and not a councillor. While a councillor is a locally elected representative, a commissioner is a senior IAS officer who is nominated by the state (or the center, in the case of Delhi) and is in charge of framing policies and drafting budgets. This kind of internal structuring of TVCs and WVCs mimics the organization of the larger Municipal Corporations in most Indian cities with the exception of Kolkata. To explain this further, the Municipal Corporation of Delhi has two wings. The "deliberative wing" is headed by the Mayor, who is selected by the elected councillor and has limited financial controls, and mainly performs a consultative role that frames thematic committees. The Commissioner is the head of the executive wing, and is actually in charge of framing policy and drafting the budget. In Delhi, because of the presence of a strong central government, the Government of India controls most important decisions through the Ministry of Urban Development and elected councillor do not have direct input towards urban planning. Since the local population elects councillor, they are suited to represent people's needs and demands Commissioners, on the other hand, are extremely educated individuals who have earned their entry into administrative services through highly competitive Civil Services exams designed along the lines of the British Civil Services exam. The commissioners in most cases have a modernist vision emanating from the western centric model of modern education that views urban poor such as hawkers and rickshaw pullers as deviant from the modernist urban utopia. Locally elected representatives or Member of Legislative Assembly, however, have to heed the demands of residents including the urban poor--even if they do so solely for electoral gains. This

imbalance of power between the elected members and selected executive members within MCD is apparent when we look at the numbers. A Municipal councillor has an annual budget of approximately 7.5 million (USD 150.00) and each MLA about 20 million rupees (USD 400.00) to spend on development projects in their area. However, these projects must be approved not only by the executive wings of MCD, but also by the Government of Delhi constituted by the commissioner and deputy commissioners and other state and center appointed executives. For this reason, much of the funds go unused before the end of the fiscal year (Ghertner 2010). Hence building TVCs or WVCs on the model of the MCD, with an elected commissioner at the helm, undermines the democratic participation of thousands of poor who vote to elect the councillors to represent their interest in urban planning. Now NPSV also states that: "other participants of TVC include local authorities; planning authority and police and such other interests as it deems proper." As one can see, this group of highly educated and accomplished people is also mostly constituted of non-elected members of the urban elite. In the next section, I will explain how the elite politics of the new middle class is a growing threat to the livelihood of hawkers and other marginalized groups and how the structure of TVCs limits democratic potential.

Politics of RWAs: The New Middle Class and the Bhagidari System

One significant group involved in TVCs is supposed to be the elite Residential Welfare Associations. Scholars have started to give increased attention to the politics of the *Bhagidari* scheme that calls for citizen participation in governance in Delhi, the growing power of RWAs, and the fact that slum dwellers and urban poor have been adversely affected by such changes. The next level of scholarship should demand an

inquiry of how these new developments and policy changes are getting translated into secondary policies on the use of urban space. It is especially important to analyze these connections with regards to secondary policies that are created for the advancement of the very people who have been marginalized by the first set of policy changes. And in these cases, scholarship should attempt to identify connections between these two levels of policy spaces and investigate if and how the former predetermines and dictates the terms of the latter. I start my analysis with a brief discussion on the evolution of new middle class and then move on show how the *Bhagidari* scheme and the rise in the power of RWAs are representations of the new middle class. I will then explain how the *Bhagidari* scheme is attempting to transform Delhi into an entrepreneurial city.

Evolution of New-Middle Class

The rise of new middle class, its politics and practices, is a subject that is increasing being dealt with by scholars who study urban India. Fernandes (2004, 2006) in her brilliant analysis of Mumbai discusses the spatial politics associated with the rise of the new middle class and how changes in the cultural practices of consumption and lifestyle are associated with the restructuring of urban space. The "politics of forgetting" refers to "a political-discursive process in which specific marginalized social groups are rendered invisible and forgotten within the dominant national political culture" (2416).

The new middle class, maintains Fernandes, arose with the economic policies associated with liberalization. This social class is identified more for its culture of consumerism than on the basis of its income. An income-based definition would include additional groups in the middle class, such as rural farmers, shopkeepers, and small traders. However, the members of this new middle class work for foreign banks,

multinational companies, speak English, and consume modern day commodities such as cars, televisions, and cell phones. This does not mean that the social groups within the broader middle class are excluded. In fact, the new middle class serving as an ideal social class with fluid boundaries tempts other groups to adapt in terms of lifestyle and cultural practices in order to get access to this new category.

Fernandes maintains that this new middle class has distinctive cultural practices and lifestyles and hence they are involved in an urban politics that demands spatial restructuring according to their desires. For example, the urban landscape has come to be dominated by a) service-sector-related industries and b) entertainment industries such as malls, clubs and bars, bowling alleys, games parlors, and ice-skating rinks. This kind of landscape is also actively guarded by the state to keep the poor and unwanted out.

The state's role involves not only maintenance of the space that is being constructed by the desire of the middle class. In fact, the desire, attitudes and preferences of the middle class are related to the wider global restructuring that has been unfolded through economic liberalization. This state-led liberalization has rendered many laborers from organized sectors and previous manufacturing industries jobless and marginalized from the economic benefits of the new structural changes. So the miserable condition of the marginalized in many cases owes its existence to state-led reforms. Hence, the state is actively involved in the politics of visibility and forgetting.

In the next few pages, I will explain the emergence and politics of RWAs in Delhi through the evolution of the new middle class. While I concentrate my analysis on Delhi, the rise of RWAs is a nationwide phenomenon[51] through which the new middle

[51] Read Anjaria (2009) on Mumbai, Nair (2005) on Bangalore, Ellis (2012) on Channie.

class organizes itself and attains class consciousness. Although NPSV requires RWAs to be only a small percentage of TWAs, I will make apparent that the presence of RWAs and other non-elected members of the new middle class will undermine the participation of street hawkers in the committee by swaying the general tone of the conversation towards the interest of the urban middle class.

As in its publications, CCS demands that RWAs should take a greater and more active role in not only vending committees, but also over all urban planning. Through my ethnographic fieldwork and interviews, I will demonstrate how this move is going to be anti-hawking since the politics of RWAs affects hawkers adversely, both directly as well as indirectly.

The rise of RWAs can be traced back to the introduction of the *Bhagidari* system in Delhi. The conception and hatching of *Bhagidari* took place in an environment of economic liberalization that actively produced and enlisted vigorous debates on good governance, citizens' participation, deepening democracy and most important of all civil society initiatives. Literally meaning "partnership", *Bhagidari* signifies "citizens-government partnership" and was introduced by Delhi's Chief Minister Sheila Dikshit in 2000. The initiative was created under the guidance of the Asian Centre for Organization Research and Development (ACORD), a for-profit consulting organization with expertise in "change management, strategic planning and the human development" (ACORD 2006, cited in Ghertner 2011). Three main participants of *Bhagidari* are the Resident Welfare Associations, Markets and Traders, as well as Industrial Associations and Municipal, State and Central government bureaucrats. Only associations of authorized colonies are granted affiliation to the *Bhagidari* scheme. According to Dikshit, by 2007 the scheme

included around 1,600 elite citizens groups representing about three million of Delhi's population (Ghertner 2010). Through a series of workshops organized according to administrative zones, the scheme attempts to create a space where participating citizens interact with state bureaucrats from different government departments. Under the good governance rhetoric, the citizens discuss and come up with demands surrounding water, sanitation, electricity, environment and security. As we can see, association and participation to Bhagidari is only granted to propertied citizens, while the unauthorized colonies or slums are given no space in this partnership. In this way *Bhagidari* is creating its own spaces of legality/illegality through inclusion and exclusion. It is easy to draw parallels here with the anti-corruption movement led by Anna Hazari that I discussed in Chapter 2. Relying too heavily on the associational characteristic of civil society, both the movement downplay democracy and social inclusion. Also, both movements are undemocratic and hegemonic. Srivastava (2009) maintains that "*bhagidari* produces its own version of urban citizenship and space" (343). Like many other civil society movements, this movement is hegemonic as it too drives the project of neoliberalism in urban space. In fact, I believe that Bhagidari and RWAs epitomize civil society movements that have very serious implications for how urban state and space are accessed by the poor. In the next few pages, I will discuss this while drawing on geographical scholarship on the neoliberal city.

Bhagidari can be seen as assisting what Brenner and Theodore (2002) call weakening of the "taken for granted primacy of national scale" and increasing the importance of urban scale so that cities instead of the nation are producing social identities (20). According to Leitner et al (2007) a neoliberal city is conceptualized in

terms of three characteristics. First, it is an entrepreneurial city, competing with other cities for foreign investment, innovations and the "creative class" (Florida, 2002; Leitner 1990). Second, the municipal bureaucracies involved in the mission of social progress are being replaced by quasi-public agencies that incite inter-city competition and promote economic development instead of social wellbeing. (Brenner & Theodore, 2002, Leitner & Sheppard 2002, Smith 2002). Third, its citizens are neo-liberal subjects, an "entrepreneur of himself or herself" (Gordon 1991, Ong 2006, Isin 1998, Keil 2002, Larner 1997). In next few pages, I will show how Bhagidari and the rise of RWAs are a product as well as enforcer of these changes.

Before I begin my analysis, I want to describe the sentiment of RWAs towards street hawkers in their own words. Vignette A will provide a background to various discussions in this entire chapter. In an interview, the head of Ashok Vihar's main federation of Resident Welfare Associations, described his views of street hawkers:

Box 6.2: Vignette A

Obviously, hawkers pose a lot of problems for the residents and they are in fact involved in all sorts of crimes. Big crimes, small crimes- you name it, all types of crimes! They roam around here and they know who is present in the house, what time he goes and what time he comes back and so they commit theft. Actually they should be banned, government should take very strong steps and say there should be no hawkers and vendors. If at all they have to come, there should be some kind of authenticity with the RWA, and they should be verified by the police for their credentials. The police should give a certificate that this hawker is identified as such and such person, and this is his home address. So at our end what we have done is that we have fixed times when they can enter our neighborhoods. We try that these times are such that there are male members in the houses...so that the hawkers cannot indulge in any kind of criminal activities. We have also filed public litigations against the slums that surround our neighborhoods. We won the case in high court some years back and we constructed a wall separating us from the slums. These slum people try to break the wall and enter our neighborhoods. A few years back, an entire family of 4 people was murdered one night of Diwali. Fortunately for us, we have won the case again and contempt has been admitted,

the departments have been taken to task, and something will be done very soon about the slums.

The problem with giving license to hawkers is that suppose there are 100 hawkers and you give license to 20 and you are not able to give license to the other 80 because you are not able to find out where they live, what will happen then is… because of the limited competition, those 20 hawkers will sell potatoes for Rs 30 instead of the earlier price of Rs 20.

Let's talk about the sweepers and gardeners. All the street sweepers and gardeners are employees of MCD. Earlier they used to come and go on their own will. Now government has introduced a biometric system. Sweepers and gardeners have to come and put their thumb imprint or sign in the morning and at the time they leave in the evening. But what has happened is that they sleep in the park even with they are on duty. Now what we are telling the government is that we have so many senior citizens in our RWAs. These people are retired and are at home all the time. Why not give the accountability of the street sweepers and gardeners to us. These people should be accountable to the citizens and not MCD because we can do a better job of making them work. In this way the whole of Delhi is going to be neat and clean. This is what we are asking and our demands have come in the newspapers many times...in Hindustan Times, Times of India etc.

Secondly, MCD should let us set the priorities of the money that is supposed to be spent... let's say Ashok Vihar. Right now they don't do a good job in allocating money for different projects. Like recently MCD people stated ripping out the signs from the road dividers and putting new ones in. No one does that in the US. I've traveled in the US for 2-3 months and no one does that. It only happens in India. If we are in charge, we won't let it happen. The third issue is that the payment to any government contractor can only be made by the government once RWA has given a certificate of satisfactory execution of their work.

The Competitive City: The Making of a World Class City

The entrepreneurial city is a city which is involved in urban competition to attract the flow of people and capital and hence embarks on the route to liberalization, privatization and "demunicipalization and recommodification of social and economic life"(Harvey 1989, Leitner 1990, Macleod 2002, Prytherch 2002). Also, in order to promote growth, the city must be sellable and so "marketing and urban imaginary are fused with the economic and cultural dynamics of urban entrepreneurship" (Zukin 1998

as sited in Prytherch 2002, 117). This urban imaginary is actively propagated through terms like world class city and global city, which according to Birkinshaw and Harris (2009) "further manufactures and normalizes the idea that the neoliberal urban development model is replicable and sustainable" (cited in Ellis 2012, 4).

In a study conducted by the Confederation of Indian Industries, Delhi was ranked the most favored business destination in India (Ahmed 2011). Since 2000, the National Capital Region, which includes Delhi and its satellite towns acts as a "strategic node to the global economy" by attracting as much as USD 35.66 billion (19% of total) of Foreign Direct Investment, second only to Maharashtra.[52] In light of these developments, scholars have started to document the transformation of Delhi from "walled city to the world-class city" (Baviskar 2006, Bhan 2009, Ghertner 2010, 2011, Dupont 2008, 2011, Ahmed 2011). Lately in anticipation of the Commonwealth Games, this transformation has been very rapid with major newspapers and city government taking part in active media campaigns built on this rhetoric. These narratives are predominant in Bhagidari workshops where all of the members - elite citizens, government officers, and executives participate amidst the language of the world class city. Ghertner (2011) quotes a speech made by a director of a *Bhagidari* cell during a workshop that was inaugurated by Chief minister Sheila Dikshit.

> It is time to showcase the city, to showcase the country in the city. The Beijing Games are coming before the Commonwealth Games in Delhi, and you can count on China showcasing its economic and military power. This is what countries do. The 1986 Asiad Games [hosted in Delhi, in 1982 not 1986] did this for Delhi. The city's first two flyovers came then. Color TV first came to India then. Now, we will construct 24 new flyovers before the Commonwealth Games .

[52] Times of India, 17th February, 2003 "NCR, Maharashtra got half of total FDI inflows in last 12 yrs"

> . . Sports offer a stimulus to get any upgradation done: wider roads, the Metro, new stadiums — improving the city. We are here today to make sure this happens, to help make Delhi the best city, a world-class city (Director of *Bhagidari* cell 2006 quoted in Ghertner 2011, 184)."

The competitive edge of the city, according to Harvey (1989), involves creation of an attractive urban imaginary. *Bhagidari* advocates urban entrepreneurialism that is premised upon the marketing of a green and clean Delhi. Its workshops often begin with the 'bhagidari song': *Hawa sudhar gayi, sadak sudhar gayi…har mushkil ki hal mikali, Bhagidari se bhagidari nikali..Meri Dilli main hi sanwaroo…officer aye, etc* ("the air is cleaner, the streets are better…a solution has been found for every problem, *Bhagidari* has led to sharing…I will nurture my Delhi….Officers visited, etc"). Srivastava (2009) mentions that this folk song is based upon a village folk tune, encouraging the urban citizenry to imitate close bonds of rural community in order to improve their city. Indeed this song is very telling of the urban "citizens movement", labeled by scholars as "middle-class environmentalism" that Delhi has witnessed with the introduction of neoliberal policies. As scholars have noted elsewhere, long standing forms of socialization in the city have faced assaults from neoliberalism, however Gough (2002) debates that socialization has not been completely erased but reconfigured by neoliberalism. In fact, "new forms of socialization in production and reproduction" have emerged which are stamped by neoliberal logic (59). Bhagidari is a new form of communitarianism that seeks to create its own version of urban space and environment, where the poor like street hawkers and slum dwellers have no say.

This has happened through a series of environmental disputes that position the urban middle class as victims. In the last 15 years, in response to various Public Interest

Litigations the Supreme Court of India has given judicial orders that have changed Delhi's urban landscape for the urban poor (Bavaskar, 2002, Dembowski 2000, Gadgil 2001, Mawdsley 2004, Bhan 2009). Some of these measures are 1) the Industries Relocation Case of 1996, which meant closure of all polluting and non-conforming industries in the city, and in that process displacing about two million workers from their daily jobs in and around 98,000 industrial units (Bavaskar 2002, Ramanathan 2006);[53] 2) conversion of all public transport and private commercial transport from diesel to the use of less polluting compressed natural gas (CNG);[54] 3) measures taken to manage solid waste disposal;[55] 4) and sealing all unauthorized commercial properties in the residential neighborhoods in order to avoid congestion (Bhan 2009).[56] Since these changes happen in entangled spaces of informality, they affect many groups of informals, some of them in less obvious fashions than others. In the next few pages, I will explain these how these changes affect marginalized groups such as hawkers using the story of Asha that forms Vignette B. While describing her everyday life, Asha touches upon various issues that affect her and her family. I will come back to her story in different discussions of this chapter.

Box 6.3: Vignette B

At a T intersection of two main roads in Ashok Vihar, Asha has been selling tea for the last 20 years. In the center of the T junction, there is a large board that says: Let's make our Delhi a World Class City. The roads next to Asha's enclosure are always busy

[53] M C Mehta vs. Union of India, Petition No 13381 (1984).
[54] M C Mehta vs. Union of India, Petition No 13029 (1985).
[55] Almitra Patel vs. Union of India, WP 888 (1996).
[56] Delhi Pradesh Citizen's Council vs. Union of India (CWP 263, 264 and 266 of 2006).

as it is the main junction from where people enter Ashok Vihar. She and her husband Sriram came to Delhi from a village near Gorahkpur in UP because there was no work for them. Their ancestral land was not very productive and was too small, as it had been divided among 4 brothers. The first 5 years of their life in Delhi was miserable. They were often very lonely and missed their extend family, neighbors and village kinship. Sriram initially worked in a factory but life was tough at work, he would get injuries and cuts from working with machines and sharp tools. Also, the pay was not enough to sustain a big family. He later started work as a rickshaw puller, which he continues to do even today but makes a meager earning. At some point they were able to make a small jhuggi in the nearby slum but that was demolished. They lost all their belongings and papers including proofs of identity and ration cards that were important to secure any future benefits or resettlement housing from the state. Now they both have 6 children and a small open space on the footpath by the boundary wall of middle-income apartment to live. In order to shield her family from sun and rain, they have tried to cover some part of it using long tree branches, a cloth and a torn plastic sheet. But Asha says that it does not help: "When it rains we are always drenched." The family sleeps in the open, on the broken pavement along the road. Asha obtains water illegally from Delhi Jalboard that is located on the opposite side of the street. Although their family is below the poverty line, new ration cards have not been issued to them as their older ones were lost during demolition. They do not get even subsidized food meant for people below the poverty line. Instead of paying Rs 5 for one kilogram of Rice they pay Rs 25. They don't have any electricity and sometimes use the light from the cooking stove at night. Only one of their children goes to school. When anyone falls sick, they go to the government dispensary for free treatment. But these are often so crowded and many times out of medicine. As she greeted me, she made me sit on a couple of large stones that she uses as benches for her customers. At the time we started talking, Asha was cooking food for her children. I asked her about how much money is she able to make from selling tea. She complained "hardly any." In the last few years, her sales have gone down and there are hardly any people who come for tea. I asked her what was the reason. She explained that her main clients had been the workers from the nearby factory who were thrown out of jobs as the factories were closed or relocated. Some people from the nearby slums used to come too, but since they too have been demolished, there are no clients. I asked her then why she was still there. "We don't have money, we don't have any flats and that's why we sit in this small corner and sleep on the foot path." I asked her if she had ever been asked to move from there. To this she replied, "yes, the people (MCD) are coming with bulldozers to remove my family." When? I asked. Taking a moment while chopping onions, Asha scanned the adjoining main roads and casually replied "in an hour or so". "In one hour!" I exclaimed. She said yes and explained that she will find another footpath like this one for some time. I asked if this has happened before. She said "not really". I wanted to understand why this was happening the same day I had come to interview her. But instead, Sriram started explaining that they did not get the flats like the other people: "We did not have proof like our very old ration card, and other identity card and we did not even have money to apply. Also, now we don't have an address. Footpath does not have any address. But it does not matter, even the people who got flats keep coming back here as there is no means of livelihood where they were relocated. Of course, if we had received a flat, we could use it in times like these when the MCD van can come anytime

to demolish our little shack. We have lived our entire lives on the pavement. These kids were born on the pavement too." At this point a few other people started gathering around our group. They empathized with the family and started waiting for the MCD van to arrive. Somehow, the word had gotten out. I later found out from one of the people that the reason for demolition that particular day was that the Commonwealth Games were soon to be held in Delhi. Along with many of the slums, these kind of individual makeshift footpath shacks were being demolished. A man who had come to have tea, explained how creating a Ration card or Below Poverty Line card (BPL cards) is tough for people like Sriram. Since private companies have been given the contract of creating cards, the work is seldom done properly. A private company in Ashok Vihar itself got the contract to make BPL cards for many people around Delhi. They have done a miserable job as only 10% of the people have received their cards.

Slum Demolition and the Role of the Middle Class

At the time I met Asha and her family, the biggest problem they faced was being displaced from the temporary shack that they had built on a footpath. Asha had mentioned that earlier her family was forced to move when their jhuggi was demolished by MCD. In the earlier conversation, the Head of Federations of RWAs of Ashok Vihar had proudly described how his federation of RWAs was responsible for the removal of the slums where Asha and Sriram used to live. A brief history of slum politics in Delhi is pertinent here to show how RWA's middle-class politics, elite aestheticization of space and neoliberal speculation and privatization of land is affecting poor slums dwellers and hawkers like Asha in the post-liberal decades.

According to the Economic Survey of Delhi of 2002-03, the city can broadly be divided into four types of settlements. There are planned colonies that account for 23.7% of Delhi's population. Then there are unplanned but legal colonies designated as "slums" under the Slum Areas Act of 1956 (also ratified in 1973), where about 19% of the lower income and poverty stricken population resides. According to the act, "slums" or *Jhuggi Jhopdi*, are those areas where buildings are unfit for human habitation because of

dilapidation, overcrowding, and lack of ventilation, light and proper sanitary facilities. However, these slums are legal and are eligible for improvement in basic amenities such as water, electricity and sanitation. Also, they do not face the threat of eviction without resettlement. There is about 5.3% and 17.75 of the non-poor population that resides in the unauthorized colonies and regularized unauthorized colonies respectively. Of the remaining, 14.8 % percent live in unauthorized *Jhuggi Jhopdi* or JJ clusters, which mean a makeshift shack for the poor, and 12.7% live in JJ resettlement colonies.

Despite the Delhi Development Authority's earlier objectives to "integrate urban poor into the fabric of the city," its lackluster attempts did little to resolve the problem of housing in Delhi (DDA 1957, 1962 cited in Dupont 2008, Bhan 2007). This "implementation backlog," acknowledged by DDA's own study, led to a rapid increase in slums in the city (Dupont 2008, Ramanathan 2006, Bhan 2006, Ghertnther 2012). While the entire population of Delhi rose six fold during 1951–92, the slum population increased more than 20 times and in 1992, 259,000 Delhi households lived in slums (Jha et al 2007). As the Delhi master plan since its conception allowed the urban poor 25% of the residential land in the city, state officials and politicians let lower-income people squat informally in the undeveloped lands acquired by DDA to house low-income housing (Gherthner 2012). According to a report by the Delhi Urban Environment and Infrastructure Improvement Project (DUEIIP) about 84.7 % of the land occupied by the slums is owned by DDA. While slum dwellers have always been at the mercy of the authorities, prior to the1990s, through different tactics like "patronage and protection in exchange of votes by the local politicians, negotiations with local administrations, temporary stay orders from the courts" (Bavaskar 2006) and even bribes, many slums

avoided demolition. Slums, even the ones that were not notified by the Slum Area Act for resettlement, when demolished were compensated and resettled in colonies that are now called JJ resettlement colonies. Of course this very exercise in itself has been a "technique of dividing poor" for those who are eligible to gain a plot under resettlement policy do not want to jeopardize their chances to that by resisting eviction (Baviskar 2006). The ones who get relocation plots are driven to resettlement colonies in peripheral areas, where difficulty in finding jobs and long commutes to older workplaces create their own set of problems. It is a common practice for the resettled slum dwellers to sell or rent their quarters, even when it's illegal and move back to the empty lands from which they were earlier evicted, often to be evicted again. While studies have conducted benefit-cost analysis to prove that the option of relocation in not economically viable (Khosla and Jha 2005 cited in Dupont 2008), at least some of the evicted slum dwellers find temporary shelter and could use the property rights of the resettled house to gain entry into the urban property market. Another advantage of a strong resettlement policy was that many slums could avert demolitions till the authorities had found a suitable resettlement site for them.

As the slum population is rising, the importance of improving current slums and relocating evicted slum dwellers continues to find space in slum policies and the goals of both MCD and DDA. For example Dupont (2008, 80) points out that in the slum policy of 1990-91, the government of Delhi and DDA both approved a "three-pronged strategy" for dealing with squatter settlements:

-in situ upgradation for the clusters whose "encroached land pockets are not required by the concerned landowning agencies for another 15 to 20 years for any project implementation';

-relocation of jhuggi-jhopri cluster that are located on land required to implement projects in the "larger public interest"

- environmental improvement of urban slums, based on the provision of basic amenities for community use, in other clusters irrespective of status of the encroached land. (MCD 2000 cited in Dupont 2008, pg 80)

Then in 2000, the cut-off date and eligibility criterion for resettlement was extended from January 1990 to December 1998, which needed ration cards as proof" (Dupont 2008).

However, the fate of slum dwellers and hawkers who live and squat on public space has changed dramatically with the advent of neoliberal reforms and cultural changes that followed. In the 1990s, changes in the Judiciary enabled the Supreme Court and regional high courts to add their own layer of sovereignty over the policies regarding slums and hawking. It started with a landmark case, S P Gupta vs. Union of India (1985) in which Justice Bhagwati in the hope of letting the poor and marginalized gain access to the justice of the court, started accepting Public Interest Litigation from the common man, the public. This ushered in an era of Public Interest Litigation (PIL) that started flooding into the courts from the late 1980s. Soon, instead of the poor, RWAs represented by educated elites and wealthy middle-class that had attained a kind of class consciousness under the *Bhagidari* scheme started finding ways to use the PILs against the very people it was created for. It is here the nuisance laws that I mentioned briefly in chapter 4, were summoned. Gherthner (2008) very brilliantly sketches how the nuisance laws were employed against MCD and such authorities at the beginning, and then later flipped over and mutated to form an anti-poor discourse in a period of 10-15 years. Initial RWAs' PILs did not go directly after the poor and instead blamed MCD for not fulfilling its role in providing housing and sanitation to slums, which made the poor come into

public space and create filth. The Judiciary backed such PILs and asked MCD to improve sanitation and find resettlements for the slums. These discourses created the poor as dirty and fitly but not as the "party responsible to the nuisance." For example, in KK Manchanda vs the Union of India, the RWA of Ashok Vihar that appeared before the court regularly until 2002, complained that they were distressed because of the squalid condition of the empty plot in front of their colony. The people residing in the nearby *Jhuggi Jhopri* had made this space that was supposed to be a beautiful green-belt into an "open public lavatory." The petition further explained that this had "transgressed their right to very living" as "thousands of people easing themselves pose such uncultured scene, besides no young girl can dare to come to their own balcony throughout the day, [because] obnoxious smells pollute the atmosphere [,thus] the entire environment is unconducive to public health and morality" (cited in Ghertner 2008).[57]

As Baviskar (2003) has noted elsewhere, this particular *jhuggi jhopri* outside Ashok Vihar at that time had more than 10,000 households and effectively one toilet per 2083 persons. The slum residents were mentioned in the petitions but authorities were blamed both by the PIL and Judiciary for not being able to prevent nuisance, and in 1992 the court disposed the petition asking the respondents to prevent the slum residents from defecating in the park. Instead of the upgrade of sanitary conditions in the slums, authorities were simply asked to prevent the act of defecation in the public park. This case was followed by an extremely violent backlash by the residents in later years. In January 1995, a young man from the nearby *jhuggi* was beaten to death by angry residents and two police constables in the same empty lot for attempting to defecate.

[57] CWP No 531 of 1990 in the Delhi High Court.

It was in the famous case, Almrita Patel vs the Union of India that the judiciary started equating slums with nuisance. The wording of the court ruling was particularly interesting as it is here, for the first time, we see certain kinds of imagination of the city building up in the minds of the elite. The ruling maintained that Delhi being the capital "should be the "…show piece of the country" but "instead of 'slum clearance' there is 'slum creation' in Delhi":

> "This in turn gives rise to domestic waste being strewn on open land in and around the slums. This can best be controlled at least, in the first instance, by *preventing the growth of slums*. The authorities must realise that there is a limit to which the population of a city can be increased, without enlarging its size. In other words the density of population per square kilometre cannot be allowed to increase beyond the sustainable limit. Creation of slums resulting in increase in density has to be prevented… It is the *garbage and solid waste generated by these slums* which require to be dealt with most expeditiously and on the basis of priority"[58]

Ghrenter (2008) maintains that this was the first time when the nuisance was blamed on over-population and slums instead of the authorities. Also, instead of equating nuisance to an activity, here it is related to a group of people. Slums represented "large areas of public land….usurped for private use free of cost." The provision of resettlement was also attacked here when the court declared that the "promise of free land, at the taxpayers' cost, in place of a jhuggi" is "a proposal which attracts more land grabbers. Rewarding an encroacher on public land with an alternative free site is like giving a reward to a pickpocket" (Ramanathan 2006). Hence in this judgment we witness for the first time the criminalization of the poor.

The Almirita case set the grounds for various RWAs of Delhi to file PILs with a general feeling of that they were the victims of slum related nuisance. In 1999, the court

[58] https://www.elaw.org/node/6193

lumped about 63 petitions filed by various RWAs under the lead petitions of Pitiampura Sudhar Samiti and KK Manchanda, to deal with the "larger issue of removal of unauthorized JJ clusters from public land which were in the vicinity of various residential colonies" (cited in Ghretner 2008). Ghertner identifies an unusual uncoupling that the judgment did in this case "one is the removal of JJ clusters and the other is their rehabilitation." Since the latter issue was being dealt with on a different bench of the high court, in these proceedings the focus was put only on the former. Now since the question of entitlement was bracketed off, the poor who are in theory entitled to 25% of the urban land suddenly become encroachers on public land who come from other states. Blaming JJ clusters for

> The welfare of the residents of these [RWAs'] colonies is also in the realm of public interest which cannot be overlooked. After all, these residential colonies were developed first. The slums have been created afterwards which is the cause of nuisance and brooding ground of so many ills. The welfare, health, maintenance of law and order, safety and sanitation of these residents cannot be sacrificed and their right under Article 21 is violated in the name of social justice to the slum dwellers. Even if the government and civic authorities move at snails pace and take time at their own leisure for the rehabilitation of these clusters, this is no excuse for continuing them at the given places (ibid.).

Here we see how RWA's right to clean the environment outweighs the poor's right to shelter and livelihood because these neighborhoods existed before slums. Also, the poor are treated as abject aliens that pose a threat to the decent living of the true citizens of the city. This petition and the others that followed mainly used the nuisance discourse instead of illegality to target slums. In fact, in some of the petitions, the slums were not even mentioned. Citizens' deprivation to a clean environment and civic amenities are created as the violation of the right to live. In almost all of the judgments, neighborhood slums were found the culprit and demolished with no guarantee of

rehabilitation. As Bhan (2009) notes, while around 50,000 houses in the slums were demolished between 1990-2003, about 45,000 more have been demolished in just the three years that followed without any hope of rehabilitation. So one might wonder why is nuisance discourse more successful in the demolition of slums than the discourse of illegality? I believe that the idea of nuisance only takes form when there is an aggrieved party involved. Here the aggrieved parties are the RWAs which have grand visions of living in a world class city.

The somewhat quasi pro-poor element in slum evection and relocation too changed in 1993, when in *Lawyers' Corporation Group Housing Society vs Union of India,* Justice B N Kirpal declared: "It appears that the public exchequer has to be burdened with crores of rupees for providing alternative accommodations to juggi dwellers who are trespassers on public land" (B N Kirpal[59] quoted in Ramanathan 2006) This was followed by the direction to change the property rights of resettlement sites from lease to license.

Box 6.4: Draft annual plan of the Slum and JJ development of Delhi

The draft annual plan of the Slum and JJ development of Delhi now say

- "(4) The licensee shall have no ownership rights. They shall not be allowed to sell Or rent the plot. If it is sold/rented, the plot will be taken back.

-(5) No one other than the licensee and her/his family may stay in the house/allotted plots…

-(8) If an adequate house is not constructed within six months of allotment, the license shall be terminated…

- (12) If the licensee has taken a loan from HUDCO (for construction of the house), and has not been able to pay back the loan installments for a period of six

[59] CW No 267 and CM 464 of 1993, Delhi High Court

months, the license will be automatically cancelled, and the license will be evicted from the plot.

- (13) Warning: selling or buying the plot against the law. In accordance with the direction of the Delhi high Court in CMP No 267 and 464 of 1993, the licensee does not have ownership rights. If anyone other than the licensee or his/her family is staying on the plot, license will be cancelled and the person will be evicted without notices or without assigning any reason"

Source: Ramanthan 2006(3194)

Criminalization Of The Poor

In order to promote growth, entrepreneurial cities often engage in a massive makeover after the roll-back of neoliberalism and take the shape of what Soja (2000, 299) calls "splintering post-metropolitan", where gated communities, high rent seeking malls and other protected areas from real and imagined dangers have proliferated (MacLeod 2002). According to Bernner and Theodore (2002), the architectural and institutional practices are aimed to discipline the entrepreneurial city. This involves management of poor and marginalized in such a way that they are not visible and do not pose any kind of symbolic or material threat to order. The entrepreneurial city is hence closely related to the "revanchist city", where "revench" is a French translation of English word revenge. A revanchist city is the one that is hard on the people who defy law and order. Smith (1998, 2002) explains how the infrastructural changes related to roll-out neoliberalism in New York were also marked by "zero tolerance" for groups that posed a threat to the city. In such cases the city gets divided between wealth and poverty. The "victors" become increasingly defensive of their property while the other half are not only neglected but also criminalized. As mentioned before, scholars have shown how New York style

neoliberal urban polices travel around the globe and wreak devastations of much greater magnitude in countries with already existing deep inequalities (Smith 2001, Swanson 2007, Wacquant 2003). Local governments fuse these neoliberal polices containing modernist undertones with regional prejudices and provincial discriminatory discourse to sanctify public space for unfettered capitalist consumption. Such is the case of Delhi and other large cities in India. The *Bhagidari* scheme, which appears to be a participatory civil society endeavor, in reality is extremely class biased and is one such local discourse that integrates revanchist city ideas with its goals. The Head of Ashok Vihar federations of RWAs equate hawkers to thieves who commit "all sorts of crimes." At one point he takes an extreme stance of demanding the ban on street hawkers. But understanding that it's impossible to do so at present circumstances, he goes on to say that if there have to be hawkers, they should be properly verified by the government. These sentiments resonate across various RWAs that participate in *Bhagidari* schemes and hence fear of the poor and equating them with criminals has shaped some of the agendas of *Bhagidari*. A list of issues discussed in workshops of *Bhagidari* are "(1) Police and RWA cooperation; (2) servant verication; (3) RWAs informing police about those houses where both husband and wife went out to work (i.e, where houses are vacant during the day), and "inspection" of all unoccupied houses; (4) drawing up lists of maid, hawkers, plumbers, etc, in order to only allow "authorized" people and (5) surprise checks (by the police) on the private security personnel employed by the RWAs" (Srivastave, 2009, 335).

Quasi-Public Agencies

The second element of an entrepreneurial city involves replacement of municipal bureaucracies that have the mission of social progress with quasi-public agencies that

promote economic development instead of social wellbeing and incite inter-city competition (Brenner & Theodore, 2002, Leitner & Sheppard, 2002, Smith 2003). These changes are achieved by an increase in public-private partnership (PPP) or mass privatization of the municipal public sector and collective infrastructure. But Larner (2003) has called for a more nuanced analysis of specific neo-liberal projects: "we need a more careful tracing of the intellectual, policy, and practitioner networks that underpin the global expansion of neoliberal ideas, and their subsequent manifestation in government policies and programmers" (Larner 2003). Geographers and others have attended to this by studying the development of neo-liberal trajectories through localized practices in different parts of the world (Walker et al 2008, Brenner & Theodore 2002, Barnett 2004, Harvey 2005, Massey 2007, Peck 2004). For example, Brenner and Theodore (2002), contrast their approach to that of neo-liberal ideology, in which market forces are assumed to operate universally as fixed and rigid laws. They emphasize studying contextual embeddedness of "actually existing neoliberalism" and seek to explore "the path-dependent, contextually specific interactions between inherited regulatory landscapes and emergent neo-liberal, market-oriented restructuring projects at the broad range of geographical scale" (2).

As mentioned before, the neoliberal reforms in India, especially in urban infrastructure, have been gradual. For example, in 2002, Delhi Jal Board (DJB), the agency responsible for supplying water in Delhi, commissioned the "Delhi Water Supply and Sewerage Project Preparation Study" to Price Waterhouse Cooper (PWC) with the assistance of the World Bank. However, rigorous opposition and strong campaign from various citizens groups exposed the hand of World Bank behind the granting of the

contract to PWC and found flaws in the design and cost of the project proposed by PWC. In addition, they uncovered a proposal to hire private management consultants to improve service delivery efficiency, which would have simultaneously increased water tariffs across the city. Finally, in 2005, DJB had to shelve the project.

But that does not mean that privatization of services is not taking place. It is important to identify specific forms of public/private partnership that are muted and hybridized versions of the ideal model. Even though PPP is gradually being introduced into the public distribution system and urban infrastructure, I see *Bhagidari* scheme as a hybridized form of PPP where elite of the city are encouraged to form networks and direct associations with government agencies that are responsible for the provision of basic infrastructure. Instead of national and multinational private corporations, it is the citizens owning private property in the city who are encouraged to seek partnerships with the government. Mr Kholi, the treasurer of Federation of RWAs in Ashok Vihar, explained the tactics RWAs used to get their neighborhood demands fulfilled:

> *"Oh yes! We meet these executives during the Bhagidari workshops and remain in touch with them. We also keep writing to various departments and have meetings with them regularly. Most of the time, they listen to us and do their work. For example we had a meeting with Delhi Jal board about two months back. We asked them to do something because the water pressure was very low in our neighborhood. They did complete that work. One of the very respectable residents of Ashok Vihar has a relative who is very high up in Delhi Jal board...so it was very easy. Sometimes NDPL (North Delhi Power Limited) invites us and asks us to report our issues. Many times, these agencies listen to what we say and do our work but sometimes when they don't, we use other ways. For example, right now we are trying to talk to the MCD about the construction of roads. They dig up the good roads and don't take care of the ones that are already broken. Then Delhi police does not do their job in removing the vendors from the pavement. Last year two kids from our neighborhood were killed by a bus while they were going to school because they were walking on the road. Of course, there was no walking space for them on the pavement since the hawkers were*

illegally squatting there. After the accident all hawkers ran away otherwise they would be arrested. Now look at the irony, just 2 months after this tragic incident I got a call from a higher up police officer asking me to let the hawkers come back to their previous spots. See these hawkers have such connections. It is very much possible that one of the hawkers has a wife who works in the police officer's house as maid and she asked him to call me and make this request. He said, sir now the kids who died cannot come back but the hawkers are dying out of hunger…think about their families. It's like this, someday a minister will call saying please let the hawkers sit where they used to. But we are very strict…we don't cater to these people who are involved in vote bank politics. We did not let the hawkers in for one year but now they are back and police is not doing their job in removing them even after the accident. But we don't give up. We have a large interview set up with Sahara TV tomorrow at our green belt (public park). You should also come to attend it. There will be some 40 people from the Ashok Vihar RWAs to discuss the issues such as these and how we are not being heard by various government agencies like MCD, Delhi Jal board, Delhi police. Sahara TV is going to air our interview on their national broadcast. That is going to put more pressure on these departments to do the work that we are asking for. Sometimes if the departments don't listen to us we also ask our local MLAs to talk to the departments. We are apolitical, i.e we don't support any political parties but we won't spare anyone who does not do our work".

When Mr Kholi mentions "*but we are very strict…we don't cater to these people who are involved in vote bank politics"*, not only is he showing his disenchantment with the democratic process that lets marginalized participate in decision-making politics but he is also confirming the successful privatization of the state by the RWAs. As explained before, the *Bhagidari* system is destroying the "feet of vernacular clay" and creating a form of parallel governance that is only accessible to the rich of the city. Ghertner (2011) calls this phenomenon "gentrification of the state" where the spaces held formerly by lower-class people such as hawkers and slum dwellers through electoral politics is usurped by the upper class. The RWAs are able to achieve this through various methods. From the above dialogue with Mr Kholi, it is easy to comprehend the intensity of the

media's support for this project. Another way of privatization of state is by finding "institutional access routes." According to Fox (1993), institutional access routes are "structurally selective filters in the state apparatus that make some institutions especially vulnerable to the concerns of particular societal actors" (39). Mr Kholi describes how it was easy to make Delhi Jal board attend to their problems because of their internal connections. It is important here to also understand that when a non-democratically selected elite holds a position within state, his or her elitist ideas, visions and connections get imprinted in the decision making process. As Fox explains, the state actors in reality "have their own views on how to respond to challenges from both inside and outside the state, and their control over state organization often gives them the capacity to put these ideas into practice" (15). As the middle class matures and the presence of marginalized erodes, this phenomenon of privatization of the state by citizen groups such as RWAs will enable further corporatization of state.

Entangled Spaces of Informality

The earlier dialogue with Asha captures the everyday life of one street hawker. The problems and struggles of Asha's family are multiple and have numerous reasons that are entangled with one another. The entirety of her sufferings can only be understood when we recognize entangled spaces of informality. For example, Asha's story adds another dimension to how neoliberal changes such as industrial restructuring and the adoption of a middle-class urban imaginary are adversely affecting the poor. The reason behind her declined income as a hawker is closely related to the closure of industries to create Clean Delhi.

In an interview with Raghu, a food hawker in a Jahangir Puri, a low-income neighborhood, I found out how neoliberal industrial changes have made his daily income decrease as well. Raghu sells *Chaat,* Indian snacks, on the side of a dirty road. His clients included factory workers who worked at the nearby industrial plants. At first, I assumed that his clients stopped coming as the industries were closed down as per the Clean Delhi rhetoric but he told me that since Jahangir Puri is a low income neighborhood, the factories were not touched. Instead, I found out that there were other post-liberalization changes in industrial labor laws and policies that adversely affected his clients, the factory workers. To explain this let me give a small background of industrial laws in India. Since independence, several liberal economists and developmentalist global financial institutions had been criticizing India's strong and rigid labor laws for muting the growth rate and repelling private investments. Kanwal Rekhi, an Indian-American businessman who is a former chairman of CCS, wrote in a commentary for CCS: "draconian labor laws have provided extreme protection to the organized labor sector at the expense of everybody else. These laws have been a huge disincentive for businesses to hire people."[60] After the 1991 reforms, voices such as Rekhi's have become vociferous, and in 2005, the Prime Minister's office proposed to introduce amendments to Chapter VB of the Industrial Disputes Act (IDA) of 1947 and the Contract Labor Act of 1970. Although these amendments have not formally been adopted, they have started being practiced widely. They aim to give greater freedom to the employers to lay off permanent workers and let employers seek contractual or casual labor in larger numbers for regular work. In a study, Sunanda Sen et al (2006) have shown that the ratio of non-

[60] http://www.ccs.in/people_kr_indiaagenda.asp

permanent workers to the total number of workers for most of the manufacturing sectors at the three-digit level have gone up during the 1990s. Also, the proportion of contractual workers to total number of workers in all the sectors taken together has gone up from 9.89% in 1992-93 to 23% in 2000-01. These policy changes have also shifted the responsibility of managing workers' welfare from the state to the individual employers. Since there is no provision of equal pay for equal work, these changes in the increase of labor flexibility and casualization of the labor market have reduced pay and increased job insecurity of the work force. As the paying capacity of labor goes down, they stop buying or spending. Hence, we have cases like that of Asha, who is affected by industrial restructuring in urban space, and that of Raghu, who is affected by labor restructuring in industrial space.

Another topic of conversation with Asha and Sriram was the inflated food prices and their inability to obtain subsidized food, grains, and other products. Considering the fact that the government of India's largest welfare scheme is the Public Distribution System (TPDS) that aims to provide food to both rural and urban poor households, these complaints seem surprising. However, statistics show that the average purchase of grains in urban areas is almost half of the average purchase in rural areas. Although the inability of the urban poor to access PDS like their rural counterpart needs further research, the case of Asha demonstrates one of the reasons that urbanization affects the ability to access subsidized goods-- the lack of a proper residence or house address for the urban poor. Many urban poor live in slums or are homeless who are often evicted from the places where they have been settled for some time when a need arises. Since the ration card is only valid for the shop that is specified on the card, evicted poor are unable to

access their grains. And then there are few like Asha, who tell the horrors of losing their belongings, including all their documents and cards, during demolition drives. Another reason for the inability of the urban poor to access subsidized goods is the lack of proper identification cards. For example, there are thousands of undocumented immigrants from neighboring Bangladesh who have been living in many parts of the country as de facto citizens. Ramachandran (2003) notes that since 1991-92, the attitude of the government towards them has been rather hostile; for example, in 1992 Operation Pushback was launched to remove many undocumented immigrants from New Delhi. Rather than associating the hostility towards undocumented Muslim immigrants from Bangladesh with the rise of Hindu nationalism, I find that it is related to the neoliberal urban restructuring reforms. As mentioned earlier, the general tone of the Supreme Court and Delhi government towards slums changed during 1991-92 and it is easy to imagine that the undocumented immigrants would be the first ones to take a blow. Recent factors such as those identified above are responsible for the decreased reliance on PDI. Bhan (2009) shows that the access of essential food grains by the people in Delhi has drastically decreased since the advent of neoliberal changes.

Box 6:5: Access of public distribution food grains by people in Delhi

Item	1999-2000	2004-2005
Rice	32.8	3.5
Wheat	25.4	2.7
Sugar	15.2	3.6

Kerosene Oil	46.9	29

Source: Government of India (2006), Employment and Unemployment Situation among Social Groups in India, 61st Round, Department of Statistics, New Delhi. Cited in Bhan 2009

On a lucky day, Asha obtains water illegally from Delhi Jal Board, the agency responsible for supplying water across Delhi. The main headquarters for Ashok Vihar and a few other surrounding neighborhoods fortunately is located right in front of her small make-shift shack. Some days her luck does not work and there is a guard in front of the water tank. But things may be about to change for her. As mentioned before, privatization of water has been a highly controversial issue for the past decade. Ironically, the people against privatization are not the poor from the slums who had been promised some basic water supply through various government programs but have received none. According to Pande and Agarwal (2013) the eleventh five year plan had proposed an inadequate sum of Rs 73 crore towards the supply of drinking water to approximately 32 lacking slum populations through implementation of two plan schemes- "Grant-in-Aid for Augmentation of water supply in Jhuggi-Jhopri (JJ) Clusters" and "Water Supply in Resettlement Colonies". But even from this meager amount, about 20 crores still remain unutilized. Slum residents however are able to obtain water through illegal connections somehow. The section against privatization in last few years have been the elite citizens groups who fear that their water tariffs would go up after privatization. But Delhi Jal Board in last two years has been promising low prices of water through developing a public-private partnership that will attempt to eradicate the

supply of illegal and free water. There were already hawkers that I spoke to who complained how they will have to pay money for the water that they had been getting for free. According to Knoonan and Sampat (2013), the PPPs are designed in such a way that they reduce the non-revenue water in Delhi from the current 65% to 15% in five to eight years.

Finally, just as the geographies of slums and the sub-urban are connected (Roy 2003); the geographies of the urban and rural are also linked. Asha mourns her lack of community and family support in the city. Then what was the reason behind Asha's migration to city with her husband? Ahmed (2011) answers this by describing how "the declining state investments in rural development has manifested itself as falling economic growth in agriculture all over India" (167). We can see in the case of Asha and other street hawkers that this has acted as a push factor in rural areas where poor farmers with lack of state's support migrate to urban areas and, in turn, settle down slums. Still rural-urban migration have recently started manifesting a declining trend (Binswanger-Mkhize 2013, Kundu and Sarawati 2012). Kundu and Sarawati (2012) explain that one of the reasons behind this declining trend is that the urban areas have been far less accommodating to their poor rural migrants. This is very well depicted in the case of Asha and her family, where spatial changes in the city related to the process of liberalization are making them look out-of-place.

Conclusion

In this chapter I have discussed the internal problems with the structure of the proposed TVC and WTC, and have shown how these problems will undermine the democratic participation of hawkers in problem resolutions. Also, since the creation of

ward committees has been a mismanaged and halted process, framing TVCs and WVCs on similar lines proves to be an unsuccessful endeavor. A majority of decision makers in the TVCs are supposed to be elite intellectuals with modernist visions of space. For example, Chief Executive Officer of the TVC/WVC is supposed to be a state or central government selected Commissioner and not a democratically selected councillor. The other participants of TVC/WVC are RWAs, who as I discuss in detail have already threatened the existence of hawkers through their environmental politics. I have tried to shed light on the internal conflicts within various groups of TVC/WVC by using Delhi as a case study. The introduction of the *Bhagidari* system and the rise in the power of RWAs has already affected poor slum dwellers and hawkers in multiple ways, and to believe that these groups will accommodate hawkers in their neighborhood is unrealistic.

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Chapter 7: Neoliberal Subjects – Entrepreneurs of Themselves

Basically what we need is a change of perception, so that businesses and planners see vendors as entrepreneurs and vending as legitimate employment.

Ela Bhatt, founder of SEWA[61]

Introduction

In this chapter, I problematize the model of participation of hawkers in TVC/WVC. NPSV demands organization of street hawkers, who constitute 40% on the committee, and their representation by a head of the hawkers' union. While deconstructing the tone of NPSV, CCS and other NGOs who create hawkers as entrepreneurial subjects, I show various internal contradictions in the entrepreneurial discourse espoused by these organizations by using dialogues from an executive conference organized by CCS and NASVI regarding the implementation of NPSV. I highlight numerous locational discords in NPSV using various conversations between NGOs and state planners and the head of the hawkers' union during the Jaipur executive conference. Lastly, I will show how the entry of national and multinational corporate retail is affecting even the street hawkers who are most well-off—those who are not harassed by the authorities and have been delineated spaces in hawking zones.

[61] Ela R. Bhatt Interview with Mirai Chatterjee, SEWA General Secretary, as recorded in Seminar No. 491 July 2000

Fake or Forced Entrepreneurs?

Neoliberal governmentality and "technologies of self" aim to create an 'enterprise subject' who while acting as an independent political subject is also prepared to manage his or her own risks and vulnerability by taking responsibility for his or her own well-being (O'Malley 1996). Burchell (1993) explains these as "contractual implications" that modern neoliberal technologies call for (276). This implies that in order for individuals to exercise freedom of action and decision that hitherto were managed by the state, the individual assumes absolute responsibility for not only their actions but also the outcomes. The role of instilling these new forms of 'responsibilization' and the related 'contractual implication' is filled by the organic intellectuals of neoliberalism represented by the think tanks and NGOs. NPSV complies with this neoliberal strategy when it argues that "Street vendors, being the micro-entrepreneurs, should be provided with vocational education and training and entrepreneur developmental skills to upgrade their technical and business potentials so as to increase their income levels as well as to look for more remunerative alternatives"(15). During my field work, Ram rang me up one morning to inform me that NASVI was organizing a women street entrepreneur work shop in Delhi. He said that if I really wanted to see how NGOs and think tank people like himself help hawkers, I should attend the workshop.

About 60-75 women vendors attended the workshop, which was held in a central location in New Delhi. I was introduced to Sheela, a lecturer in Business Studies in a private college who was hired to conduct the workshop by NASVI. Sheela told me that she often conducts workshops in which she teaches MBA students how to communicate and hence she was the right person to give her expertise to the women vendors. At the

beginning of the class, she asked all women to make a big circle and "at the count of one two three start walking in any direction." Chaos ensued. After about 30 seconds she asked them to stop and make pairs with the closest women vendors next to them. She said that no one should pair up with someone they already knew. Once everyone was in a pair, they were asked to introduce themselves by name and their type of trade. The second exercise was that everyone should move and start giving high fives with the people they passed until Sheela asked them to stop. At that time, they were asked to pair up with the nearest person and share with her the experience of a past happy event. Sheela asked these women to do these 'walking and talking' exercise several times to narrate their pleasant or unpleasant experiences, discuss business ideas, tell positive and negative character traits, describe problems faced by women in general, and lastly simply shout at the tops of their voices to show how happy they were to be present in this workshop. After this, Sheela assembled them in a close circle and started telling them stories with some moral teaching. "When you meet someone you know, you greet them with *namaste* (hello). It feels good, right? Now why don't you do that to the customers who come to buy from you? Would they not like it too?" Sheela then narrated a story:

> There was a man who used to sell hats. One day while crossing a small forest, he decided to take a nap under a tree. When he woke up, the monkeys who lived in the trees had stolen all his hats, and refused to come down and give them back. Then the man remembered that monkeys are known to imitate human, so he quickly threw his own hat on the ground. Seeing this, all the monkeys threw their hats on the ground to copy him. The man simply picked all his hats and set off to his work. The story does not end here! Now after many years, the man dies and his grandson takes over his businesses of selling hats. One day he finds himself on the same spot as his grandfather, doses off for few minutes only to wake up and see his hats are stolen by the monkeys in the trees. He remembers his grandfather's story and takes off his hat and throws it on the ground. But this time, the monkeys don't imitate him and instead make fun of him. The grandson asks the monkeys why did they not copy him like they typically do. The monkeys reply, that just like your grandfather told you his story, our grandfathers too told

> us the same story! So the moral of the story is-- learn from your mistakes but the solutions of the problems that were valid few years ago may not work in present times. As the times are changing, we have to change ourselves and find new solutions.
>
> Next story told by Sheela was that of an elephant:
>
> When a baby elephant is born, its masters tie it with a strong iron ring and a pole. Since the elephant is young, it does not have the strength to break the iron ring. But as the baby becomes a full grown elephant, it gets used to being tied to the ring and even if it can break free now since it is much stronger, it does not even think of doing it because it still believes that it cannot break the iron ring. All you women are like the elephant, you were told that a woman's life is in the kitchen when you were young. Now you make all sorts of excuses to go out and work. Let your husband and in-laws be upset, they will be okay with you going out to work after some time. All your problems are self-created.

All the discussions and stories told by Sheela constructed women vendors as ignorant subjects who were poor because they lacked communication skills, or were unable to adapt to the new and changing urban life. This workshop was designed to teach them some basic techniques like how to talk to their customers and how to politely deal with police retribution. As Ong (2006) notes in countries such as Malaysia, radical Islam, which opposes the presence of women in the public sphere, is perceived as something that operates as a political opposition to the economic transformation of the country. Here too we see how the patriarchal system is deemed as something that stifles the creation of neoliberal entrepreneurs and productive subjects. And so, this workshop was also designed to teach women vendors some subversive tactics to deal with everyday problems of abusive husbands and demanding in-laws. It was assumed that just like MBA students are taught to manage business, these women could be taught how to sell vegetables professionally. All of their problems were reduced to issues with self. Most women vendors whom I talked to in other venues generally attributed all their problems to the system of inequitable distribution of wealth, the underlying economic structure

where one who is born poor stays poor, the second class status of women, and lack of government support. However during these discussions at Sheela's meeting, none of the vendors ever spoke of one such issue. After a while I started becoming suspicious as most of the women vendors also looked like they came from slightly more affluent backgrounds than the women vendors I had interviewed previously. After talking to each participant, it became apparent why that was the case. This is how some of the women described themselves to me:

Woman 1: I'm associated with the Integrated Child Development Services in Kolkata and I am the chief of Mahila Congress Presided of Kolkata, Barabazar and I'm also associated with the women vendors association. I help them often and I'm very proud to be here. I've only been to Delhi as a kid.

Woman 2: I am not a hawker, I'm a housewife but I want their betterment. So I thought that I should come here if that could do any good to them. The former Mayor of Kolkata, Subroto Mukharjee, told me about this conference and said that I could go if I want. Sometimes when a women hawker is not well, I go and help her! I'm always ready to help.

Woman 3: I'm not a hawker but I realize that if I don't think about the poor who else will. I want both rich and poor to be happy. No one takes care of the poor, so I want that in India everyone should be happy and live in harmony.

Woman 4: I'm a social worker and associated with Hind Mahila Sanghatan of Kanpur. I want to help every woman to achieve success in life. The chief of my association came in touch with NASVI and she asked me to go to Bhubneshwar for a similar conference last year. I really liked it and so I decided to come here as well. Arbind ji,[62] the head of NASVI is very nice and I told him that since he has given me the opportunity to be here I'll work very hard to organize the hawkers. Now, almost 10,000 hawkers are organized in Kanpur. If I share the grief of the poor, I'm very happy.

Woman 5: I have a cloth shop. My husband left me and my kids. I'm very unhappy. I need help (started crying).

Woman 6: I have worked for SEWA for the past 25 years. I'm from Indore, MP. It's our duty to come forward and help hawkers. (Asking an actual hawker) Does anyone from SEWA come to help you?

Woman 8: I'm from Hoogli, West Bengal and work for the vendors of south Kolkata. So many of them get evicted, I want to help them.

[62] *Ji* is used as an honorific suffix in Hindi.

To my astonishment, most of these women hawkers were in fact not hawkers. For most, their relationship with hawking was ancillary: these women were social workers, associated with different NGOs and had helped hawkers at some point. There were only 3 women hawkers in the group. One had a textile shop which she was forced to take over after her husband left her for a younger woman. The other had successfully expanded her businesses to leave their vending business in the hands of other hired help and become head of the area's hawking association. There was only one woman who sold vegetables on the streets and she had come from the state of Bihar.

The fact that barely 5-7 percent of the women attendees were actually hawkers when the conference was meant for hawkers tells us something about this NGOs led hawkers' movement in India. In Spivak's vein, I would describe most of the discussions in these "walking and talking exercises" as rich women talking to each other about poor women. Such concerns have also been raised by Fraser, who while studying the professionalism of the movement to aid battered women, criticizes "the tendency for the politics of need interpretation to devolve into administration of need satisfaction" (Fraser 1989, 177), and believes that professional administration destroys political expression and hence genuine feminist politics. Most of the women here were entrepreneurs. But I would not describe them as business entrepreneurs. They are in fact a new breed of lower to lower- middle class women entrepreneurs who worked part-time for NGOs and other "aid-poor-women" NGOs. They are a kind of *social entrepreneurs*, who had dedicated their life to the families and at some point come out of their traditional houses to join NGOs where they were happy to represent a social cause for lower salary. These social

entrepreneurs are in fact getting trained by bigger NGOs to be the lower wing of organic intellectuals.

The purported entrepreneurs or women street vendors for whom these kinds of workshops are designed would hardly use the word entrepreneur to describe themselves. They are women who have no option but to go out and work every day to survive. The day they skip work to attend workshops or any other political demonstrations, their children will go to bed hungry. "Who will feed my children if I don't work and come to these meetings instead?" said an angry women vendor in Jaipur while she waited outside the governor's office to demand implementation of NPSV with a big group of hawkers assembled by the head of their hawkers' union on Ram's request.

Secondly, one might even question if hawkers are perceived to be "entrepreneurs" at all by the NGOs. It is important to investigate what kind of eminence these NGOs prescribe to hawking as an entrepreneurial activity. On closer look, the "hawkers as street entrepreneurs" discourse pursued by NGOs appears to be ridden with contradiction; this contradiction is in turn translated into NPSV, which states:

> Stationary vendors should be allowed space/stalls, whether open or covered, on license basis after photo census/survey and due enquiry in this regard, initially for a period of 10 years with the provision that only one extension of ten years shall be provided thereafter. After 20 years, the vendors will be required to exit the stationary stall as it is reasonably expected that the licensee would have suitably enhanced his/her income, thereby making the said stall available for being licensed to a person belonging to the weaker sections of society (NPSV 2009, 16).

This issue was raised and severely debated during an executive conference in Jaipur convened by CCS and NASVI, at which the government's urban planners and top executives were invited to discuss NPSV. Unfortunately, the discussions were not as

friendly as the NGOs had hoped, and many of the executives reported their concerns with certain provisions of NPSV. The executives unanimously agreed that the 20 year cap on the street vending spot license in NPSV did not make sense. However, various NGO representatives from NASVI, SEWA, CCS, and Nidan made early attempts to justify this provision. Several heads of Hawkers' Associations from various districts of Rajasthan were also present in the conference but none of them were given a chance to speak on this topic. Below I include a brief dialogue between different participants as they discuss the 20 year cap.

Box 7.1: Excerpts from Jaipur executive conference

Chief Engineer of Jaipur Municipal Corporation: You are leading to the birth of a new kind of conflict here. If you ask someone to leave after 20 years why will they leave their spots?

Chief District manager of Rajasthan Housing Board: That is tactically not possible.

Arbind from NASVI: Actually the reason why the government of India put that in the policy…we strongly believe that a vendor should also graduate…you can't keep having something… you have had a secured place for 20 years and so you should be able to graduate to some other profession …to a more settled profession instead of vending. That is why this policy is there. We (meaning hawkers) have asked for it.

Shikha from SEWA: Now if I talk about Ahemdabad...there is an Urban Economic Welfare Board and first we included vendors in that… if their kids get free education even they want to study. But these vendors don't have a steady income so they come into vending. For example a woman will sit in the main place and she will make her kid sit next to her with a small basket. But if you see…down the line after 20 years they really don't want their kid to come into vending. Therefore the steady income is must... if they get steady income then the kid will go to study.

Ram from CCS: And in fact here we have some representatives of street vendors and you can ask direct questions from them. Here I see an example…Babulal ji is a street vendor but he does not want his kids to be street vendors.. and all his kids are into different businesses and he is not going to remain a street vendor.

Secretary of Jaipur Development Board: so tell me something...first, let's say a vendor is sitting on a space for 20 years…how will you convince him to only sit in that space for 2 hours...listen to me! The second thing is what kind of mechanism will determine that one vendor will sit in a place for 2 hours and then some other vendor will

come in his place. The third thing is...the main conflict happens for the prime location…like I'll give you an example…that in front of top road and in front of SMS hospital and Nehru Garden…every day you read in the newspapers that people will remove the vendors and they will come and sit there again…why do they come back…it's obvious that their livelihood is very good there. So if you make vending zones in these prime locations and you give it only to people for 20 years for...you will only be able to give it to a few people for few hours…about 3-4% people. So now you are giving prime locations to 4% people for 20 years, and you are asking that they will not seat their children there…so maybe after 20 years their vending zone can be so successful that not just their children but even their grandchildren would want to sit there…so this is all a market game. And which profession will these people take up after practicing vending for 20 years…they simply cannot stop eating after 20 years.

Ram: I'll add 3 things… so the first concern is that the vendors continue to be vendors…so what we have found in our project called Law Liberty and Livelihood, that because they are insecure they remain poor and they cannot expand their business…as Arbind from NASVI say that they have to run with their carts once the police comes, they never expand their business. So they continue to be poor but as their business expands they don't want their kids to continue hawking. They want their kids to be software engineers or doctors or some other things. That's one thing.

The second thing is a response to your question (directed towards Chief Engineer of Jaipur Municipal Corporation): I think we require customized solution to each of these problems. These challenges will come but that should not discourage us to not work. I think with this regulation (NPSV), 80% of the problems will get resolved but some of these problems will appear and there will be disputes. They will get resolved gradually… like hawkers will think that here "I'm insecure and if I go elsewhere where I have permanent space I'll be better"… they would probably like to go. So when we get into the field probably the problem will not be as big as it seems to be.

The third thing is that I say ..there is a recent study that I was exposed to…was about extinct business.. That there are kind of business that are not prevalent. So we had seen a lot of business in Delhi ..there were people called Laltope walla...

Audience : yes yes, we know who they are.

Ram: but now they are very few of these people. So there are lot of businesses that are extinct and street vendors will also, we think down the line in 20 years, probably become extinct. So the question is that…the vendors will keep coming into the city and there will be an influx of vendors, probably that will not be as big of a problem.

Chief Engineer of Jaipur Municipal Corporation: Now you said (to Ram) that as their social status improves they feel like moving out of that place. They usually don't. They understand that the electricity is free…the place is not rented...all their savings they don't want to waste...I mean they don't want to sit in the big prime locality and just leave.

Ram briefly describes the fate of "laltope walla" or "men with red hats" in Delhi. In an earlier conversation he had explained: "these people were professional ear cleaners and used to roam around on the streets of Delhi, cleaning ears of unknown strangers and making money in return. In fact there was a time when they were very popular -- used to go from one home to another to clean ears and made a lot of money. But now this profession is almost gone…you tell me, have you ever seen an ear cleaner? Now people use ear buds instead." Similarly, he justified the opening up of organized retail in India by citing the inevitable death of hawkers-- "hawkers are the future ear-cleaners of India. They will cease to exist in the future because there will be no demand." So perhaps these NGOs would best describe hawkers as *moribund entrepreneurs* who are being helped to exit this celebrated yet dying profession.

Here we are able to see the contradiction at work. On the one hand this profession is assumed to be dying and "will soon go extinct" and on the other, spots are only given to hawkers for 20 years. In this time, it is assumed that they will make enough money to either retire or graduate to some other profession so that new hawkers can take up their prime spots. If the profession is really dying, then it is absurd for Ram and other proponents of NPSV to believe that 20 years is enough to make a poor hawkers wealthy and hence their spots be given to weaker section of the population. Also, if the profession is really making poor hawkers wealthy, one should ask Ram why they would want to switch their profession after 20 years. As stated before, NPSV explicitly states that hawkers should be trained to improve their technical and business potential so that they can find some other profession. I spoke to many hawkers with or without licenses who have been hawking on the street for more than 15 years. None of them had accumulated

enough money to retire or had any skills to change their profession. Dhan Prakesh, a food hawker in the Safdar jung area of Delhi, has been hawking for 25 years and now he is getting old. He cannot see from one eye and worries about what will happen to him when he is not able to hawk due to blindness and old age. He will not be able to pay rent for the small room in the nearby slums where he lives, and with no flow of income, will not have access to food, medicine or healthcare. His only resort will be begging, he maintained. He thought that he would probably go back to the village he came from many years back to draw his last breath. At least people in the village will cremate him even if he does not have any money when he dies to pay for it himself. Ramwati, a women hawker who used to sell vegetables in my neighborhood in Ashok Vihar before Chandu, described that although she used to make enough money at one time, she has no savings because she spent all her money to get a one room house to live in a slum. Her son-in-law gives her 200 rupees ($4) a month with which she has to take care of food, electricity and medicine. She even asked that all the residents of Ashok Vihar whom she had served for 20 years should give her some kind of retirement allowance for the excellent service she had provided then. The point here is that most hawkers I spoke to were only making enough money to sustain themselves for few days, if they were lucky. Then, one might ask how CCS and NGOs could suggest that hawkers would be able to graduate and retire after 20 years. These NGOs are choosing flawed prototypes to make speculative statements about the future of hawkers. During the above discussion Ram pointed out Babulal, a former hawker, as an example of a successful hawker who has graduated into a profession other than hawking. After the conference, I spoke with Babulal for about an hour, during which he told me his life story in English. He was fairly well educated and

even had an undergraduate degree. A few years back, he owned a booming textile business and had a shop in a posh neighborhood of Jaipur. Then he met with an accident while traveling in a car with a friend. He was bed ridden for 2 years and could not even walk. He took heavy losses in his business and had to shut it down. That's when he decided to enter into the fruit business. He invested a lot of money and started selling fruit in a shop. He became successful and now he is no longer a vendor, he has turned to politics and has formed his own party along with Ghayn Shaym, the head of Vidhyadhar Nagar *mandi* union. He has a daughter who is married and lives in the US. Clearly, Babulal does not represent a typical poor vendor and success stories like his are used to make policies for the entire 2% of the population. This is a classic example of causal inference that neoliberal proponents often engage in. Wade (1992) maintains, in reference to the East Asian countries, that the proponents of neo-liberalism pioneered a new principle of *causal inference* (283) where the strong economic success was attributed to free market changes. Anything that was not in line with the neo-liberal prescription was either ignored or blamed for impeding the alternative's faster progress. For example, the developmental and interventionist state in East Asia was falsely presented as a minimalist state to promote neoliberal strategies in other countries. Here too, the entrepreneurship discourse regarding hawkers is bolstered using incorrect examples and inaccurate specimens. In the end, I view the street entrepreneur discourse pursued by CCS and other think tanks as an act of disciplining the urban poor rather than supporting their struggle over basic rights to livelihood.

Locational Discords in NPSV

In the above dialogue, Ram, while responding to criticism of NPSV, says that 80% the problems of creating hawking zones will be resolved with the implementation of NPSV but the other 20% will need site-specific intervention. He simply refuses to look at many studies that have been done so far to show that when hawkers were relocated to far off places and given permanent spots, many times they returned to their previous sites because they failed to sustain their livelihood in the new ones. As mentioned before, CCS itself has mentioned this fact in their publication *Law, Liberty and Livelihood* several times. Kumar and Bhowmik (2010) have also noted such concerns in their study of evicted vendors of the Sunday market near Red Fort in Delhi. The Sunday market had been functioning for many centuries, and was a kind of flea market that attracted a crowd from all over Delhi. However, in August 2001, all 4000 vendors of the area were removed because they were suddenly thought of as a threat to the historic monument. The government initially provided no alternative spots for the vendors but three prominent vendors' unions and several NGOs became involved actively to get alternative sites for the displaced people. Over the course of 5 years, the government deliberated over five different sites to house the displaced vendors but for each one either some urban planning authority like DDA or Sports Authority of India or some religious association or local RWAs objected. Finally the hawkers were placed in an area called Raj Ghat, where only 1200 spots were provided. However, within weeks the hawkers realized that the business in this area was going to be very low and many returned to their previous spot near Red Fort. As a result, the remaining hawkers faced further reduction of income because of their inferior hawking spots as compared to the ones in Red Fort. Babulal narrated a similar case in Jaipur, where the congressional government "made some 10,000 kiosks to

house the vendors and invested scores of Rupees. But now these kiosks are useless…no one uses them. If I live in Malvyanagar and my kiosk is in Murlidhara…it's 15 km travel one way and 20 rupee bus ride back and forth. If I earn 40 Rupees and pay 20 on the bus, what's the point?"

Secondly, CCS targets License Raj or the system of issuing licenses in India as the reason for all the troubles faced by the hawkers. Ram maintains that hawkers are forced to pay bribes to Police and MCD authorities as a majority of them do not carry licenses and practice illegally. For that reason they are often harassed even after paying heavy bribes and hence are not able to expand their business or accumulate enough money to graduate to more successful professions. To solve this licensing problem, he maintains, it's important to implement NPSV. Bhowmik (2003), one of the main architects of NPSV, explains how the rent- seeking activities that harass unlicensed hawkers would be curbed within NPSV through a registration process: "The policy (therefore) recommends that instead of licenses, there should be a simple registration of street vendors and non-discretionary regulation of access to public spaces in accordance with planning standards and nature of trade/service. Registration of street vendors will be done by the ward committees as these are best suited to assess the situation at the ground level and vendors will be provided identity cards" (1545). NPSV states that "this policy adopts the considered opinion that there should not be any cut off data or limit imposed on the number of vendors who should be permitted to vend in any city/town, subject to registration of such"(3). But, on closer inspection, it appears that NPSV barely changes anything other than giving the TVCs direct control of street hawkers. The license system that has been considered the root cause of all the troubles of street hawkers by NGOs is

left intact. The permit to hawk even by registered vendors is still given by TVC and that too on a time-share model. NPSV explains how TVC can regulate hawkers:

> Vendor markets/outlets should be developed in which space could be made available to hawkers/vendors on a time sharing model on the bases of a roster. Let us say there are about 500 such vending places in about a 100 new vendor's market/push cart markets/motorized vending outlets. Let us also assume there are 5,000 who want to apply for a vending site on a time sharing basis. Then by a simple process of mathematical analysis, a certain number of days or hours on particular days could be fixed for each vendors in a vending place on a roster basis through the concerned TVC (3).

It is apparent here that even if hawkers are registered, a majority of them may not be able to hawk because of the time constraints imposed by TVC, which will have to accommodate a large number of vendors on limited vending spots. Although this may seem a small compromise to the architects of NPSV who are eager to regularize street hawkers, and thereby curb the state's rent-seeking activities, it may present serious losses to street hawkers. Let me explain this by giving an example. Chandu, the itinerant vendor in Ashok Vihar, explained that the RWAs of the neighborhoods had imposed a restriction on hawkers from entering the colonies between 1 and 5 PM. The afternoon hours, as the president of Ashok Vihar federations of RWAs had explained, are the most dangerous as all the male members of the family are outside and women are taking a nap. At this time an unknown person can enter the house and commit theft. Chandu further maintained that since he cannot sell during the afternoons, he has to compensate for the loss of sales by working on Sundays, which had previously been his day off. He explained: "Now there is no holiday for us, it is tiring but we don't have any option, we need to earn enough to take care of our family, and 4 hours loss everyday has to be compensated on a Sunday."

There is one more problem with this registration system under TVC. The Commissioner of Jaipur development Association raised this in the conference:

> Actually what this law wants to do…is create a separate power group…the ward committee that is going to issue licenses and MC will get revenue about 100 Rs per license...but we don't realize these prime locations will be sold for a huge sum…you are actually empowering these *dadas* (the corrupt local leaders who can become head of the vendor's union) and other local power groups (RWAs) that will also be as corrupt as the Municipal corporations and police (anti- policy).

She is correct to mention that corruption will still seep in, albeit through different channels. Also, it's not that vendors will hawk on the spaces for free, something that they do right now. NPSV states that, "Street vendors would be charged a monthly fee towards the space they use and the civic services they receive. There should be a direct linkage between the municipal authorities and the street vendors for the collection of a) Registration fee, b) monthly maintenance charges—differentiated according to the location/type of business, and c) Fines and other charges if any"(13). It is assumed here that street vendors would be willing to pay money to the Municipal Corporation because they willingly pay bribes to corrupt state officials. But through many conversations with vendors, it is clear that they don't pay bribes willingly. After shelling out money to the corrupt authorities, they hardly have any to save for even the next day's food. Another problem with registration is how to differentiate between a genuine vendor and someone who is there just to get a vending spot that can be leased out. During the conference a lot of executives raised the issue that vendors who are well connected in politics or know members of TVC will get not just one but multiple spots easily, but the ones with no connections will not even get registered. A vendor from Jodhpur raised this issue during the conference and infuriated Arbind from NASVI. He shouted at the vendor saying: "does this happen with vendors only? If three lakhs people fill interview forms for India Administrative Services (IAS), will you make all three lakhs[63] of them IAS officers? Is

[63] Three lakh is three hundred thousand.

this the way to select an IAS officer?" This statement created lot of murmurs in the conference room. He continued saying "no no no! the problem is that we have to select the genuine from the fake IAS. If you want genuine then you have to take preliminary exams of 3 lack students and then select 2000 for the main exams. And then only 100 candidates are selected as genuine IAS." At this point the Chief Engineer of Jaipur Municipal Corporation said "the issue is not that you are selecting 80 people…but that you are selecting only 80 people to sit inside out of thousands who are eligible…where will the rest go even if they are genuine. And who do you think has time to do a background check of 2% of the urban population with the same rigor as the IAS officers." Arbind replied "ok, if you want to regulate the city…you have to work hard for it. But if you want the city to be free for all then you don't have to do anything…whoever wants to vend wherever they can vend."

In the end, during the conference, the secretary of Jaipur Development Board smartly did the actual math and pointed out that only 4 percent of the entire vendor population will get spaces where they will be able to make enough money. Thus the change of power in disseminating licenses from MCD to TVC will not solve the problem of limited spaces. When he told Ram that more vendors will flood in once the existing ones had been provided spaces, Ram replied, "you will have to put a stop somewhere, you cannot keep allowing everyone to become a vendors, you have to say no! There has to be a boundary…so see it's all about enforcement at some point".

Even though Ram often maintained that hawkers have a right to practice livelihood in public space, when he was made to discuss its nitty-gritties, his tone quickly changed to mimic elite middle class citizens. From the above two dialogues, it is apparent

here that Arbind and Ram are trying hard to find a spatial solution to the problems of street hawking rather than finding solutions to the problems of the hawkers. These viewpoints are translated into NPSV and are making their way into Indian cities.

Problems With Participation Of Hawkers

The purpose behind NPSV is that the multi-stakeholder town vending committee will solve the problem of vending in urban space while empowering the vendors in the same process. In previous sections I have discussed how different stake-holders that form the TVC will actually undermine the participation of hawkers because of their conflicting imaginaries of urban space. In this section, I will discuss the problems with the participation of vendors themselves. NPSV states that:

> (T)o enable the street vendors to access the benefits of social security schemas and other promotional measures in an effective manner, it is essential that street vendors are assisted to form their own organizations. The TVC should take steps to facilitate the formation and smooth functioning of such organizations of street vendors. Trade unions and voluntary organizations should play an active role and help the street vendors to organize themselves by providing counseling and guidance service when required (16-17).

To facilitate this process, NPSV suggests that "The representatives of street vendors' associations may constitute forty per cent of the number of the members of the TVC...The process of selection for the street vendors' representatives should be based on the following criteria: participation in the membership based organization and demonstration of financial accountability" (10).

There are a number of problems with this model of participation for street hawkers. First, this model does not recognize the internal hierarchies within the hawkers' union. As I have described in the last two chapters, the head of the hawkers' union does

not necessarily represent a typical hawker. In fact, both Ghayn Shyam and Babulal don't even practice hawking at all times and have become involved in politics by forming their own political parties. Also, this model of participation ignores the fact that a majority of hawkers are unorganized and will not be able to participate in the process. For this reason, Bandyopadhyay (2012) maintains that NPSV seeks to institutionalize certain forms of participatory exclusion. Thirdly, many of the key hawking areas have a large number of associations. The Secretary of the Jaipur Development Board pointed that in some places there are 3 or 4 unions and all of them can show that they are formally registered with the government. In fact, she maintained that she happened to know an area where there were as many as 10 unions. There are internal rivalries between multiple unions; this creates unnecessary confusion and delays the outcomes. Kumar and Bhawmik (2010) in their study of Sunday market at Red Fort have noted how three rival unions did more damage than help in getting the vending spots for the evicted hawkers. Many of these associations are connected with political parties or are based on religious or regional groups. In the case of the Sunday market, one association was connected to the larger National Congress Party and the other one was a Muslim Association. One cannot assume that these associations will not favor their members when it is time to allot spaces. As Kishwar (2011) in her online blog notes, "each union will try to marginalize the other and seek hegemonic status by getting patronage of the bureaucracy, police or powerful politicians". Another problem with the registration process is that there can only be one registered hawker per family. In the system of joint family where two or more brothers live in the same household or large families like Asha's have six children, this limitation can mean a meager earning per family. This requirement of joining an

organization to seek employment also makes this profession, which is easy to enter, rather closed.

Here I wanted to point out CCS's actual stance on the unionization of street hawkers. In their publication *Law Liberty and Livelihood* CCS states:

> If the government continues to ignore their (hakwers) problems, it would obviously result in large-scale unionization. Nothing wrong in that. Only, once this happens, this powerful lobby could well attract political interests as a potential vote-bank. The hawkers could begin to extract privileges from the political class through various benefits and possible distortionary funneling of tax payers' money. And hence the state will end-up creating one more political lobby (Shah and Mandava 2005, 78).

From *Mandis* To Malls

During my field work in Jaipur, one day after conducting interviews with hawkers of the *mandi*, I decided to take Ram and Ghayn Shyam for an early dinner while we chatted about some key topics related to street vending. Ram told me that the department store cum mini-mall called Handloom had a wide selection of food that was delicious as well as hygienic and also had a good seating arrangement. So we both headed out towards Handloom in his motor bike after texting Ghayn Shyam to join us there. Ram and I ordered food for all three of us and got ourselves comfortable seated. Ghayn Shyam joined us there and we started devouring our snacks. Ghayn Shaym is the head of Jaipur Hawkers Associations and has ties with local politicians. He also appeared to be wealthier than other hawkers, as both of his kids go to private schools. He completed 8th grade and can understand conversational English. He also dresses in shirts and trousers, carries a mobile phone, and wears stylish sunglasses. Perhaps that was the reason why he appeared to be more confident than the average street hawker and seemed to feel pretty

comfortable among the middle and higher- class crowds that were present in the department store. I would imagine an average hawker to look and feel a little awkward in such places. Within a few minutes, however, he started looking around anxiously. I asked him if there was a problem. He replied with a smile that if the manager of this store happen to see him there, he would probably become very uncomfortable. I asked if he had gotten into any trouble with the store, or there was some other reason.

Ghayn Shyam replied:

> No! You see, in Jaipur, all these retail store people know me as someone who can create havoc. Last year I organized anti-malls drives and participated in so many demonstrations and strikes to force the government to close these malls. Since Reliance fresh and other big companies have started coming in the field of retail… small hawkers like us have faced lots of problem. They can even bear loss for some time and still function. But people like us have to dig a new well every day to drink water…meaning that we have to earn every day to eat our daily *roti* (bread). This fact affected us badly and that is why we stand up against it. We have asked the government to safeguard small professions like us. If big giants like Ambani, Tata and Birla, Walmart all get into the business that poor people like us relay on, than where will we go? The government should control the retail sector and only poor people like us should be allowed to do business in this sector. But no one listened. The only benefit that happened was that before these stores could sell without any tax but now the government had put 4 % of retail tax on their sales. Earlier the government had about 365 laghy udyog (small industries/business) that barred big corporations …for example the matchstick industries…only small people could make matchsticks. But now everything is getting privatized (or corporatized).

Ghayn Shyam is referring to a change in the retail sector that is affecting the traditional industry, which has been largely community based and poor man's bread. Traditional food and groceries constitute about 70% of retail sales in India, which employs about 40 million people and has primarily been a community based setup dominated by small-privately owned shops and hawkers. About 0 .8% of this 70% is organized, and the rest is largely unorganized, contributing about 10% to the GDP (Kalhan 2007, Khalan and Franz 2009, Kearney 2007). Even the organized large-scale

retail in metropolitan cities has been community based, and all the wholesale markets such as *mandis* and grocery stores have been managed and regulated by policy that ensures benefits to both farmers and consumers (Khalan and Franz 2009). Also, the public distribution system that functioned primarily through retail outlets called "ration shops" have been active in distributing subsided food grains and groceries to the poor.

However, since liberal changes in 1991, the retail industry has become the site of major changes. It is, in fact, emerging as one of the country's largest industries with a total market zone of $320 billon and growing at a compound annual growth rate of 5%. Seeing the potential for expansion, several local and national actors such as Reliance, Tata, Birla, Pantaloon Retail, Subhiksha, and Spencer's Retail have successfully entered into supermarkets and hyper-markets (Khalan and Franz 2009). According to Kearney (2007), India was ranked top among the other most attractive markets for the big global retails to enter by K T Kearney's Global Retail Development Index (cited in Khalan and Franz 2009). Under pressure from neoliberal advocates and global retailers, the Indian government agreed to allow Foreign Direct Investment up to 51% in single brand in 2006 and multi brand in 2011 and this saw the entry of Walmart, Carrefour and Tesco and other global retail joints in the past couple of years.

Various scholars have conducted work that shows the negative effects of organized retail on not just small-scale private shops but also 2% of hawkers (Anjaria 2006, Kalhan 2007, Rajgopal 2002, Voyce 2007). Kalhan (2007) in a survey of Mumbai city show that 71% of the hawkers in the two main areas where shopping malls with department stores have opened show not just a decrease in sales but also an increase in the evection drives where agents of the mall actively worked side by side and helped the

government evictions agents in the process. According to Anjoria (2006), in Mumbai it is widely believed that the new hyper-markets regularly pay huge bribes to the police and the BMC to evict unlicensed hawkers from the nearby areas. In South Asian countries, the state has started taking measures to slow down the penetration of global multi-national retail stores after realizing the harm that they do to the local economy (Coe and Wrigley 2007). But India and China are two countries in the emerging market that are actively seeking changes in the retail sector, so much so that as Kalhan (2007) notes, analysts are often heard saying that "India is attempting to do in 10 years what took 20-30 years in other major global markets" (2063).

The above fact is acknowledged by both Ram and Ghayn Shyam who discussed how the sales of the *mandi* have gone down in past 8 years. It was further confirmed during my survey of the middle-to high income residents of the nearby neighborhood. Instead of 40, I was only able to interview 25 households. Out of 25 households, 13 purchased all their vegetables from the department stores, 8 purchased from both the stores and the *mandi* and 2 went to the bigger wholesale *mandi* and only 2 to the Vidhyadhar Nagar. This is a considerable change in the pattern of shopping as about 10 years ago, there were practically no department stores which sold fruits and vegetables. The residents cited numerous reasons for choosing stores over *mandi*, all of which I've discussed in chapter 5; however, a larger and organized sample study is needed to confirm how much the effect of organized corporate retail on small scale vendors is.

At this point of the conversation with Ghayn Shyam, I looked at Ram who was also present and had been participating very actively in all the previous conversations. He gave me a blank look and started eating his food. I asked Ram what he thought about this

situation, but he simply nodded and resumed eating. Ghayn Shyam left in about an hour and I eagerly asked Ram again if he had any thoughts on what Ghayn Shyam and other hawkers demand. It is then he started talking in an agitated tone.

> If these people want freedom from the government, they should expect the same for others too. How can the government give only a small section of people freedom to carry on their livelihood? If there has to be just society, there has to be competition in the market, otherwise it'll become an unjust society. People from the *mandi* will simply stop innovating, they will become lazy and bad sellers. Did you see how much effort they are making right now to compete with the department stores? And people like us are there to help them, it's not like they have to do everything on their own. We conduct workshops and organize seminars to educate the vendors so that can improve their ways and perform better business. And look around you (pointing to the cashier), after all these employees make their livelihood through these stores and hawkers in future will get absorbed in all these new kinds of professions. In the future, there will be no hawkers, it is a dying profession, I'm just here to make this transition easy for them, get them organized and educated so that their children don't have to do this lowly job. And believe me, if you ask them, they want this too!

These shocking conversations and differing perspectives were only visible because, as discussed before, I was able to pay attention to two things. To untangle the speech of the one who is represented from the one who is representing to understand the politics of representation of the subaltern. And for this, attention should not just be given to what is said but also to what is not being said. Like other neoliberal proponents who write commentaries for CCS, Ram too believes that the retail stores in the future will have the capacity to provide employment to 2% of urban population that is represented by hawkers. This further highlights a typical characteristic of an advocacy think tank. The staff of these organizations often lack the basic understanding of the key issues that they work on and are primarily hired for their ideological and political affiliations. It is a statistical fact that in neoliberal period, the growth in the rate of employment is 0.34 percent lower than in the pre-liberalization period. Also, it is about 3.6 times lower than

the growth rate of employment in the informal sector (Kalhan 2007). As Franz (2010) explains, big retail stores affect most people adversely. Not only do small-shop owners and hawkers fear for their loss of livelihood, but also the middle-men face their role becoming obsolete as the efficiency in the supply chain increases and the companies have started approaching farmers directly. The farmers are also scared of being exploited by pricing control imposed by corporate buyers, something that has already been documented as having disastrous consequences in many countries. Hence, only an employee of an advocacy think-tank can make such a contradictory statement to what is going on in reality.

Secondly, Ram claimed that the competition between the retail stores and hawkers is fair. The advantage of huge economies of scale in retail trade, access to cheap capital, progressive and efficient sales forecasting techniques, access to large storage and handling facilities, transportation and replenishment systems, are just to name a few leverages that retail stores have over street vendors (Gereffi 1994, Arnold and Fischer 1994, Kalhan and Franz 2009). But Ram seems to acknowledge only the effects of capitalist seductions of display, symmetry and order and air- conditioned stores that make it easy to attract customers. Also, Ram ignores the unfair practices of big retail stores that mold the political and economic climate in their favor, often with the help of lobbying through think tanks like CCS. Let me briefly discuss the unfair advantages that organized retail enjoys over small vendors.

There are multiple regulatory authorities that regulate business and retail and ensure that the big retail stores do not engage in monopolistic and predatory practices to harm the middle and small scale traders. First are a set of laws that oversee retail

competition called “competition laws.” Competition laws (also known as anti-trust laws) prohibit and regulate behaviors by market participants that might have an adverse effect on competition (Bhattacharjea 2010). But the newly formed Competition Act of 2009 is arbitrarily defined when it comes to retail and clearly biased towards big businesses. For example, the Act allows the regulatory body to discount anti-competition practices of a firm if it contributes to the economic development of the country. But when the meaning of development itself is ambiguous and controversial, any practice that threatens small-business can easily be labeled as development. Second, the Competition Act ignores mergers in which foreign firms with no current Indian business enter the Indian market by merging with local firms, instead of competing through exports or foreign direct investment. Since the restrictions on FDI in retail is highly controversial and fiercely debated in India, this loophole lets foreign brands have a presence in the Indian market very easily. While competition laws aim to regulate fair competition, it takes no actions to promote the same. For example, to date no measures have been taken to connect small traders and hawkers with the back end of the supply chain which can reduce their procurement price, something that the big retail stores enjoy. In fact, many state governments (eg Andhra Pradesh, Maharashtra and Punjab) have enacted amendments that allow big retail companies to bypass the strict Agricultural Produce Marketing Committee that earlier restrained their development of integrated supply networks. As a result these companies are now allowed to buy directly from farmers and even start their own contract farming (Franz 2010).

Still, competition laws somewhat regulate the unfair practices even if they do not do so efficiently or in a way that is friendly to the poor. But Parth Shah, the head of CCS,

labels even these lax competition laws as unfair and impediments to growth. In an article for a popular financial newspaper he wrote that "The competition law is no friend of competition, of businesses or of consumers. Better competition requires simply removal of all entry and exit barriers that government has created through its various acts and laws" (2001).

Changes in urban land laws in recent times have also contributed to the easy penetration of retail stores. As Kalhan and Franz (2009) note, state level planners have barely assessed the issues concerning large retail stores such as "their desired number per unit of population and their effect on the scarce urban space and energy" and how these stores are going to impact local communities and traffic and congestion (60). Additionally, there have been rapid changes in how urban land is regulated. Land in Indian cities was managed and regulated by multiple authorities through the Land ceiling Act that was passed in 1976. The aim of this act was to put a cap on the amount of land that could be owned by a single person and the overall objective was to acquire surplus land from private holders and use it to develop housing for the poor. Though the objective of developing low-income housing was never achieved (discussed in detail in next Chapter 6)-- either the state government which confiscated excessive land successfully let it stay undeveloped, allowing slums and hawking hubs appear over time, or in many other cases the loopholes in the act let the private owners seek exemption (Singh 2006). But, as India embarked on the neoliberal route, land liberalization to attract foreign investment became more important than providing housing and livelihood space to the poor. In 1998, the government of India repealed the Urban Land Ceiling Act and asked different state governments to implement the repeal as they were the ones who had

the authority to do so. In 2005, the government of India launched an ambitious urban renewal mission for improving and modernizing urban infrastructure and give a face-lift to the cosmetic look in 65 cities nation-wide. It was called Jawaharlal Nehru Urban Renewal Mission (JNNURM) and was designed to release funds to different cities on competitive bases conditioned on the success of the state government in implementing the 74th Amendment Act that promoted decentralization. One of the conditions for discharging funds from the central government for the renewal was that the state governments repeal the Land Ceiling act of 1976, which many had not done yet. The repeal of the act was pushed on the basis that the true purpose of the law was never achieved and it resulted in artificial scarcity of land. This, according to the union government, resulted in sky-rocketing land prices and in fact adversely affected the poor, for whom the Act was originally designed. So instead of seeking better implementation and amending the loopholes, the government decided to give it up all together. This has allowed private investors to amass large chunks of unused land not just from the market but also from state governments. Also the requirement for the proof of "public good" has been altered so much that now the local governments acquire land at below market prices and sell it to private developers at cheaper rates. In Delhi, this was done in a series of policies and program initiatives, in which the government and DDA actively seek public-private participation not just in developing land but also in land acquisition (Granthar 2010). Finally in 2005, the real estate and construction sector was opened to 100% foreign direct investment, when earlier it had been capped at 40%. McKinsey Global Institute, the economic research arm of the management consulting firm McKinsey and Company, released a study that compared India with China, which showed better growth

in GDP. Land regulation was declared as the major culprit and privatization of land was proclaimed to be more important than privatization of government industries. The example given by McKinsey was in the retail sector: "allowing FDI and removing land market barriers will allow retail supermarkets to increase productivity more than four-fold from the current 20 per cent to almost 90 per cent of US levels in 10 years" (MGI 2001, 69 cited in Grethner 2010). Kalhan notes, many local and national retail giants--Reliance Retail, Croma, Aditya Birla group, S Kumars, Shoopers' Stop, Westside, Subhiksha, Trinethra--along with realty, brand and market shares are already in the process of consolidating their real estate in big cities. Now with the opening of FDI in real estate, foreign multinational brands can acquire land that was originally meant for poor such as slum dwellers and hawkers, for their own setup.

I asked Ghayn Shyam about what he thought when people such as Ram come to help hawkers but believe that retail should be open to corporate and multi-national chains. He replied, "see we don't need any help from anyone. All we need is that the government should control the retail sector in favor of the poor hawkers and traders like us. I don't mind listening to people who come to help…they can give us some good suggestions but our problems are generally bigger. After all a big fish always swallow the small fish."

Conclusion

In this chapter, I deconstructed the entrepreneurial discourse that is popularized by CCS and NGOs. Not only does entrepreneurial discourse romanticize hawking as a profession, it also allows CCS and NGOs to recommend policy changes that can have damaging effects on hawkers. For instance, I have shown that the controversial NPSV

proposal to have a 20 year cap on space available to registered hawkers is bolstered by the entrepreneurial discourse. Also, internal contradictions in NPSV on one hand frame hawkers as entrepreneurs and on the other hand propagate hawking as an archaic and dying profession. NPSV is rife with such contradictions and I have discussed this further in the section on locational discords. For instance, even though according to NPSV every hawker will be registered and will get a space to hawk, the time of the space allotted will be so limited, hawkers will barely earn anything.

In the second part of the chapter, I discussed problems with the model of participation of hawkers in NPSV. First, the model of participation institutionalizes exclusion by only inviting organized hawkers to participate in TVC/WVC, while the unorganized remain outside any decision- making process. Further, through my fieldwork, I also highlighted the heterogeneity and internal hierarchies prevalent within hawkers' organizations that will forestall their meaningful participation. In the last section, I discussed how the growing presence of corporate retail is adversely affecting hawkers, something that NPSV does not address. CCS, on the other hand, acknowledges the competition yet considers it healthy. I have shown through my fieldwork of Vidhyadhar Nagar *mandi* in Jaipur that even when hawkers are provided with fixed spots in the hawking zones, competition with newly established retail stores and super markets make them bear heavy losses. To counter CCS's claims, I presented a case to make readers aware that this competition is not only unhealthy, but also unfair.

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Chapter 8: Conclusion

In this chapter, I give my concluding remarks, provide a summary for the dissertation, and discuss potential areas for future research. I have discussed how the processes of neoliberalism-are spreading in urban areas, coopting different global and local discourses, and mutating to find their ways into polices regarding the urban marginalized that appear poor-friendly. Street hawkers are a group of poor informal workers who often attract attention because of the conspicuous nature of their work, which revolves around their presence in public space. This dissertation analyzes the National Policy of Street Vending, 2009, that was created by a large "alliance" of NGOs, think tanks, social activists and scholars who had been fighting state agents for the rights of street hawkers for the past decade. This policy was subsequently passed by the Union Cabinet of the Government of India as the Protection of Livelihood and Regulation of Street Vending Bill on 1 May, 2013. As the alliance of pro-hawker policy begin to celebrate and start claiming their contribution or organizations in different elements of the policy in the media, it becomes even more important to analyze this so called pro-hawking policy before it is implemented on the ground with big media support. I selected the Center for Civil society, a free market think tank, as my site of inquiry to delve into the analysis because CCS is more open about its free market approach and is foreign and corporate funded. It also has access to many policy networks and has been successfully able to garner the attention of media and the public through various tactics.

On April 1st, 2013, I received an e-mail sent out by a CCS member in my inbox that was meant for a mass audience. It said "(T)his is to share an update on the report from the Standing Committee on Urban Development which had reviewed the Street Vendor Bill 2012. **Many of the changes are in line with the recommendations that CCS had made in a memo to the Committee".** A list of six recommendations followed. This information was shared to convince readers that CCS had done its job well and was indeed active and working, among other things, for the betterment of street hawkers. In this dissertation, I have attempted to question these claims by analyzing CCS as a think tanks, the discourse it uses to gain entry into not only policy networks and NGOs but also the trust of the marginalized such as street hawkers. In the first chapter, I analyze the concept, discourse and practice of civil society that is actively employed by CCS. I show that the concept of civil society that is currently used by CCS is the one that separates the state from civil society and depoliticize social struggles. I also show how the discourse of civil society is aiding in the deployment of global hegemonic discourses of neoliberalism and neoliberal governmentality. The discussions of civil society are further elaborated in chapter 3, where by problematizing imaginations of state and civil society and replacing their relationship from vertical national to a horizontal global plain, I show how the third sector or the NGOs and think tanks are able to attain entry into this horizontal level of state and civil society and work as transnational apparatus of governmentality. I analyze CCS is as a think tank in the remainder of the chapter to help readers understand the process of internationalization of ideas, the politics of donor agencies, the local environment that contextualizes a specific model, and the tactics used by these organizations to affect the climate of opinion. Both chapter two and three are framed on

the premise that it is important to situate an organization in the global political economy in order to investigate their local politics on the ground. This move helps me identify the limitations in the discourses and understandings of CCS regarding informals and street hawkers, something that I discuss in Chapter 4. Here I discuss various interpretations of informality, including the ones espoused by CCS and NGOs only to show how they romanticize street hawking as an entrepreneurial activity and create hawkers simply as economic and homogenous object of inquiry. Here hawkers are inscribed with single and ahistoric consciousness, which downplays the role of gender, caste, family and kinship. In order to avoid this trap, I develop my approach to look at hawkers as heterogeneous subjects who form a part of the broader political economy. They are considered not only economic but also political, social and cultural actors who confront the world at multiple sites that include their home in the slums or pavements, urban streets as spaces of livelihood, government hospitals, schools, and their rural villages. With the help of these dialogues, I progress to analyze CCS's conception of space and the place of hawkers in it in Chapter 5. I show how CCS treats space as a capitalist commodity through discussions on public space. To provide a nuanced inquiry, I discuss different connotations of public space and critically analyze the recommendations of CCS regarding public space to show how it challenges it's indigenous and open character. These recommendations become derivatives in NPSV's design to divide the city into hawking and no- hawking zones. I use Timothy Mitchell's idea of enframing that he developed to analyze colonial spatial reorganization of space in 19th century Egypt to show how NPSV and CCS are attempting to convert the rich communal space of Indian streets into abstract space that facilitates capitalist production and consumption; divide space to bifurcate rich social life

into public and private, exterior and interior; and construct a space that initiates and invites a tourist gaze that drives consumption as the sole social practice. I explain how this transformation of space will be achieved by NPSV through calling for creation of Town/ Ward Vending Committees in every administrative ward. Not only is the conception and materialization of such a committee shown to be farfetched, but I argue that its organization and internal structure are flawed and undemocratic. Also it demands only models of participation that will undermine pro-hawking principles. In order to show that, I make reference to the rise of the new middle class in the form of Resident Welfare Associations and the contribution of the governmental led *Bhagidari* initiative in Delhi that is transforming urban space with an elite imaginary. By using Delhi as a case study to talk about the rise of the elite middle class, I show how hawkers and slum dwellers who navigate through entangled spaces of informality have been affected by elite politics in the last decade, only to prove that the presence of RWAs in TVCs and WVCs will undermine the participation of hawkers. The participation of hawkers who constitute 40% of the TVCs and WVCs is questioned in chapter seven. NPSV demands organization of street hawkers and their representation by a head of hawkers' union. I show using interviews, and participant observations, how this kind of participation is ridden with complexities. This sort of arrangement not only institutionalizes participatory exclusions where unorganized hawkers get no representation, but also treats hawkers' organizations as homogenous entities and does not pay attentions to the internal hierarches of the union. I also deconstruct the tone of NPSV that creates hawkers as entrepreneurial subjects to show various internal contradictions by using data from an executive conference regarding the implementation of NPSV organized by CCS and

NASVI. Some locational discords in NPSV are discussed to show that the main problems of hawkers will not only continue to exist but also be exacerbated with the implementation of NPSV.

This dissertation will hopefully pave way for future scholarship to investigate the role of think tanks and NGOs in the policies regarding urban poor such as street vendors. More site- specific study will extend my analysis and open visibility to further complexities arising from management and reorganization of street hawkers. Further research on formalization of street vendors can provide excellent insights to the politics through which they are mobilized in neoliberal discourse. For example, the creation of a hawker identity cards and biometric surveys can be analyzed using Foucault's insights on classification, biopower and governmentality. Additionally, studies are needed to show the internal hierarchies within hawkers' and hawking unions.

I started this project with intent to critically question the aggressive political negotiations and agendas of hawker's organizations and to demonstrate inherent contradictions and regressive political repercussions. Beyond the academic significance of this dissertation, I hope that the social implications of this project invite new scrutiny to the role of think tanks and NGOs in the politics of the poor, marginalized, and informals. Unfortunately, people (like me) who are committed to social justice unknowingly make think tanks and NGOs the site of their modus operendi without critically evaluating the agendas of these organizations. I hope this work makes not just scholars but also general public, state officials, and most importantly the marginalized more vigilant of the goals and agendas of the organizations they form alliance with.

Hawkers form 2% of the total urban India population and any measure to change the status quo should be analyzed. On the ground, the implications of this project will be reflected in new debates and intense probing of NPSV for its purported pro-hawking stance. I'm hoping that this research will introduce policy debates that are truly inclusive, reflect on the true characteristics of indigenous spaces and acknowledge the growing presence of organized retail as a threat to millions of poor hawkers. Finally, this project has the potential to successfully change the course of hawker's movement in urban India towards goals of more genuine participatory solutions than the ones proposed by NPSV.

The central message of this research is a call to question the presence, commitment and practice of the so called 'civil society' organizations or the 'third sector' in democratic political engagements. As I have shown in the case of street hawkers, these think tanks and NGOs instead of initiating meaningful participatory political discourse, attempt to depoliticize social struggles. Rather than galvanizing politics from below for progressive social change, these organizations imprint on the polities, their own model of solutions that are strongly indented of corporate capitalist interests. The lessons from this research, I hope, will ensure more scrutiny to these organizations and make their current practices hard to carry on.

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Appendices

Ego Hawking by Naveen Mandava, Researcher at CCS

Ego Hawking

Do we need a license for advocating a social cause?

The stretch of unlicensed hawkers in front of the crowded Safdarjung Hospital in South Delhi offer a variety of fast foods among which pav bhaji forms one of the most favourite. A couple of years back , the local pradhan Bhagwan Dada who controls entry of hawkers onto the pavement and also incidentally runs a pav bhaji shop passed an order declining the setting up of any other pav bhaji shops except of his own. Most relented. However one hawker Bharat was adept at providing good pav bhaji and proceeded to set up the stall. Soon customers began flocking to his stall. This enraged Bhagwan Dada. What does he do now? Since he cannot drag customers to his stall, he uses the lowly tools of accusing his competitor of spurious wares. How does Bharat feel like? Just like us. Madhu Kishwar has been regarded as a grassroots organization on the hawkers' front for long. The Centre for Civil Society has long been acknowledged for its public policy ideas and research. Among other areas of research like education, environment and governance, the Centre for Civil Society has been working against the existence of licence permit raj (entry barriers for business) since that hampers the street entrepreneurs of India more than the rich. Where Madhu Kishwar has succeeded in bringing to notice the plight of street vendors and cycle rickshaw pullers, CCS has made valuable inroads in providing workable solutions to this end. CCS is bothered not only about the street vendor but also the middle class citizen who values a clean sidewalk in front of his home.

Our publication Law, Liberty and Livelihood: Making a Living on the Street is an outcome of this motivation to find public policy solutions that will benefit both the harassed street vendor and the urban middle class citizen who values his quality of life. Our policy solutions fall within the framework of individual rights and the rule of law. So when Tavleen Singh writes in support of Madhu Kishwar and rants bitterly against the Centre for Civil Society and its founder Dr Parth J Shah, it makes us sit up and take notice. We have high regard for Tavleen Singh's fiery pen and hence had chosen her for penning the preface of our book given her claimed understanding of free and competitive markets. It is apparent that we were wrong.

Tavleen Singh's article is a textbook example of a journalist using her pen to slander without indulging even in a pretense of analyzing facts. Even our Research Internship Program designed for undergraduate students has seen better examples of factual writing. She writes that " Madhu rang me last week to tell me…Parth J Shah had plagiarized huge chunks of research and documentation done by Manushi, to write his

book, and not bothered to slip in the smallest acknowledgement." This claim needs to be analyzed on two parameters. First, is it a case of a direct copy from Manushi literature without citation OR two, is it a broad charge of having taken the ideas of Madhu Kishwar?

Let us consider one. CCS is open to Madhu Kishwar pointing out the material which she claims has been plagiarized from Manushi literature. Madhu Kishwar is in possession of more than one copy of the book. Manushi literature has been cited on four pages: page 80, page 232, page 234 and page 235 of the book where the content had been sourced. Not to mention the preface where she has been highlighted well. That takes the total count of her mentions in the book to 8. In contrast Dr. Parth J Shah, Coeditor of Law, Liberty and Livelihood: Making a Living on the Street is mentioned only in 5 places through the book. Are we so dumb as to plagiarize her material and then have an ode to her in the Preface and then have her release the book! Credit us with some intelligence. And as is clear from my recent email exchange with Madhu Kishwar, there is no case of plagiarization of her research material or documentation.

On the second issue of borrowing ideas comes across the pathetic plight of Madhu Kishwar. Since when did people need to get a licence to fight for a particular cause? Does this mean that henceforth every research done on street hawking and cycle rickshaws in any corner of India has to begin with an ode to Madhu Kishwar? She wants abolish license raj when others are in charge but create one where she will be the authority? I have yet to come across an ego greater than this. This comes across in her statement that "Not one street-vendor or rickshaw puller or small shop owner in India would endorse CCS's claim to be a champion of their rights." She needn't have asked them. We ourselves would have said the same. We find no purpose in convincing street vendors of economic freedom. They know it better than we do. Our purpose is to convince the people who make and change the policies that impact street hawkers. The purpose of our research is to bring facts regarding them to light of policy-makers. If in course of that we have not acknowledged a particular individual's contribution to the study it is because that person's contribution was not relevant to the research study. Madhu Kishwar's documentaries may have helped us to see the issue in a better light but that is it. Neither she, nor her documentary and neither Manushi had any direct bearing on the research study Law, Liberty and Livelihood: Making a Living on the Street.

Our way of acknowledging her contribution to the cause (since she did not have any direct contribution to the book) was to make her release the book and allow Tavleen Singh write a near-ode to her in the preface.If she is under the impression that the tools of analysis were borrowed from her, then even in that case her concerns are misplaced. This study is probably ideologically indebted to Hernando de Soto, Murray N Rothbard and David Friedman than anybody else. For they have provided me with the intellectual thoughtwork to think of street space as private property that could revolutionise street entrepreneurship in India. But I have not acknowledged them because they had no direct bearing to the research study. If anything else, Madhu Kishwar's encounters with street vendors in Delhi proved that she does not understand the principles of street markets. Her initiative to organize vendors in a static market complex and Tavleen Singh's suggestion

"that every street in every city can accommodate a certain number of vendors, at half kilometer distances" betray a misunderstanding of street vendors' requirements. Street vending is influenced by customer demand. You cannot plan street vending space like you would plan a an airport. If anything this demonstrates that they have not given up the idea of central planning of vendor spaces. It is this very centralized urban planning by bureaucrats that we have panned in the book. Nevertheless it is important to have people like Madhu Kishwar who highlight the issue though they themselves may lack an understanding of the principles of markets. Our role as a public policy research and advocacy think tank is to delve on solutions and shift the quality of debate. In the marketplace of ideas, it is necessary to havecompeting ideas to arrive at better solutions for the problems challenging us today. There can never be enough ideas! So today you have the Law, Liberty and Livelihood study, a first in India that talks of privatizing governance and bringing an end to centralized urban planning. Radical ideas that Madhu Kishwar and Tavleen Singh have not even thought about and would be ready to disown if only they knew these were part of the book as well. Incidentally Voluntary City is the only other study that had the intellectual courage to think on these lines. We did NOT indebt it because it had no bearing on the research study. The rest of Tavleen Singh's article sounds like a personal tirade against the Centre for Civil Society. Analyze statements like "…his phony center has just won the Templeton Freedom Award, 2005" and "many instances of misguided international funding, for NGOs as spurious as the Centre for Civil Society." In an article whose headline is supposed to dwell on NGO corruption, 45% of the sentences are devoted to Parth J Shah and the Centre for Civil Society and not a single other NGO is mentioned. From this single point of the Centre for Civil Society, she goes on to paint a corrupt picture of the NGO sector without providing any facts other than stylized generalities. Even amateurs do not make mistakes like these. If Tavleen Singh had only bothered to Google for us, she would have found that this "phony" Centre was well acclaimed for its previous research publication State of Governance: Delhi Citizen Handbook 2003. As T N Ninan, editor of Business Standard put it "If one small NGO can put all this together, think of what our mass circulation newspapers could do if they chose to be newspapers instead of advertising gazettes." Incidentally, this "phony" Centre also has individuals like me who have left lucrative careers in software for a fulfilling role in public policy formulation for a better India.

Given my talent at research, I could go on to dig allegations that some street hawkers had made of Madhu Kishwar taking money from them without providing receipts on pretext of providing hawking space. But as these issues did not deem to be pertinent to the objectives of the research study Law, Liberty and Livelihood, we did not pursue them. I could also rake up Tavleen Singh's previous incidents of slander through her column as in the Teesta Setalvad case. But frankly these detract from the prime purpose of my work. The way I see it is this. Tavleen Singh is past her prime whose knowledge of licence permit raj for the poor is relegated to only Madhu Kishwar and her work. Neither has she updated herself on the current scenario nor has she made an effort to understand the difference between the work of activists and the work of researchers. My conscience as an honest researcher tells me that I shall not bow to the demands of whimsical activists and senile journalists to acknowledge their ego. I am not here to write their history but to dig facts and facts it is that I shall go after. Question is whether

Madhu Kishwar is threatened that here has come a book that may put them out of the spectrum of public limelight that is perhaps oxygen for them. History is replete with people like Mao Tse Tsung who fell in love with their causes and finally became a hindrance to the very cause they promoted. Maybe Madhu Kishwar's time has come!

Researching Reality

Naveen Mandava

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