Dear workshop participants,

The following piece is part of my dissertation research. I want it to stand independently as a paper. I would like to know whether the current framing of it within the state and labor movements debate is convincing, adequate and appropriate. The paper also has a social movements angle that I do not explore. Any input on how to develop that will also be helpful.

Thanks!

Manjusha

Shifting repertoires of an Indian labor movement, 1989-1999

Manjusha Nair, Rutgers University
manjusha@eden.rutgers.edu

Introduction

"Despite the state and industrialists' attempts to defeat us, our struggle for labor rights has continued for the last seventeen years. The reason is that we never broke the law". The proud statement, made by an activist in the central Indian peasant-labor organization Chhattisgarh Mukti Morcha (Chhattisgarh Liberation Front, CMM hence forth) draws attention to the fact that labor organizations and movements have an institutionalized history in the twentieth century. Though even after seventeen years of continuous "lawful" struggle, the CMM has not been able to secure labor rights for its participants; it continues to engage, rather proudly, in it. However, a closer look at the trajectory of the movement reveals a more nuanced picture of the lawful struggle: the CMM engaged in disruptive repertoire against the industrialists and non-disruptive repertoire against the state, in its opposing roles as a *radical* trade union and a *contained* social movement. Scholars have argued that labor movements have been incorporated by the nation-states in the twentieth century (Carr 1945, Przeworski 1977; Calhoun 1982, Cooper 1996; Seidman 1994). Based on a study of the CMM's repertoire between 1989 and 1999, I argue that labor movements have a much more nuanced relationship with the state. The use of two types of repertoire by the CMM in the dual capacity of a trade union and a social movement suggests a partial incorporation of the movement by the post-colonial Indian state.

Though the paper is concerned with CMM's struggle in the city of Bhilai in central India between 1989 and 1999, CMM has a much longer history. It emerged in 1977 as a trade union of the manual workers employed in the state-owned iron-ore mines in the Chhattisgarh region. The participants were predominantly peasants from the neighboring villages who arrived in the

mining town during the famines of the 1960s. The union widened into a regional political front representing the peasants in the region and the unorganized workers in the post-independent industrial cities of Bhilai and Raipur (hence the name Chhattisgarh Liberation Front). The struggle in Bhilai began openly as a strike in 1990, when the contract workers in a cement factory started a "tool down", an illegal work –stoppage, within the factory. The striking workers were expelled and in the next six months, most contract workers in the industrial belt joined the CMM. The atmosphere filled with cries for "living wages" and "better working conditions". Though the management of some of the industries had initial negotiations with the CMM, there were no follow-ups, and finally around five thousand workers were expelled from the companies[1]. The unrest in Bhilai quickened instead, resulting in wide national attention. This infuriated the industrialists, who allegedly assassinated the CMM leader in 1991. Though the movement had an initial setback, soon it gained support in the region through the euphoria surrounding the "martyrdom" of the leader for Chhattisgarh. The expelled workers took the struggle to the public, by squatting in schools and government property, and eventually on the railway line. The police shooting that followed killed sixteen of them, and banned the CMM in Bhilai. The incident led to a routine judicial enquiry that found the contract labor system as the root of the struggle and referred the case of the expelled workers to the court. As one activist remarked, "being in the court meant an end to taking the road". The court cases were still dragging on in 2006 when I visited the field.

The repertoires, that is, "the limited set of routines" that are acted out in contentious politics (Tilly 1995: 26) used by the CMM during this period vary widely according to context and interactions. The activists engaged in routine picketing and scuffles on the one hand and routinely held mass demonstrations and rallies on the other hand. The opponents against whom the repertoires were performed varied from workers belonging to other unions, particular

industrialists or their hired goons, local agents of the state like the district collector, state-owned railway system and the public in Bhilai. I have attempted to capture and classify the CMM's repertoires in the following table:

Table 1: CMM's Repertoire, 1989-1999

	Aimed at the Industrialists	Aimed at the State
Disruptive	Scuffle Picketing Physical Attack *Gherao* (holding hostage) Wild-cat strike *Band* (total blockade)	Rail blockade Road blockade Squatting
Non-disruptive	Routine slogan shouting Routine sit-ins	Martyr day celebrations Agitations with prior notice Demonstrations Threats Silent rallies Torch light processions Advertisements Meetings with political leaders

The CMM engaged in two types of repertoire, disruptive and non-disruptive. The disruptive repertoire, ranging from relatively legitimate "wild-cat strikes" (illegal stoppage of work) to extreme physical attacks, was aimed at the industrialists. The non-disruptive repertoire, ranging from disciplined participation in court-cases to mass martyr day celebrations, was aimed at the state. The distinction is not exclusive; as the table shows, there were instances when the CMM engaged in non-disruptive acts at the factory gates like routine slogan shouting before the "shift" began and utterly disruptive acts of squatting on public property and rail blockades. However, those incidents are overshadowed by instances that followed the opposite pattern. "Disruptive" and "non-disruptive" are, in other words, relative categories. A two-mile- long

demonstration disrupts normal activity. However, it is non-disruptive compared to picketing that has no prior permission and involves the use of force.

The two types of repertoire used by CMM point at the two distinct capacities in which the movement was acting, as a radical trade union against the industrialists and a social movement in relation to the state. Charles Tilly defines social movements as a series of contentious performances, displays and campaigns by which ordinary people made collective claim on others (2004). They do it with the help of what is termed as the "social movement repertoire" such as public meetings, pamphleteering, solemn vigils, demonstrations, petition drives and statements to media. Tilly argues that the repertoire took for granted and rarely challenged the continued existence of the national structure of power, making popular contention "much more contained, and much more closely integrated into national political processes" (2008: 46). The radical trade union tactics that involve "sabotage" aimed at the holders of economic power are, hence, different from a "contained" social movement aimed at the holders of political power, mostly the state and its representatives. Nevertheless, radical trade union tactics are empowered by, and hence defensive of the industrial system, comparable to the "Marx-type labor unrest" described by Silver (2003: 19-20), where capitalism creates and strengthens a labor-class with both work-site and associational power. Hence, one rarely finds violent acts such as burning down factories or destroying machines since they may indicate a lack of faith in the industrial system, rather than a clash of interests with the industrial-owners.

What do the distinct repertoires used by the CMM say about the relation of the CMM activists to state and capital? Before answering that question, an analysis of scholarship dealing with state incorporation of labor movements is necessary. The next section locates the case of the CMM within such scholarship. The section is followed by a brief description of the methods used for the collection of evidence and a section on the context of the CMM movement, the post-

colonial nation-building in Bhilai. Two sections, discussing the disruptive repertoire used against the industrialists and the non-disruptive repertoire used against the state, follow. The final section outlines the main conclusion of the paper and suggests implications for theory and research.

State incorporation of labor movements

Labor movement scholarship, despite the diverse and often contradicting perspectives it encompasses, agrees that labor has an "institutionalized" history in the twentieth century. T.H. Marshall captured this in the concept of the social element of citizenship, ranging from the right to economic welfare and security to the right to participate fully in the "civilized" society, the institutions closely connected with it being the educational system and the social services ([1950]1992: 8). Marshall was referring to the Western European states where the citizen-workers, where their incorporation into state projects led to the collapse of internationalism (Carr 1945) and hence, have been accused of being reformist (Calhoun 1982 for instance). Analytical Marxist scholars have referred to the same as "statization" of working class organizations (Panitch 1981:22). Explaining the reformism of the working class, Adam Przeworski argued that capitalist democracy became the socially organized mechanism by workers could express their claims to the product of their labor. While as immediate producers, they had no institutionalized claim to the product, as citizens they processed such claims through the institutions of bourgeois democracy, fundamentally through the electoral institutions (1977, see also Panitch ibid, Poulantzas 1978 and Therborn 1978 for the debates surrounding working class and capitalist democracy).

States and labor movements elsewhere followed trajectories that were distinct from that of Western Europe. Unlike the statization of workers through the social citizenship model that Marshall suggested, in many cases the labor movements supported the states, but also mobilized

for wider interests than their own. Many such states were newly formed in the post- World War II era, after a long experience of anti-colonial resistance by national liberation movements that had relied on support from labor movements. After the formation of the new states, the labor movements collaborated in the nation-building project, making the nation-state the terrain of possibility and action for the working- class (Ahmad 1992). Frederick Cooper argued, for instance, that the French West African labor movement that had an original international and class-centered outlook was subsumed by the project of the construction of the national identity and nationalist struggles, finally ending up as partners in the elite-run state (1996). Gay Seidman argued that trade unions in Brazil and South Africa engaged in "social movement unionism", an "effort to raise the living standards of the working class as a whole rather than to protect individually defined interests of union members" demanding broad economic and social change outside the narrow boundaries of the political parties (1994: 2). The radical potential of labor movements, towards democratization in repressive regimes, though within the context of nation-states has been pointed out by other scholars as well (see Koo 2001 for the case of South Korea; Bergquist 1986 and Collier and Collier 1991 for Latin America).

The scholarship on the state incorporation of labor movements, however, relies mostly on macro-structural and institutional levels of analysis that does not answer questions regarding mobilization at the mass level. For instance, while the leadership of labor organizations is co-operative and compliant with state sponsored industrialization, to what extent does that signal compliance on part of the mass following, the real citizen-laborers that routinely interact with state and capital? How much are they hegemonized by the nation-building projects of the state? To explicate the nuances of state incorporation, the extension of citizenship and the consequent containment of and contestations by labor struggles, a more interactional, quotidian level of analysis is required.

A study of the CMM repertoire intends to examine the fine distinctions in the state, capital and labor relations in the post-World War II states. Like other post-colonial states, the Indian state began its project of modernization in the 1950s, “to approach the levels of progress of the Western states”. A component of it was the adaptation of a production-oriented economic system that necessitated the re-structuring of material and human resources towards the needs of the modernizing nation. Implicit to it was a faith in a modernizing economy that would produce and consume more rather than regulate needs following the Gandhian principles. The initial answer was the mixed economy model, where the nationalistic aspirations for self reliance, informed by the Soviet model, co-existed with the promotion of indigenous private capital (Chakravarty 1987). Consequently, the Indian-nation state entered into various relationships with indigenous capitalists and workers, who were also the citizens of the newly constituted nation. Indian labor unions militantly participated in the anti-colonial national liberation struggles, and evidence shows there was a call for the co-option of labor following independence and widespread debates among the left wing trade unions regarding support to the new state engaged in planning with Soviet co-operation (see Selected Works of Jawaharlal Nehru 2004; Communist Party of India documents 1950-60).

The dual repertoire of the CMM, in its dual capacity as a radical trade union and a contained social movement show that the incorporation of the labor movement in post-colonial India was in place, but it was neither complete, nor uncontested. The CMM interactions with indigenous capitalists unmasked a clash of interests based on multiple conflicts along such important axes as labor-capital, employer-employee, and native-immigrant. In contrast, CMM’s interactions with the state whether, at the local, federal or at the national level, were cautious and contained. This was despite the fact that the state did not extend full social citizenship (Marshall ibid) to the laborers represented by the CMM.

Methods

Research for this paper was conducted during the summers of 2003 and 2004, and the spring of 2006. The main body of evidence I present here comes from the regional newspaper coverage of the movement from 1990 to 1999, when CMM was in full swing in Bhilai. CMM maintains a newspaper archive (though sporadic since 1999) in the form of registers of newspaper cuttings. The main newspapers retrieved are *Deshbandhu*, *Dainik Bhaskar* and *Navbharat* published from Raipur in Chhattisgarh. The archive is not complete and there are moments, specifically following the assassination of the CMM leader in 1991 and the police shooting in 1992 when there is a gap of months in collecting the newspaper cuttings. There are also gaps within the coverage. For instance, a reference might be made to an ongoing hunger strike that was never reported earlier. This might mean that many such tactics were routine events that the newspapers did not find "news-worthy". Since my wider research was based on ethnography, I was able to realize and compensate for at least some of the inadequacies of the newspaper archives. I additionally draw from in-depth interviews of participants in the movement (names withheld to ensure confidentiality) and the open-access digital archives of the V.V.Giri National Labour Institute in New Delhi.

The period studied, the 1990s, was also the time when economic liberalization measures began in India, leading to private investment and labor de-regulation in the industrial sector. However, the findings in the study are not related to those processes, but to post-independent industrial policies that were already in place, as we will see in the following section. Economic liberalization might have only exasperated the power of the industrialists and further weakened the power of the workers.

Context: post-colonial nation-building in Bhilai

Bhilai, located in Chhattisgarh in central India, is a "steel city" that houses the Bhilai Steel Plant (BSP henceforth), one of the first state-owned steel plants in India set up in the 1950s to build the muscles of the post-colonial nation in iron and steel, "a symbol and a portent of the India of the future"[2]. The Chhattisgarh region was chosen as its site for being rich in iron-ore. BSP, started with Soviet technical assistance, was built over 7170.6 hectares of land displacing 94 villages and 5703 households, including a village named Bhilai (Srinivasan 1988). The steel plant, together with the iron-ore, limestone and dolomite mines for raw materials, thermal power station and coal fields, altered the countryside significantly, making Bhilai a modernizationist dream. In the words of a historian of BSP,

> As a village, Bhilai adjacent to Durg was, in the beginning of the fifties, little more than scrub, duck ponds and paddy fields. It was indistinguishable from any of the thousands of villages throughout India. It consisted of typical mud houses and its economy was rural. The people lived on agriculture, grazed cattle and were given to folk dance and music, in gay abandon. Life was placid. … This sleepy village skyrocketed into prominence on its being selected as the site for a steel plant. ..The story of its transformation from a quiet pastoral setting into a throbbing industrial center, humming with activity and teeming with thousands, is an amazing one, of absorbing interest (Srinivasan 1984:4).

Read against the grain, the above account indicates the drastic change that happened in the region because of the steel plant. Chhattisgarh became home to two kinds of citizens: the skilled, organized and hence well-off citizen-workers from other parts of India, and the unskilled natives that were informally employed. Furthermore, Chhattisgarh continued to be one of the poorest regions in India with a chronically famine-stricken countryside, despite the region's riches in the form of resources, natural and manual, and multiple forms of industries owned by state and indigenous capital. These contradictions in post-colonial nation-building played out in the CMM's interactions with state and capital.

Since its launching, Bhilai has become the center of industrial undertakings, including 120 small industrial units that depend on the BSP for byproducts, and a few big enterprises. Unlike BSP, the smaller companies are privately owned, mainly by members of the *Baniya* community, a historical business and trading community in India, originally hailing from the western region (currently the states of Gujarat and Rajasthan). The *Baniya* community is a powerful constituent of the indigenous capitalist class in India [3]. The *Chhattisgarhiya* (natives of Chhattisgarh) have memories of many of the industrialists rising from lower beginnings with a small "leth-machine" operating unit to "steel kings" with turn-over in millions, indicating that their rise was entirely due to the Chhattisgarh region.

Though abolished and regulated in 1970 through the Contract Labor Abolition Act[4], contract labor has continued to be a predominant form of recruiting in Bhilai, and most of the recruited were Chhattisgarhiya natives. This is true for the BSP as well as the smaller industrial units in the region that depend on the former. In the contract labor system, the contractor (*tekedar*) acts as the mediator between the industrial management and the workers. This system of labor, going back to the colonial era (see the category of "jobber" in Chakrabarty 1989 and Chandavarkar 1998), helps the industrial management to evade its legally mandated

responsibilities to the workers by passing those obligations onto the contractors. There has been no official count of the number of contract workers in the region; some estimates are as high as 94% (Editorial, Economic and Political Weekly, October 5, 1991, 2273-4). The extent of contract labor recruitment at the expense of regular workers in Bhilai, including the steel plant, has increased since economic liberalization in 1991 (Jha, Mitra and Nair 1998).

Labor trouble in Bhilai started in the 1990s in a cement factory that was a locus of the contradictions in post-colonial nation-building. The factory was located on the land acquired from the local communities, and employed the locals as contract laborers, while maintaining a pool of organized regular workers that were internal migrants from the literate, politically conscious regions of India. How did the contract workers respond to their working conditions? The following section argues that they considered it a "disentitlement" and fought it using disruptive trade union tactics.

Disruptive trade union repertoire

As mentioned earlier, the struggle in Bhilai started as a wild-cat strike, a "tool down", in the local branch of the prominent the Associated Cement Companies Limited (ACC henceforth)[5]. It was located on the fringes of the Bhilai industrial belt, and built on land acquired from the villages nearby. While some first generation workers in the villages were employed in the ACC, by 1990s, most were retrenched through voluntary retirement schemes and the second generation was deployed as contract workers, both in skilled and unskilled work[6]. Trouble began when a major trade union allegedly entered into an agreement with the management for reducing workers in the manually deployed coal-wagon unloading department. The non-contract workers in the company and in the industrial belt, mostly internal migrants, were represented by all major national trade unions in India, such as the AITUC, INTUC and BMS[7]. A coal unloading worker

in the company, who has since then been expelled, however, cites the "tool down" as a cumulative effect of years-old resentment:

> We had been working in the wagon unloading section with no regular work or pay, and no regulation of working hours or conditions. Sometimes we had to work continuously for eight hours. Initially we used to have six workers to unload a wagon. The management reached an illicit agreement with INTUC, paying bribes, and reduced the workers to three per wagon. We were enraged and approached BMS but were not supported by them. Then we approached CMM in the mining township and the leaders assured their support to us. We came back, and immediately sat on a twenty four hour tool down in the wagon unloading area. The management told us our strike is illegal and ordered us out of the company gate. Thus we were expelled.

The activist's account affirms the legitimacy of the CMM struggle in the industrial belt. The contract workers were confronting the neglect and betrayal of other trade unions that entered into an "illicit" agreement with the industrialists who had already breached the rights of the workers through "irregular" work and pay. While the contract workers understood themselves as eligible labor, the industrialists considered them disposable labor. The management cited the law, making the unannounced strike illegal, while in actuality the workers were not recognized as legal and hence not bound by industrial codes of justice. Thus the oldest and widely used labor union tactic of withdrawing labor was rendered useless by the manipulative use of claims of legality and illegality by the ACC management.

The CMM leaders made a make-shift tent in the road intersection near the cement company and started a sit-in agitation, hunger strike and speeches addressed to workers passing by. The speeches were not about living condition and minimum wages. They were about a life of "honor" (*izzat*) for a Chhattisgarhiya "laborer" (*mazdur*) that was creating the wealth for the "capitalist" (*poonjipati*). The leaders reminded their fellow workers that the fight was not easy, since they were not fighting a particular industrialist, but the industrialist class that had national reach, and held the "state" (*sarkar*) as a puppet in their hands. The violation of justice to the ACC workers fuelled the sentiments of the contract workers in the region. They all shared a sense of denial of "entitlements" due to an "unholy" alliance between the state and indigenous capital. Driven by the immensely powerful rhetoric of the leaders, workers joined the struggle one by one, ignoring the threats of other trade unions and management.

The ACC management was not ready to relent. Negotiations with the CMM mediated by the district administration and labor department were stranded since the management made two pre-conditions: the agitating workers would not be taken back and the wagon unloading workers would not be made regular workers[8]. Later, the industrialists in the region expelled all the workers participating in the CMM led agitation. They also gathered the support of the local bureaucracy in suppressing the movement. In 1991, the district magistrate in Durg announced that the CMM leader Niyogi was going to be extradited from the Chhattisgarh region. Before the extradition could proceed, Niyogi was assassinated, allegedly by goons hired by the industrialists in September 1991[9]. The assassination, rather than disrupting the CMM militancy, led to its intensification. The CMM gained public attention and villages surrounding Bhilai became CMM strongholds, inspired by the "sacrifice" of Niyogi for Chhattisgarh.

Routine labor movement tactics continued despite Niyogi's death, much to the annoyance of the industrialists. The CMM anger at the prime suspects in the Niyogi murder, the owners of

Simplex Company, led to disruptive picketing at its factory gates[10]. Street-fights and brawls at the factory gates (*pathrav-marpeet* in the Indian dictionary of contentious repertoires) with alleged goons of the industrialists became common. The CMM complained about goons being stationed at the factory precincts and the industrialists demanded that the CMM activists be prevented from holding bamboo clubs (*lathis)* and other weapons. In January 1992, CMM threatened a complete disruption in the industrial belt through "direct action" (*sidhi karwahi*) any time, though not specifying the implications of the term. The CMM leader announced that on January 25th, a day before the Indian Republic Day, hundred thousand workers would venture into Bhilai and disrupt the industrial area[11]. The frightened district administration declared Section 144[12] that prohibited the CMM activists from holding public demonstrations. Since the regulation prevented any gathering of activists, the direct action day went uneventful.

The extent of the industrial tension in Bhilai is evident from the sixteen kilometer long protest rally conducted by the industrialists, not a regular repertoire engaged by them. The rally on foot led by the Simplex and Kedia distilleries owners represented seventy-two industries in the industrial region. At the end of the rally at the district collector's office, notices were distributed warning of a lockout[13]. The local member of the state legislative assembly decried the event and said that the district administration was responsible for not executing what the state government wanted and the labor was responsible for the unrest, fear and anarchy in Bhilai.

The industrialists found a strange bed-fellow in the "red-flag" union, the AITUC (see endnote 7). The AITUC was already at odds with the CMM in the mining township where it accused the leadership of the latter of being separatists and Maoists, thus emphasizing its own nationalist credentials. Scuffles involving AITUC supporting workers and CMM activists, aided by bamboo clubs and leading to bloodshed, were routine in Bhilai[14]. In fact, a wounded activist

was, understandably, a trophy for the CMM, and such photographs are still kept for display in the CMM possessions.

In retaliation to the abandonment of the direct action day due to the declaration of Section 144, the CMM leader Janak Lal Thakur started a hunger strike[15]. A hunger strike is a widely used protest tactic in India (as elsewhere), inspired by the many hunger strikes of M. K. Gandhi against the British rule. Hunger strikes are not a part of usual labor movement repertoire, possibly because they are a one-man show; nor are they part of a social movement repertoire, since it was a violent tactic, the difference being that the violence was inflicted on oneself rather than the opponent. The national attention that it gained is evident from the visit of the former Prime Minister V.P. Singh to meet the striking Thakur[16]. He held a press conference in which he accused the state government and the industrialists for the plight of the workers. The AITUC leader accused the CMM of taking international help in spreading unrest, violence and terror in the industrial region[17]. The hunger strike, he argued, was intended to bring instability to the state-run steel plant.

The events between May and July 1992 resulted in change in the character of the struggle in Bhilai. Desperate that neither an agreement with the industrialists was reached, nor was the district administration allowing the activists to force the industrialists through disruption, the CMM planned squatting on public property. Venturing into confrontation with the state proved costly to the movement. CMM activists shifted to and squatted on a BSP property near Bhilai Power House railway station in the end, threatening that they would block the railway lines, the nervous system of the steel plant and the industrial area. On July 1, CMM activists blocked the railway line, angered by the disregard they faced from both the state and the industrialists. In the evening, the police fired at the gathering killing seventeen people, including an onlooker. The union office was sealed, activists were arrested, and a curfew was declared.

After the police shooting, according to the routine enquiry commission report submitted by Justice P.C. Aggarwal[18], the cases of the expelled workers were taken over by the industrial court, seriously restricting the scope of the labor movement repertoire of the movement. As a CMM activist commented, “When our dates come, we go to attend the court cases. When a court decision is announced, we go to the road or the company gate and do a demonstration.” CMM has obtained favorable court decisions since 1995, but the industrialists have been reluctant to obey them. Instead, with the ability to employ reputed lawyers, the industrialists obtained repetitive “stays” of the court orders and appealed to higher courts. The desperation this created for the CMM workers was manifold. Many of them were without jobs for a long time by then and finally returned to their village agricultural work for survival. Most in the leadership were blacklisted by the industrialists, and had to suffer penury. For instance, a female activist, who is an expelled worker, still lives on domestic labor in regular cement factory employees’ houses and seasonal cattle-rearing (her caste job). Interviewees also narrated stories of death by starvation.

Following the 1992 incident and the court take-over of the cases of the expelled workers, the CMM started engaging in extreme tactics such as *Gherao*, a form of harassment whereby workers detain their employers or managers on the premises, refusing to let them depart until their claims are granted and *Band*, the total blockade of the area. The aim was to force the industrialists to follow court orders. For instance, in 1995, the workers blocked all gates of the ACC factory, preventing entry and exit, and also blocked the gates of the ACC colony where the regular ACC workers stayed[19]. The newspapers lamented the breach of routine life in the area:

> Common people suffered a lot. Due to the blockade of roads, school buses and water supply trucks were stopped. An eleven- year old student going to school was beaten with sandals; and a sick person was stopped from

being taken to sector-9 hospital [hospital operated by the BSP for the regular employees in the industrial belt]. Since the milk supply was stopped, the kids in the colony could not have milk, house maids did not go to work, and even a van that was carrying the dead body of an official's mother was not let inside[20].

The *Gherao* was repeated in 1996, when the industrialists used multiple tactics to avoid the re-instatement of the workers. The companies Simplex and Bhilai Engineering Corporation had advertised in newspapers that they would give interim compensation to the workers. Simplex management specifically mentioned that the workers need not come to the gate every day; they could send an application by registered post[21]. The CMM filed a case against the industrialists in the local police station, started a sit-in and picketing at the factory gates. On November 30th, the activists *gherao*-ed Kedia, Simplex, Bhilai Engineering Corporation (BEC) and Bhilai Wires and prevented the Bhilai Wires owner from going out of the company gate till late night[22].

Though there was not much newspaper coverage of what was happening between the industrialists and the CMM after 1999, my field visits in 2003, 2004 and 2006 indicated that routine (hence not news-worthy) agitations were going on at the factory gates. Many factory gates had make-shift tents where CMM activists regularly performed sit-in demonstrations, shouted slogans and sang songs. In 2006, while I was in the field, a court order asked the ACC to take back the workers and give them compensation for the wages lost in between. To force the ACC management to obey the order, the CMM workers blocked the factory gate for eighteen hours and performed picketing. There was *lathi* fight with the "goons" of industrialists in which CMM activists, including women, were injured. Every morning before the first shift the current and expelled workers from the company gathered at the gate and shouted slogans. Faced by dim

chances of success in the fight with the industrialists in the new regime of labor de-regulation, factions within the CMM, mostly comprised of youth, were debating the use of extreme and violent tactics, outside the realm of trade unionism.

While the CMM was engaged in radical trade union tactics against the industrialists, it was simultaneously interacting with the state. The state for the CMM, unlike the industrialists that were immediate and recognizable, operated at multiple levels. The local bureaucracy (*police-prasasan)* was immediate and the federal state was distant, but both were clearly sympathetic to the industrialists. The national state was politically more accessible, but was twenty four hours away by train. The central government-owned BSP, its infrastructure and citizen workers represented the symbolized the apathy of the national state to the Chhattisgarhiya workers. How did the CMM's everyday repertoire interact with these multiple representatives of the state? The following section argues that the CMM engaged in a non-disruptive social movement repertoire.

Non-disruptive repertoire against the state

CMM consistently framed its opposition to industrialists and the state as a defense of the institution of the nation-state against its corrupt operators. In 1991, when the struggle in Bhilai was in the initial stage, Niyogi went to the national capital, Delhi, with CMM activists, and submitted a petition to the president of India with fifty thousand signatures of workers in Chhattisgarh, discussing the plight of the Chhattisgarhiya people. He also met with the prime minister and national political leaders and let them know that the workers wanted facilities "within the system". CMM activists conducted protest demonstrations in front of the labor and industrial departments of the central government, as well as visited the national monuments. The meeting was central in clarifying the stand of the CMM as supportive of industrialization for

nation-building, while opposing the “anti-labor regulation” activities of the industrialists in the Bhilai region.

The CMM opposition to the representatives of the state was fierce in rhetoric, and contained in action. Though the repertoire in Bhilai till the police shooting in 1992 was directed at the industrialists, there were instances of CMM expressing its sentiments to the wider public, outside the confines of the industrial belt. After Niyogi’s assassination, there was a huge rally, attended by more than fifty thousand participants, the first of the type organized by the CMM in Bhilai. The newspapers commented on the discipline at the rally and the lack of role of the police force that was present[23]. Street violence, following the assassination of political leaders, prompted mostly by organization leaders for political ends is common in India and elsewhere. Some CMM supporters also confided in me later that the lack of show of violence, expressed in acts like burning petrol pumps, must have been recognized as an expression of weakness of the CMM. However, discipline in public demonstrations was a “rule” and anything beyond that was outside the realm of the “possible, natural, or imaginable” (Gordon 1996:16).

The main tactics used were celebration of martyr days with the co-operation of the district administration, peaceful demonstrations with prior notice and threats of disruption never followed by action. The CMM started celebrating the July 1 martyr day commemorating the victims of the 1992 police shooting in Bhilai. All martyr days followed the same routine: A rally from the cement company road intersection to the railway station where the police shooting happened followed by offering worship at the railway platform near the site of shooting, followed by a public meeting. The CMM always took permission from the authorities before conducting the event, and the police force that was usually present during the event co-operated with the organizers. The following is the description of one such martyr day in 1996:

> Bhilai Nagar: Today noon, a huge rally started from the industrial belt with red-green flag and CMM banner and reached the gate of the power house railway station. Morcha workers entered the station platform with the widows of the martyrs and offered flowers at the place of martyrdom. The District Superintendent of Police and a huge police force including women ensured normalcy at the station. Soldiers [possibly the Central Industrial Security Force] carrying guns were also seen. After the offerings, the activists crossed the railway line to go to the public meeting site at the Great Eastern [national highway] road intersection. At that time the railway traffic was stopped for almost one and a half hours. The Howrah-Ahmedabad express was stranded at Bhilai-3 station from 2:00 to 3:30 p.m. The police did not interfere with the incident and hence the program moved very peacefully[24].

As the report says, there was complicity and co-operation on part of the administration, and the police force peacefully co-existed with the activists. In fact, a news report in 1996 titled "the resting policemen and the CMM" had a photograph of the railway platform, where the police were sleeping with the permission of chatting activists nearby, before a CMM program[25]. Another report in 1998 stated that the workers did not cross the railway line on the martyr day, following an agreement with the *police- prasasan*[26].

Prior notice (*gyapan*) was required by the district administration before the CMM conducted any public event. The CMM used this opportunity to issue threats of "intense" action that were never carried out, and what followed were routine non-disruptive practices. Two instances, one in 1996 and the other in 1999 exemplify the threats not followed by action. Both

were instances when the CMM was awaiting a court judgment on the cases they held with the industrialists regarding the expelled workers. When the Indore industrial court was contemplating announcing a decision in the July of 1996, the CMM leader Thakur declared that there will be a rail blockade on the martyr day of July 1 as a prelude to the court decision and demanded “permission” from the central railway minister who was earlier sympathetic to the movement[27]. As the earlier discussion on the same martyr day showed, the event went “peacefully” with co-operation from the side of the administration and the CMM and there was no intended rail-blockade. During public meeting on that martyr day, the CMM leader announced that if the Indore court decision was not favorable to the CMM, there would soon be an “agitation”. He mentioned that the rail-blockade of the martyr day was “symbolic” of the real agitation to follow[28]. The Indore court decision was delayed and on July10th, the CMM activists engaged in “picketing” as the start of the agitation, which involved slogan shouting. The newspaper commented that the picketing was “peaceful” and did not disrupt normal activity at the road[29]. In August 1996, Thakur again announced that the agitation could take a “fierce” form and the workers were ready for a “historic struggle”. The CMM, without notice, conducted a public meeting at the road intersection as a prelude on August 31st [30]. Another newspaper reported that Thakur exhorted the activists to get ready on September 2nd with their flags and bamboo clubs (*jhande-dhande)* for the violent agitation[31]. On November 22nd, the Division Bench of the industrial court at Indore ordered that eight hundred workers should be taken back by the industries, putting an end to the call for agitation. A similar pattern was repeated in October 1999, when CMM was awaiting another court decision from the Raipur industrial court regarding the expelled workers. Threats of rail and road blockades and mass suicide were made during a routine torchlight procession in the industrial belts of Bhilai and Raipur [32, 33]. Once again, none of the threats were enacted by the CMM.

It could be argued that the routine of threats, which were not meant to be followed by action, was partly due to the fear of the 1992 railway blockade and consequent police shooting. However, such fear of repression was not the only explanation. The 1992 police shooting was associated with a feeling of betrayal by the state, rather than fear, in the narratives of the participants. One of the interviewees said: “We were already blinded by the tear gas and were in the process of leaving the railway line when they started shooting at us without notice”. The fact that the *police* started shooting without prior “notice” at the order of the apathetic *prasasan,* pained the CMM activists, as if the former breached an unwritten contract. The state administration was reprimanded by oppositional political parties and national political leaders for the “violence” of the police shooting. “Normally”, the state was accommodative of the CMM and the latter was co-operative, which was reflected in most of the latter’s tactics.

Whenever the CMM did engage in a disruptive act against the state, like a rail blockade, they voluntarily committed to arrest and removal by the police. In 1997, there was an unannounced railway blockade, surprising the district administration. The police arrested and removed around six hundred workers sitting on the railway lines for almost two hours[34]. The newspaper also reported that the state bus that was taking the arrested activists to Raipur jail broke down and the workers refused to be taken in trucks and did slogan shouting[35]. An activist narrated the subsequent protest at the jail against the low quality tea and flat bread (*roti*) provided; indicating that the anger at the *police-prasasan* was expressed indirectly, compared to the industrialists. Narrating an earlier incident when CMM acted without prior notice, she further explained the difference between “secret” and “non-secret” forms of contention:

> We were planning for a *gherao* in the state capital Bhopal since none has listened to our voices. It was a secret plan. When a notice (*gyapan)* is given, it’s a non-secret plan. It was decided that people will get into the

> train from different places at different times. Around two hundred and fifty people boarded the train from Bhilai power house. They sat on the train in two bogies in the general compartment and started slogan shouting. Then the police came and asked them to get down. The same happened in all other places too. The police emptied some buses on the road and took all of us to Raipur jail.

From the activist's account, it is evident that the *gherao* was simply intended to be a threat. If the intention was to carry out the "secret plan" to reach Bhopal, one hundred and fifty miles away, and engage in a disruptive tactics, the activists would have been discrete about the journey. At least they would not have engaged in slogan shouting in a general compartment, thus drawing attention. Thus they were voluntarily equipped for the eventuality of the police arrest.

Some tactics used by the CMM were geared towards community building like emphasis on education. The idea that the "state" is good, while its operators were bad and it was the obligation of the CMM to protect the institution of the state, underlined such repertoire. CMM used to have advertisements in newspapers requesting the public to donate books to the "Martyr Niyogi Book Bank". Most of the advertisements depicted a first person appeal of a child, whose father had been expelled, to support his or her education. One such advertisement read:

> My name is Uttara. I study in sixth standard in the government school in Bhilai. My father was thrown out of work on January 24, 1992. He used to work for many years as boiler-operator in the factory of Kedia. His mistake was to join Niyogi's red-green flag union and ask for the right wages. The court decided on December 10, 1995 that my father and all his friends should be taken back to work and given their right. Even after that

> the case is still dragging in the high court. The court is not able to deliver justice, nor is the government (*sarkar*) doing anything. I want to pursue my studies, and become a judge so that I can give work to workers like my father and the rightful price for their work. And I also want to punish those who break the law. Will you be on my side in fulfilling my dreams [36]?

Through this plea to the newspaper reading public, CMM drew attention to the fact that its struggle is for what is due to the workers "rightfully" and the Kedia factory, court and *sarkar* were on the wrong. It emphasized that the system of the court and *sarkar* was not wrong; it was the particular way they currently operated that was wrong. To set them right, children like Uttara should educate themselves (unlike her parents who were not educated) and be judges to deliver justice to the poor.

So far we have seen that the CMM engaged in radical union repertoire like picketing, blockades, *gherao*, *band*, and scuffles against the industrialists, while social movement repertoire such as public meeting, pamphleteering, solemn vigils, demonstrations, and petition drives and statements to media against the state. Why is this distinction significant in understanding the relation between state, capital and workers? What are the implications of the findings for current research and theory? We turn to these questions in the concluding section.

Conclusion

In 1956, when the post-colonial state was consolidating the nation through re-organizing production and manpower, Prime Minister Nehru delivered an important message to the Indian trade unions:

> The past few years have been years of marked change both in India and the world. It seems to me that in this age, our conceptions of social

> relations and national and international affairs must necessarily undergo a change. That would apply to the relationship subsisting between labour and management, and there is undoubtedly today what is called class conflict. But it is out of date. … Strikes and lockouts should no longer have any place in industrial relations. This means that the basic reasons for strikes or lockouts must disappear and that where there is such conflict there should be a fair and impartial method of resolving it peacefully [37].

Nehru was demanding co-operation from the national labor movement that had hitherto been militantly anti-colonial and hence anti-state. Though a discussion of the debates and consequent positions taken by the trade unions in post-independent India is beyond the scope of this paper, it is sufficient to say that to oppose a "bourgeois- nationalist", pro-socialist state that had Soviet backing in technology would have been difficult for the left movement in India. In that regard, state, capital and labor relations in India replicated the modality of state incorporation of labor movements elsewhere as captured in the labor movement scholarship.

However, the choice of distinct repertoires against the industrialists and the state by the CMM suggests that the state incorporation was not complete and uncontested. Though the CMM did take part in state-mediated negotiations with the industrialists from the beginning, it was determined by the leadership early on that the movement was not fighting a particular industrialist, but the industrialist class that had national reach, and "held the state as puppet in their hands". Interactions with the industrialists that never followed the labor laws and disregarded the court orders reiterated the verity of such an assumption. In contrast, the CMM maintained a disciplined, law abiding and legitimate relation with the state. The relation was not absolute and hegemonic; it can be summed up only as ambivalent. The repertoire that the CMM

used against the state expressed the ambivalence: cautious when over-stepping the boundaries of what was “legal” and “illegal”, challenging yet law abiding, and criticizing while co-operating with state attempts at reconciliation.

The findings suggest the need to re-think the state-labor relation as captured in scholarship. While the theoretical contribution of that scholarship is immense, the generalizations need not hold true when checked against the interactions and practices at the field level. A re-focusing of labor movement research on the actors and participants at the ground level can help to compliment, challenge and/or revise such theorizing. The findings also open up the possibilities of using post-colonial societies as a specific case of analysis. Their nation-building tactics and state sponsored developmental efforts since the post world war II era led to re-structuring of manpower and other resources in radical ways within a short period of time. The political opportunities that labor movements faced in such societies might dramatically differ from other societies, resulting in distinct trajectories and patterns, requiring a different frame of analysis. The findings also points at the need to rethink social movement scholarship that gives primacy to contentions aimed at political power holders like the state ignoring those aimed at the economic power holders (Tarrow 1994; Tilly 2004; McAdam, Mc Carthy and Zald 1996). In many cases, both contentions can occur simultaneously, in distinct forms using distinct repertoires, contingent on the given context. This paper, hence, suggests the use of “contentious political action” as a flexible rubric within which to think of the many types of mobilizations, movements and repertoires that happen in the contemporary world.

Endnotes

1. Precise estimates of the number of contract workers could not be determined due to the transitory nature of contract work, a key feature of which is the unavailability of records.

2. Jawaharlal Nehru, Indian Prime Minister and architect of modernization, stated this on the visitor’s notebook, written on December 16, 1957.

3. Aditya Mukherjee (2002) argues that the Indian capitalist class was a “class-for-itself”, being politically nationalist, and economically entrepreneurial. This class was not loyal to the British as the left in India portrayed them, and showed maturity in their stance towards imperialism and the national movement.

4. See the Government of India, labor ministry file for details on the Contract Labor Regulation Act, http://labour.nic.in/annrep/files2k1/lab10.pdf, accessed on September 12, 2007.

5. The company, one of the first mergers of significant industrial groups in India- the Tatas, Khataus, Killick Nixon and Dinshaw- became a part of the Swiss multi-national corporation Holcim Limited in 2005.

6. Many of the jobs required learned skills.

7. The major trade unions are the AITUC affiliated to the Communist Party of India, INTUC to the Congress party and BMS to the Bharatiya Janata Party.

8. Swadesh, April 15, 1990.

9. Niyogi was shot dead on September 28, 1991. The accused industrialists were named by Niyogi as his potential killers in a pre-recorded conversation, initially convicted and sentenced to death and life imprisonment by the lower court, but eventually acquitted (except the assassin) by the Supreme Court of India in January 2005.

10. Deshbandhu January1, 1992

11. Deshbandhu, January 25, 1992

12. Section 144 of the Indian Criminal Procedure Code bans assembly of four or more persons to maintain law and order.

13. Deshbandhu, January 26, 1992.

14. Deshbandhu January 17, 1992.

15. Deshbandhu, February 2, 1992.

16. Deshbandhu, February 6, 1992.

17. International help, in the Indian left-wing vocabulary, means help from the United States and other “imperialist” forces.

18. The report is available on the open-access digital archives of the V.V.Giri National Institute of Labour, New Delhi, http://www.indialabourarchives.org/, accessed on March 25, 2008.

19. Navbharat, December 12, 1995.
20. Navbharat December 13, 1995.
21. Deshbandhu October 20, 1996.
22. Dainik Bhaskar, November 31, 1996.
23. Navbharat October 14, 1991.
24. Deshbandhu July2, 1996.
25. Deshbandhu July 6, 1996.
26. Dainik Bhaskar July 2, 1998.
27. Deshbandhu, June 23, 1996.
28. Deshbandhu, July2, 1996.
29. Deshbandhu July 10, 1996.
30. Deshbandhu, September 1, 1996.
31. Dainik Bhaskar September 1, 1996.
32. Dainik Bhaskar, October 6, 1999.
33. Dainik Bhaskar, October 11, 1999.
34. Navbharat, April 21, 1997.
35. Deshbandhu, April 29, 1997.
36. Deshbandhu, June 30, 1996.
37. Message for the 8th annual convention of the INTUC, Surat, made on May 6th 1956. Released by the Press Information Bureau and excerpted from Selected Works of Jawaharlal Nehru (2004), page 126.

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