Advocacy Counselling for Informal Workers: A Case for Indian Street Vendors

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Abstract

Nearly two thirds of the global workforce is informal (Organisation for Economic Co-operation and Development [OECD], 2009), contributing to 25 to 50 percent of non-agricultural GDP in countries across the world (Charmes, 2012). While this sizeable population has attracted sustained attention from policy makers, development practitioners and researchers in Sociology, Economics, and Labour Studies, career development practitioners have not yet engaged themselves meaningfully with this vulnerable target group despite a call 35 years ago (Watts, 1981). The present paper aims at highlighting the role of advocacy counsellors for ameliorating the conditions of street vendors, the most visible section of urban informal economy. After presenting a brief conceptual exposition on informality, the paper articulates key imperatives to focus attention on informal workers. It then introduces the concept of and competencies for advocacy counselling. After highlighting the definition, contributions, and conditions of street vendors, developments in the Indian context are presented. Finally, the paper lists key issues, challenges, and pointers for career practitioners, counsellor educators, and career researchers for engaging meaningfully with the street vendors.

Key words: advocacy counselling, career services, decent work, informal workers, social justice, street vendors

Understanding Informal Workers

Definition

Referred to as the *traditional sector* in the 1950s, *informal sector* in the early 1970s, *informal employment* in early 2000s, and the contemporary discourse around *informal economy*, the interpretation of *informality* has witnessed varied seasons over the past half a century (Charmes, 2012; Chen, 2005). In 1993, the 15th International Conference of Labor Statisticians (ICLS) defined the informal sector as unincorporated enterprises owned by households which fall below a certain size and/or are not registered. A decade later, in 2003, the 17th ICLS moved from an *enterprise based definition* to the one based on *employment relations* and defined *informal employment* as all forms of employment without social protection, both within and outside the informal sector. Gradually, from a sector-wide phenomenon

informality was recognised as an economy-wide phenomenon (Chen, 2005). In the Indian context, the word *unorganised* is used in place of *informal*. The National Commission on Enterprises in the Unorganised Sector (NCEUS, 2006) distinguishes between the *unorganised sector* and *unorganised workers.* According to the Commission, the unorganised sector "consists of all unincorporated private enterprises owned by individuals or households engaged in the sale and production of goods and services operated on a proprietary or partnership basis and with less than 10 total workers"(p.3) while "unorganised workers consist of those working in the unorganised enterprises or households, excluding regular workers with social security benefits, and workers in the formal sector without any employment/social security benefits provided by the employers" (p.3). It must be noted, therefore, that informality is not related to the nature of the sector (organised or unorganised). Informal workers could be and are employed in both sectors. Informality is linked to the employment relationship not to the enterprise. According to the NCEUS (2006), workers in the informal sector and informal workers in the formal sector together constitute total employment in the informal economy.

Key Characteristics

Across all geographies, including India, informal workers possess common characteristics. That they earn low wages in occupations with no job security, spend their lives in poor working and living conditions, can claim little or no social security provisions and worker rights, experience multiple forms of poverty, register low level of skill formation, are well documented facts, globally (e.g., Charmes, 2012; OECD, 2009) as well as nationally (e.g., NCEUS, 2006; National Sample Survey Office (NSSO), 2012). International Labor Organisation (ILO, 2002) concluded that workers in the informal economy are denied seven essential securities (see Box 1 for details)

Box 1
Seven essential securities (ILO, 2002)

Labour market security:	adequate employment opportunities through high levels of employment ensured by macroeconomic policies;
Employment security:	protection against arbitrary dismissal, regulation on hiring and firing, employment stability compatible with economic dynamism;
Job security:	a niche designated as an occupation or "career", the opportunity to develop a sense of occupation through enhancing competences;
Work security:	protection against accidents and illness at work, through safety and health regulations, limits on working time and so on;
Skill reproduction security:	widespread opportunities to gain and retain skills, through innovative means for decent work and the informal economy as well as apprenticeships and employment training;
Income security:	provision of adequate incomes;
Representation security:	protection of collective voice in the labour market through independent trade unions and employers' organizations and social dialogue institutions.

Source: ILO. (2002). *Decent Work and the Informal Economy,* Report VI, International Labour Conference, 90th Session, Geneva: Author.

Bringing Informal Workers under the Spotlight: Key Imperatives

The preponderance and pervasiveness of informality has resulted in a number of initiatives from intergovernmental agencies (e.g., ILO, OECD) as well as from national governments and civil society organisations. Almost 35 years ago, Watts (1981) pointed out that career guidance activities were drawn towards formal sector, despite the fact that most economic activities took place in informal sector. This was again highlighted by Plant (1999). But surprisingly in the subsequent career development literature, the mention of informal is conspicuous in its absence. While a recent proposal to include livelihood planning as a crucial dimension to career guidance does emphasise a need to work on informal workers (Arulmani, 2014), inadequate conceptualizations and interventions for informal workers make it pertinent to list key imperatives.

The first key imperative derives from the sheer number of informal workers. OECD (2009) has noted that two-thirds of the total workers globally are informal. Informal workers in developing countries make up more than half the workforce and, in some cases, more than two-thirds of the workforce (ILO-Women in Informal Economy: Globalizing and Organizing [WIEGO], 2013).Based on the data from different NSSO rounds, Srija and Shirke (2014) confirmed that out of 474.23 million of the total (formal and informal) Indian workers, 435.68 million (91.9%) are informal workers. Therefore, an important imperative is that *career development paradigms are expanded to include informal workers.*

The second key imperative originates from the notion of decent work, which is pursued through four strategic objectives: full employment, improved levels of socio-economic security, universal respect for fundamental principles and rights at work, and the strengthening of social dialogue (ILO, 1999). At the same time, a series of reports have highlighted the plight of informal workers and urged governments to take steps to ensure decent work for them (e.g., ILO, 2002, 2013).In the careers literature as well, the universal relevance of the decent work agenda across target groups has been duly emphasised (Athanasou, 2010). Hence, an imperative for career practitioners is to *address decent work deficits in informal employment.*

The third key imperative emanates from repeated calls for an inclusive vocational psychology grounded in the principles of social justice. Blustein, who has been writing extensively on extending the frontiers of vocational psychology, recently reiterated a need to:

> make space in the career development/vocational psychology tent for all people who work and who would like to work. This will include people from poor backgrounds, recent immigrants, people with disabling conditions, and others who have been left out of the career discourse in our field and who have been similarly marginalized in a given society. (Blustein, 2015, p.64).

A number of other scholars as well have called for the inclusion of the social justice agenda in the area of career counselling in particular (e.g., Arthur, 2005; Sultana, 2014; Tang, 2003). Hence an imperative for career development professionals is to engage with the needs of informal workers in order to *achieve social justice and inclusion related objectives.*

Street Vendors

In the literature, four categories of informal workers, namely, domestic workers, home-based workers, street vendors, and waste pickers have attracted

particular attention especially in the context of developing countries (e.g., ILO-WIEGO, 2013).Of these four groups, street vendors are the most visible in the urban landscape, making up between 2 and 24 per cent of total urban informal employment in African, Asian, and Latin American cities (Roever, 2014).In the Indian context, street vendors represent 4 per cent of the total and 5 per cent of informal urban employment (Chen & Raveendran, 2011). This section looks at the issues related to the definition, diversity, contribution, conditions and recent developments in the Indian street vending sector.

Definition and Diversity

The National Policy on Urban Street Vendors defines the street vendor as "a person who offers goods or services for sale to the public in a street without having a permanent built-up structure" (Government of India [GoI], 2009, p.3).The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act defines street vendor as a person who is:

> engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly. (GoI, 2014, pp.2-3).

As encapsulated in these definitions, street vendors represent an extremely diverse category of urban informal workers. Street vending varies considerably in scale, timing, location, income, types of goods and

services, and work schedules (Bromley, 2000).This diversity renders efforts in data collection, unionisation, programme implementation, and targeted service delivery difficult.

Contributions and Conditions

Street vending is an ancient occupation prevalent in almost every city since time immemorial. The contributions and conditions of street vendors have been studied widely in many countries, particularly in the global south (e.g., Bhowmik, 2005; Roever, 2011, 2014) including India (e.g., Bhowmik,2001; Bhowmik & Saha, 2012). Street vendors contribute significantly to households, communities, and city life (Roever, 2014).They provide goods and services to city dwellers, at their door steps saving their time and money. Many vendors keep the street clean by themselves or by paying a fee for cleaning services (Roever, 2014). At many places pedestrians express that they feel safe on the street due to vendors' presence.   They also add colour and vibrancy to the urban landscape. In many cities they are part of the living heritage ensuring cultural preservation by providing access to local food and goods.   At the same time, they also contribute to municipal revenues through taxes and fines. Despite their significant contribution, the urban elite describe them as a "menace" for commuters, "intruders" on public property, a "nuisance", "urban eyesores that blotch the urban scenario" (Bhowmik, 2010, p.1). In other contexts they have been described as "locusts, coming in 'plagues', 'droves', and 'deluges', and the city is depicted as being both invaded and asphyxiated" (Bromley, 2000, p. 10).

Each study reviewed for the present paper paints a disturbing picture of the living, working, and socioeconomic conditions of street vendors across the world. Mostly working under an open sky, they are exposed to a range of occupational

hazards that jeopardise their livelihoods and wellbeing. Their workplaces lack running water, toilets, waste removal systems which make them susceptible to diseases. The exposures to a high concentration of air pollutants, to the hot sun, and to inclement weather also exacerbate their vulnerability to health hazards. Children, who almost invariably accompany their mothers, are more at risk. In most cases, municipal regulatory regimes are ambiguous and unstable which are misused by local authorities for forcible evictions, confiscations, and harassments. Big events, elections, city beautification projects, infrastructure development projects necessitate their eviction without any notice. Mostly living at or below the $ 2 a day poverty threshold, only a minuscule percentage of street vendors has access to social protection and insurance schemes (Roever, 2011).

Indian Street Vendors: Recent Developments

In Indian cities, just like other cities of the world, the occupation of street vending has always existed. But in the early nineties, the number of street vendors increased at an unprecedented rate. For want of any other alternative, most of the laid off workers from industries and rural migrants ended up joining the informal economy mostly as street vendors (Bhowmik, 2005).Along with this came a series of elitist plans and court judgments aimed at transforming Indian cities into global cities. Street vendors were considered unwanted entities encroaching public spaces. At that time, there were places where street vending was considered a cognizable and non-bailable offense. In other cities, due to unrealistic license ceiling, most vendors became illegal by default which made them more prone to extortion. It became imperative to advocate for their rights through the formulation of appropriate policies, enactment of relevant laws, and provision of adequate social protection

benefits. Self Employed Women's Association (SEWA) (http://www.sewa.org/) and National Association of Street Vendors of India (NASVI) (http://nasvinet.org/newsite/) attempted to organise street vendors. Due to the incessant efforts of these organisations, Government of India adopted a National Policy on Street Vendors in 2004 which was revised in 2009. The policy aimed to "provide for and promote a supportive environment for the urban street vendors to carry out their vocation while at the same time ensuring that vending activities do not lead to overcrowding and unsanitary conditions in public spaces and streets" (GoI, 2009, p.3).This policy was the first comprehensive document which gave a pivotal institutional power (Lévesque& Murray, 2010) to the entire movement. It accorded visibility to street vendors and their positive contribution and motivated street vendors' organisations to federate further to strengthen their voice for collective action (Sinha & Roever, 2011). Street vendors now had a policy as a reference point to protest forced evictions and other harassments.

The next challenge was to ensure implementation of the policy. In the Indian context, policies serve merely as guidelines. For implementation, policies need to be adopted by the state and municipal bodies. A few states made sincere efforts for effective implementation. The process of implementation did throw up innovative ideas such as the creation of 52 vending zones in Bhuvneshwar, creation of hawkers' corners in Madhya Pradesh, creation of a two-tier independent grievance redressal structure headed by district judges in Delhi, and creation of a women's market. One of the major outcomes of the policy was the cancellation of the contract system of collection of municipal taxes by private contractors across India. This step freed the vendors from mafias wherever vendors' organisations were strong.

In the meanwhile, the Supreme Court of India passed a verdict in October 2010 saying that vendors had a fundamental right to carry on their businesses under Article 19 (1)(g) of the Indian Constitution and the said right must be protected by a law (Supreme Court of India,2010). The court directed the government to enact law for vendors by 30 June, 2011. Due to the pressure exerted by street vendors' organisation and incessant lobbying with political leaders a Bill was passed by the parliament and became the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

Hailed as a unique innovation in the governance of the informal workforce, this landmark legislation, perhaps the first of its kind in the world, accorded an unprecedented push to the cause of street vendors. The Act states that no existing street vendor can be displaced until the local authorities conduct a census of street vendors in the concerned urban centre. All existing vendors have to be provided with permits for conducting their business and a Town Vending Committee (TVC) will supervise the activities of the vendors. This committee, which will be the main policy making body on street vending, comprises municipal authorities, police, the health department, and other stakeholders. Representatives of street vendors will constitute 40% of its membership and women will comprise at least 33% of the street vendors' representatives.

The key imperatives for focusing on street vendors in India are similar to those of informal workers. Additionally the recent developments in the policy domain have had an empowering impact on vendors and their movement. The Act legalised the occupation of street vending, provided for a regulatory regime, and drew a road map for future interventions to be initiated by the authorities. Now the task at hand is successful implementation of the provisions of this Act.

Advocacy Counselling for Street Vendors

Advocacy Counselling

Advocacy, the primary expression of social justice work, has been seen as the active component of a social justice approach to counselling and psychotherapy (Fickling, 2016). Advocacy counselling has been defined as an "empowerment stratagem that counselors and psychologists use to fully empathize with their clients to exact social change" (Green, McCollum, & Hays, 2008, p.15). In the context of career counselling, advocacy has been seen as pivotal to its relevance in the present century (e.g., Arthur, Collins, McMahon, &Marshall, 2009). Advocacy counsellors need to work with clients and on behalf of clients. A number of frameworks, approaches, and techniques have been developed (e.g., Green, McCollum, & Hays, 2008; Kiselica & Robinson, 2001; Lewis, Arnold, House & Toporek, 2002). Many of these could be integrated into career development intervention systems.

Opportunities

Reports and recommendations of NCEUS and studies conducted by independent researchers clearly flag areas for future activities for ameliorating the conditions of street vendors and ensuring their wellbeing. In the meanwhile, Government of India issued a set of operational guidelines to support urban street vendors under National Urban Livelihood Mission (Ministry of Housing, Urban Development and Poverty Alleviation [MHUPA], 2013). The document lists seven areas of intervention which include: survey of street vendors and issue of identity cards, development of city street vending plans, infrastructure development of vending zones in the city, training and skill development, financial inclusion, access to credit, and linkages to social security schemes. There are specific guidelines for

local authorities, planning authorities, and state governments. Career counsellors taking the advocacy approach can get in touch with these authorities and influence them for implementing the guidelines in each of these seven areas. It is pertinent to reiterate that 5 % of the total budget under National Urban Livelihood Mission (NULM) could be utilised for street vendors. Career counsellors could do much to ensure its complete and effective utilisation.

There are a number of good practices which have potential for replication (e.g., Kumar & Singh, 2009). Career professionals can assist in conceptualising, implementing, adapting, and replicating such successful interventions. There has also been a call to focus on the day-to-day struggles of street vendors, moving away from the extreme events such as evictions (Roever & Skinner, 2016). Here, career practitioners can develop self-advocacy skills among street vendors. At the same time, they can also empower them by instilling a sense of hope and self-determination. They can assist them by speaking on behalf of them, as well helping them to develop life skills to deal with stress and mental trauma. Another opportunity emerges from the fact that a number of vendors are thriving in their occupation despite working under conditions where opportunities for a decent survival are scanty (Wongtada, 2014). It is important to understand the factors leveraged by them which could be lessons for other vendors. Career practitioners could facilitate this process of learning as well.

Suggested Intervention Models

There are many ways to intervene through advocacy work on behalf of street vendors. One way is to approach NASVI's network which has nearly 700 institutional and 650,000 individual affiliates. Once the connection is made and area of activity decided, one can follow any model for intervention which has been described in

the literature. I present two models briefly, as illustrations. The first one is known as the T.R.A.I.N.E.R. Model (Hof, Dinsmore, Barber, Suhr & Scofield, 2009). T.R.A.I.N.E.R. is an acronym for a seven-step model for an advocacy intervention. It stands for: Target, Respond, Articulate, Implement, Network, Evaluate, and Retarget. The first step is to target the needs of a marginalised group, then respond to the needs, articulate the plan, implement it, evaluate it, and finally, retarget to address unmet needs.

Taking a different approach Green, McCollum, and Hays (2008) have recommended a consultative model of service delivery for mental health professionals developed by Dougherty (2008). This is a joint approach where consultants (advocates) engage their clients (those without a voice) in collaborative problem solving. This model has four stages: entry, diagnosis, implementation, and disengagement. Whichever model is chosen by a counsellor, he/she must be thoroughly familiar with the fundamental tenets of the model in order to ensure an effective intervention.

Issues, Challenges, and Key Pointers

Currently it appears that street vendors do not adequately feature on career development professionals' client list. So the first imperative for the profession is to acknowledge and understand the career development needs of the individuals in this sector. One of the major challenges, however, is the fact that the street vending sector is vast, dispersed, diverse, and unorganised. However, international organisations such as StreetNet International and its national affiliates such as NASVI and local street vendor associations could be good starting points to secure an entry into the street vending sector. At the same time, the demands and needs of the sector have been clearly articulated by now (e.g., Roever, 2011) and

policies and programmes are in place as discussed earlier (GoI, 2014; MHUPA, 2013). Now the stage is set, as it were, for career counsellors and livelihood planners to take the next steps.

Another key issue is the fact that, while career counselling professionals are aware of empowerment functions, the advocacy function is generally not viewed as a part of the career counsellor's conventional job profile, despite its inclusion as one of the core competencies in international framework of competencies (e.g., International Association for Educational and Vocational Guidance [IAEVG], 2003). It is not unusual for career practitioners to equate advocacy work with protesting, sloganeering, striking, yelling, screaming, and street marching, and worry that their activities may be seen as politically motivated (Fickling, 2016). While the distinction between activism and advocacy needs to be made, it is equally important that counsellors collaborate and develop strong networks with other professions. A strong network of professionals would be more effective advocates than a lone individual (Lewis, Ratts, Paladino, & Toporek, 2011). This implies developing a coordinated and concerted advocacy strategy and national associations such as the Indian Association for Career and Livelihood Planning and the India Career Development Association could take lead in this direction.

Lack of proper training has been identified as key challenge in the literature (e.g., Arthur et al., 2009; Fickling, 2016). India also lacks readiness for a stringent adoption of social advocacy in career counselling due to the lack of qualified human resources with appropriate dispositions, knowledge, and skills. The challenge gets aggravated in a situation where courses aiming at preparing counsellors and career counsellors are few (Kumar, 2013; Maurya, 2015). In a recent review of existing curricula of various

universities and training institutions, Maurya (2015) found that just one course, namely Postgraduate Diploma in Rehabilitation Psychology offered by the Rehabilitation Council of India, has a topic on advocacy counselling. It is important that the Indian education system gears up to face the challenge of preparing advocacy counsellors. Green, McCollum, and Hays (2008) suggested that either an advocacy orientation should be infused throughout the curriculum or a course specifically designed for advocacy counselling should be introduced. Educators and curriculum developers can take ideas from the extant literature on preparing counsellors for social advocacy (e.g., Donald & Moro, 2014; Murray, Pope, & Rowell, 2010). A word of caution is opportune here. Wholesale import of ideas and instruments is not suggested since curricula which are not rooted in Indian realities are not likely to yield desirable results, and interventions derived from imported models are likely to be unsustainable.

Other than a comprehensive training agenda, what we need is a visionary research agenda since India currently lacks adequate research data and tested methodologies. Most researchers working on street vendors belong to the Economics or Sociology or Labor Studies disciplines. Research initiatives from career development professionals are missing. Research ideas have already been proposed by scholars, both related to the street vending sector (e.g., Wongtada, 2014) and advocacy counselling domain (e.g., Smith, Reynolds, & Rovnak, 2009). Taking cues from such studies and keeping contextual ramifications in mind, Indian counsellors, educators, and academicians need to develop an indigenous programmatic research agenda keeping long term objectives in view.

Finally, the role of information in career and livelihood planning can never be overemphasised (Kumar &Arulmani,

2014).Creating an information base of support services, skill development, and social security opportunities available for street vendors would go a long way in the process of ensuring a decent and gainful employment for street vendors.

Concluding Thoughts

Career guidance has focused primarily on the formal sector (Watts, 1981) and seems to have paid inadequate attention to informal workers despite numerous calls for being inclusive. However, there seems to be a number of potent imperatives for designing suitable services for informal workers. The street vending sector in India has witnessed significant movement in the policy arena. At this juncture, it is opportune to note the distinction made by Sen (2009) between arrangement-focused and realisation-focused views of justice, between *niti* (policy) and *nyaya* (justice). The classic

implementation gap which has become symptomatic of the functioning of Indian democracy is in danger of jeopardizing the important strides made in the realm of policy. So, though some *nitis* seem to be in place, *nyaya* still seems to be a distant dream. Frank Parsons, the father of vocational psychology, was the one who championed the idea of the career counsellor as a change agent in 1908 (e.g., Douce, 2004) but in reality, career counsellors rarely engage with the role of being change agents. One way to bring in tangibility could be a careful infusion of advocacy competencies into career counsellor training which can then become a vehicle to further the social justice agenda effectively and meaningfully strengthening the foundations of social democracy. As Gombert (2009) has succinctly put, social democracy is not "a theoretical extravagance, but a common challenge and practical task" (p.100). Are we up to it?

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