

**ACCESSING LABOUR RIGHTS THROUGH SOCIAL DIALOGUES: A CASE STUDY  
ANALYSIS OF 'RIGHT TO SIT MOVEMENT' IN KERALA.**

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**ABSTRACT**

The women textile workers of Kerala faced various health challenges due to standing for long hours with little access to washrooms, continuous working hours without breaks, and no right to sit. Additionally, to that they were policed by the employers for any observed deviations and subjected to wage cuts without any explanations. It was unfortunate that after 75 years of independence 'the nation has failed to understand 'sitting' as right in the workplace. This non-recognition has been further reflected in the discourses regarding accessing toilet facilities, safety, and security, gender equality, etc. in the informal labour sector. This was not an apparent neglect of labour rights but on the other side, there was no such law that existed to protect the rights of textile workers or shop workers prior. Amidst these insecurities, in the workplace 'the right to sit movement' was a struggle that led a few saleswomen in Kerala to claim their rights and thereby give a push to state bodies to amend the labour laws for textile workers. The paper tries to understand and appreciate the remarkable achievement of informal textile women labours of Kerala who emerged as a global model of courage and determination in achieving the labour rights.

**Keywords:**

*social movement, labour rights, informal sector, resource mobilization*

**Introduction:**

Movements to claim individual rights have always grabbed the attention of the masses across the world. Kerala has a history of various mobilization, strikes, and electoral and mass struggles led by labourers for their workplace rights and demands. Among these different struggles, Kerala has been paid attention to almost 8 years before from different spheres of India through the 'Irikal Samaram' (Right to sit) movement. It can be addressed as a historical achievement of the informal labour sector of Kerala. Right, to sit is a movement that deserves appreciation and popularity because of its unique features. It is one of the first women's movements that led to the formation of a union for unorganized women's workers in India. Therefore, there is a need for acknowledgment and appreciation for the right-to-sit movement and it has to be spread across much as it is needed to serve as a global model labour rights negotiation. Though the kinds of literature available on the mentioned topic are limited, there are interviews, podcasts, editorials, news, etc. that are available in different mediums which are used as a main resource for this paper. This paper tries to examine the role of various aspects of social dialogues in accessing labour rights.

The reviewed literature says that it was the first strike in Kerala led by the unorganized women textile workers for the right to sit in their workspace. The battle led by a few women finally led to the success when Kerala state cabinet approved an amendment to the Kerala Shops and Commercial Establishment Act. This act ensures that employers will be provided seating facilities for sales staff, prevention of sexual harassment at the workplace, transportation, and other safety facilities to ensure the night work life. ("The Right to Sit | Economic and Political Weekly"). The origin of this movement started from the demand of sales girls of a textile shop in Kerala to sit and for breaks between long working hours. It was the first reason that triggered the women textile workers to begin the 'Right to Sit movement'. A demand for lawful working hours and a safe working environment are some of the demands that came along with this movement. Since then, the plight of women textile workers; standing for longer hours in a day without any break was not even a topic of discussion anywhere in the mainstream political discussions of Kerala

The journey of the textile women workers of Kerala for the right to sit has been captured by national and international media and is often marked as a feminist as well as one of the contemporary social movements in India. Recently in the year 2022, The movement got wide acknowledgment at the pan-

India level when director Kunjila Manschilamani came up with a documentary movie named 'Asanghadithar' in the Anthology film of director Geo Baby's 'Freedom Fight'. The movie draws interesting parallels of resource mobilization of the feminist labour movement/Collectives. However, it is not much acknowledged and appreciated in terms of how a small collective achieved great success and contributed to bringing a new work culture to society. Therefore, this study/essay will contribute to the literature on the feminist labour rights movement discourses. The essay is divided into three sub-topics to understand the nuances and nitty-gritty of the topic.

### **Methodology**

Largely depending on secondary data, this paper followed an exploratory model of research to understand the genesis of the sitting strikes as a social movement as a part of labour social dialogues. The paper also tried to analyse the role and contributions of the Penkoottu collective in the success of the movement. Since, most of the data about the topic is available in the form of interviews, movies, and case studies, the paper also relied on those materials to give a comprehensive idea about the right-to-sit movement and its different aspects.

### **A) Origin of grievances and the entrance of Penkoottu collective**

The demand for the 'right to sit while working' was the core incident that the women workers and led to the starting of the right-to-sit movement later. Not like any other labour movement that happened in Kerala before, this movement was pathbreaking for textile women workers to speak about their other concerns like minimum wage, bonus, weekly leave, working hours, etc... The women's collective 'Penkoottu' played a crucial role in helping to gain momentum for this movement. The joint action of the Penkoottu collective aimed to claim the demand for the right to sit was one of the major highlights of the movement. Before the Right to Sit movement, the Penkoottu collective has a history of success in demanding toilets for women textile workers. Therefore, the first source of approach for workers who were protesting for the right to sit was also the Penkoottu collective.

While searching more on the Penkoottu collective, it could be understood that this collective is a group of female unorganized workers who have been formed to protect their rights and dignity in the workplace at SM Street Calicut. Penkoottu means 'Women for each other' and is a network of women trade unions working with the ideology of feminism. They started without any support from mainstream male-dominated labour unions in Kerala. Thus, the Penkoottu collective earned a network and social attention through its continuous struggles for women workers' rights.

It has been observed that the Penkoottu collective had no support from any labour union or political parties during the time of the right-to-toilet movement also but they managed to put pressure on the owners of shops in Calicut to build toilets for the workers. Since this success story was added as a merit for women workers of the informal sector to believe in the Penkoottu collective, the women workers who were fighting for the right to sit in a limited terrain so came forward under the leadership of this collective. The role of the Penkoottu collective in this movement was to act as a facilitator and the rest of the movement was taken up by women textile workers across Kerala.

### **B) The Movement: strategies-demands-tactics**

Meanwhile, it is also interesting to look at what was the feeling that made the unorganised women textile workers to stay united in this movement. The tag of 'Textile workers/Sales girls' and the consciousness being under this noun is the notion that binds them together and prepares for this movement. It was the same reason that motivated them to continue as organized and agitate later. For example, the incident of demanding the right to sit during working hours that happened in one of the textile shops in Thrissur erupted as a regional problem in the beginning and it was not reported even in the mainstream media at that time. But when one more strike began with similar needs in other textile shops in the district of Alappuzha changed the outlook of the movement and women workers across Kerala started to come up with the same demand. They all have come up with a potential solution which is to amend the Kerala Shop and Establishment Act of 1960. Till then in Kerala, there was no women's movement existed there to address any of the issues faced by the unorganised women

workers. The rally organised by Penkoottu collective SM street (A major commercial street in Calicut, Kerala) where the women workers carried chairs in their heads got wide attention across Kerala. There was a hashtag that started trending soon after the rally on social media like Facebook tagged 'Boycott Kalyan'. Compared with other labour movements so far happened in Kerala, what made this movement popular was the strategy they used in the rally. The chair carried by workers in their heads was the symbol of the hardship faced and their demand for the right to sit. It grabbed the attention of mainstream media, political institutions, and state bodies.

I would say this was not just a movement for the right to sit but a struggle for achieving collective bargaining power and dignity. The role of the Penkoottu collective was to prepare those textile workers to ask for negotiations, representations, and dignity. So, it is pretty much visible that being part of a collective or union and being organised allows one to claim the demands without any delay. However, it requires well-defined plans and execution strategies as well as resources to handle counterarguments in the form of movements or legal actions. In the case of the right-to-sit movement, there was no such countermovement but at the same time, a group of workers; who were afraid of losing jobs supported their employers by saying that they had no restrictions on sitting and no exploitative working conditions. This backfired on the movement to an extent to show the realities.

The mobilization of workers for this movement began without having any mainstream labour union support and resources, the initial stages took through a door-to-door campaign. Since they need support from the masses from various spheres of society the activists of Penkoottu came up with a blog titled 'Asanghaditham'. This mainly carried the content in the form of pamphlets, newsletters, posts, etc that aimed to distribute among the public. Despite all this, the day they chose to kickstart the campaign, is on International Labour Day which is May 1<sup>st</sup>. This was one of the brilliant tactics used by workers because Labour Day marked an auspicious day for all labours across the country which they will get appreciation and acknowledgment from state bodies, political parties, and unions in the form of new policies, social media content, etc. The workers chose the right time for their rights.

### **C) Mobilizing resources for a long-term result**

Mobilizing resources for the success of any social movement is important for its results. Right, to sit labour movement can be viewed in two dimensions in terms of its resource mobilization. On one side, it can be claimed that the women's group of textile workers was not a collective having enough resources like members, money, and resource persons like advocates or politicians but on the other side penkoottu collective and their network had earned through 'the right to toilet' movement was a resource for textile workers who were fighting for right to sit also. The right-to-sit movement was also successful because of the legitimacy of resources they have in the form of women advocates (joined with them after the movement began), and support of the AMTU (Asangaditha Meghala Thozilali union) a union of unorganised workers formed on behalf of Penkoottu collective and women NGO in Kerala named 'Anweshi'.

But in contradiction to this, the initial phase of the movement doesn't have enough resources in the form of capital, connections with political parties, and labour unions, and there is no proper guidance as to whom they approach and what to do, etc. The whole negotiation happened inside and between the shop and shop owners. However, the phase of movement changed when four members of the group of protesters joined AMTU. It has been observed that in any movement the scope of resources will increase when more people joined to the movement and resources will multiply from various spheres of society. This possibility can be counted as a major factor in determining the success of a movement.

The right-to-sit movement became successful when the Kerala government amended the Shop Establishment Act of 1960 and proposed a bill for the right-to-sit including provisions that shop owners are bound to make the safety of women workers in the year 2018. Even though the implementation of this law was not successful in all shops, women workers were now aware of the rights they had in the workspace. Moreover, the women who were fighting at the forefront of the right-to-sit movement were continuing in the collective, and more women workers joined the Penkoot collective later following the success of the movement. They keep helping and solving issues faced by women in workspaces.

Because unorganized workers irrespective of gender anywhere in the globe are prone to many exploitations. Among these, women workers are the one category that is more vulnerable in our society. While understanding the outcome of the right-to-sit movement, one could understand that it challenges the textile work culture that has been practiced for many years in shops in Kerala and brings a new work culture in the domain of informal work. It was not an easy task for the workers to fight against the big textile industry owners and put pressure on the state bodies. However, the success of this labour movement was also reflected in the neighbouring state Tamil Nadu to legalise the right to sit in later years.

### **Conclusion**

It is difficult to measure the periphery of Right to sit movement in a limited frame. However, at first glance, the movement will undoubtedly give an impression of the strength and dedication of a group of women and their struggle for recognition. Secondly, I would say, it was not only a struggle to claim fundamental rights but a struggle of 'power versus gender' because this was a movement that originated from the consciousness of class stratification and oppression. The movement was marked as a resistance against the textile owners who exploited and harassed the women workers without providing a basic work environment. The struggle to gain bargaining and negotiation power is the symbol of determination and dedication of a few women which underlines the brilliance and strategies they have followed in this movement and later leads to success.

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