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Engaging WASH NGOs with manual scavenging in India: A consultation report for WaterAid-India

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Abstract

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By Jennifer Anne Barr

According to Indian law, a "manual scavenger" is anyone who is employed in the cleaning, handling, or disposing of human fecal waste before it is safely decomposed (Baruah, 2014). This occurs in dry latrines, sewerage and septic tanks, open drains, railways, public restrooms, and sites of open defecation. This puts the people doing it at risk of severe health problems, such as exposure to infectious diseases; drowning in sewage; suffocation from sewage gases; and physical hazards (Human Rights Watch, 2014; Narayanan, Ashish Mittal, & Sowmyaa Bharadwaj, 2014). They also face intense social stigma. Historically, people who do this work have been predominantly from Dalit castes, who are considered to be ritually polluted by birth (Gita, 2011; Sagar, 2017; Singh, 2014). In spite of the fact it has been illegal since Indian Independence in 1947, manual scavenging persists.

This report is a consulting document prepared for WaterAid-India that explores how WaterAid as a WASH (water, sanitation and hygiene) organization can meaningfully and sensitively engage with issues of manual scavenging while pursuing their overall goals of safe and equitable sanitation coverage. Combining participant observation with a manual scavenging activist group, interviews with community leaders, and a literature review, this report articulates key issues of the manual scavenging community and ways that manual scavenging community leaders would like WaterAid to engage with their issues. It also further elaborates on the challenges of addressing manual scavenging and ways in which the WASH community must continue to research and engage with this topic. The most important task is that WASH organizations must clearly define in a human rights-oriented way the line between sanitation labor that is safe, equitable, and dignified and sanitation labor that perpetuates systems of inequality.

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Report background and context

From 2016-2017, I conducted fieldwork for my dissertation, "Private Acts, Public Stories: Sanitation NGOs during the Clean India Mission." This dissertation focuses on the politics of sanitation NGOs in India and understanding how they negotiate with the meanings of sanitation in a complex political clime. As part of this work, I conducted ethnographic investigations of three NGOs engaged in sanitation work in India: Safai Karmachari Andolan ("Manual scavenger mission", or SKA), Sulabh International Social Service Organization, and WaterAid-India. In exchange for helping support me with my research, I volunteered for the organizations. I was particularly involved with SKA, helping them write reports, manage their communications, and going with them on some field visits.

SKA was my first case study, followed by WaterAid. SKA is a national grassroots organization dedicated to the eradication of manual scavenging. Because of my time at SKA, when I went to work at WaterAid, I was considered a specialist on manual scavenging issues. Amongst WASH actors, manual scavenging and labor issues were beginning to come of interest. Seeing a need, WaterAid was interested in working on these issues, but they were still working to articulate for themselves in what form this work could take.

While studying and volunteering for WaterAid, I was instructed to help create a document that would steer WaterAid's engagement with this area. The research for this document is separate from that of my dissertation. This work combines my ethnographic research with SKA, literature review, interviews with community leaders, and my own analysis to create a primer on how WASH organizations like WaterAid-India can more meaningfully engage with the issues of manual scavenging and sanitation labor. This work has been presented as a poster at University of North Carolina Chapel Hill Water and Health conference in 2017 (Barr, 2017) and printed under the aegis of WaterAid as an article in the Indian newspaper *The Wire* (Barr, 2018).

This version of the report has been significantly expanded so that readers with less familiarity with manual scavenging, caste, or the Indian context can better understand these issues. I have also changed formatting in order to meet RSPH specifications. Please note that I have removed some sections from the appendices in order to comply with Emory's copyright guidelines. These sections included a copy of a pamphlet by SKA and a copy of a news article that I wrote for WaterAid from this report (Barr, 2018). Full text may be requested from me.

As an additional note, I continue to work with and for SKA. I often assist with their communications work, and I coordinate student interns.

Manual scavenging in India: a background

Sanitation—the safe disposal of human fecal waste—requires human intervention at some point in most countries. In many countries, particularly those with poor occupational safety protections, these laborers are unprotected, exposing them to severe physical and biological health hazards, such as infection, suffocation, and drowning. The workers may also be subject to intense social stigma—either by reinforcing preexisting structures (as when marginalized communities undertake this labor) or by creating new parameters by which people are stigmatized (as when people stigmatize others for doing sanitation work).

In South Asia is a form of labor known as "manual scavenging." Historically, this has referred to the ways in which people from the lowest of the caste communities are considered duty-bound to do the work of sanitation. Manual scavengers are considered to be ritually polluted by birth and unfit to do any other labor (Ambedkar & Roy, 2014; Lynch, 1969; Mines & Lamb, 2010; Omvedt, 2006; Prashad, 2001b), and society relegates the handling of shit and waste to these groups. While manual scavenging exists in other South Asian countries (Human Rights Watch, 2014), this report focuses on India.

Today, India's definition according to their most recent legal act, in The Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013, regarding the issue maintains a broad definition:

> "manual scavenger" means a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or a local authority or an agency or a contractor, for manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which the human excreta from the insanitary latrines is disposed of, or on a railway track or in such other spaces or premises, as the Central Government or a State Government may notify, before the excreta fully decomposes in

> such manner as may be prescribed (Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, 2013).

This definition significantly broadened previous definitions of manual scavenging and defines it as anyone who directly handles human fecal waste that is not decomposed. This manifests as several sites at which manual scavenging occurs:

Dry latrines: These are what tend to be thought of as the "traditional" mode of manual scavenging, in which (usually) women clean out waterless pans or pits not connected to sewers, septic systems, or other disposal mechanisms. They are built by individual households, governments, and NGOs, and can be built for households or communities. It could be also open places mostly in urban locations where people have defecated in the open that are cleaned mostly by women (Human Rights Watch, 2014; Singh, 2014).

Sewerage and septic tanks: Men (mostly) from the scavenging communities are hired by municipalities, private contractors, or resident associations to go into sewers or septic tanks and clean them out with hand tools and buckets. These men are not provided with protective gear (Narayanan et al., 2014).

Open drains: Open drains are often used as sanitation systems, particularly in urban settings. Like sewerage cleaners, those who cleaning and maintaining these systems are also infrequently given more than basic and crude tools.

Railways: Trains dump fecal matter and menstrual waste onto tracks. People (again, usually men) are hired to clean this up with scrapers and wheelbarrows by scraping the dried excrement from the tracks before the tracks are damaged.

Public restrooms: Because fecal waste is often on the floor or the toilets become clogged, cleaning and maintenance of public toilets without adequate protection can become a violation of the 2013 Act.

Sweepers and cleaners of sites of open defecation: While the sweepers might ostensibly be hired to simply sweep the streets or clean an area, if these sites are common sites for open defecation, it becomes a violation of the law (Baradi, 2016).

As will be discussed in greater detail later in this report, the prevalence of the manual scavenging is incredibly difficult to gauge. Underreporting is common: officials want to conceal it, the scavengers themselves often feel uncomfortable identifying as such, and people use different definitions. It is, for example, a fairly common practice to only count dry latrine cleaners in these counts. Different organizations have sought to obtain accurate counts, and numbers in the country vary widely from 770,338 (according to self-survey reports from states collected in 2007) to 1.3 million (Navsarjan, personal communication, 2016).

While there are exceptions, predominantly, people who engage in manual scavenging come from the most marginalized sections of Indian society: Dalit castes, tribal groups, the most desperately poor, and migrants. For those who belong to Dalit castes for whom this is hereditary work, escape from this work is incredibly difficult, as opportunities and social pressure make it challenging to change life direction.

There are a number of hazards associated with manual scavenging, but, like is the case with most topics in this area, solid research on the topic is sparse, and with the absence of solid epidemiological work, many of the health effects are inferred. Gases are a hazard in enclosed spaces, and people suffocate and drown in sewage. Those who engage in manual scavenging report infections of skin, respiratory problems and nausea (Rashtriya Garima Abhiyan, 2013, p. 3). They probably suffer high rates of gastrointestinal illnesses due to high exposure to fecal waste and infrequent access to places to clean. Women tell journalists about how they attribute birth defects in their children to manual scavenging (Singh, 2014). There are high rates of drug and alcohol addiction in the community because

people turn to these things to cope with unbearable conditions. According to government data, at least one person has died in a sewer every five days since 2017, a statistic that is considered a gross underestimate by advocates (Safi, 2018). The deaths that are counted are the ones that happen suddenly due to drowning, suffocation or injury—no attempt has been made to count the deaths by disease.

The social stigma and suffering are also acute. People engaged in this work live uncertain lives, are paid poorly, and looked down upon by their community. They are considered themselves trash. People will not eat with them, will not even take money from their hands. They may face violence if they try to step outside of their bounds or change their life plans. They are poorly paid, with uncertain work and no security as they are usually subcontractors. They watch as their children turn to this labor when they have no other options (Singh, 2014). The struggles of the community are better detailed in other works such as Bhasha Singh's *The Unseen* (2014). But what is sufficient to say here is that the problem of manual scavenging is not just about biological or physical safety of labor, but about the social stigma and suffering of doing this work, about a complete and utter lack of dignity in their lives.

Relevant legal protections

What follows is a brief glossary of legal protections and legislative efforts to end manual scavenging. Manual scavenging has been illegal since the Indian Constitution, but numerous legal measures have since had to be added. Enforcement of these laws has been lax.

Constitution of India:

Article 17 prohibits Untouchability in any form.

Article 15(1) prohibits the State discriminating against any citizen on "grounds only of religion, race, caste, sex, place of birth or any of them"

Article 16(1): "There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State."

Article 19(1)(a): Protects the right of all citizens to practice any profession, occupation, trade or business

Protection of Civil Rights Act, 1955

Section 7A, added in 1976, explicitly mentions that compelling scavenging is illegal (Human Rights Watch, 2014).

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

While addressing a wide range of discriminatory and oppressive actions often inflicted on manual scavenging (and other Dalit) communities, the law explicitly prohibits forcing someone to do manual scavenging or employing a manual scavenger. Currently, the law has updated their definition of manual scavenging to include the 2013 law's definition ("[Explained] The

Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 | Nyaaya.in," n.d.).

The Employment of Manual Scavenging and the Construction of Dry Latrines (Prohibition) Act, 1993

Law made employment of scavengers or construction of dry toilets punishable by imprisonment up to one year and a fine of Rs. 2000 subject to increase by Rs. 100 per day. This law has widely been thought to have failed, due in great part to the fact that while the law passed in the central government, state and local governments failed to enforce the act or even assess the scale of the problem (Human Rights Watch, 2014).

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

This law outlaws all forms of manual scavenging done without tools, including railways and sewer cleaning. It also "prescribes penalties for those who perpetuate the practice, protects those who actually engage in it, and obligates India to correct the historical injustice suffered by these communities by providing alternate livelihood and other assistance." The 2013 Act says that individuals who are engaged as manual scavengers are entitled to one-time assistance, scholarships for their children, alternative livelihood support, and assistance to rehabilitate (Human Rights Watch, 2014).

March 27th, 2014 Supreme Court Judgement Safai Karmachari Andolan v. Union of India

Safai Karmachari Andolan brought a public interest litigation to attempt to enforce the 1993 Act. The court ruling confirmed that manual scavenging existed and that the state had an obligation to see scavengers are rehabilitated, and it reifies the importance and necessity of the 2013 Act(Human Rights Watch, 2014).

Report methodology

The primary source of this report is a set of semi-structured interviews with representatives from three different organizations that work on behalf of manuals scavengers: Safai Karmachari Andolan (SKA, or "Manual scavenger mission"), Jan Sahas/Rasthriya Garima Abhiyan ("Life bravery" or "National Dignity Mission"), and Navsarjan ("Rejuvenation"). (Descriptions of these organizations, their approaches, and their activities is listed in Appendix I.)

These three organizations were selected by Ms. Mamata Das, head of campaigns at WaterAid-India, for their prominence in the sector, their reputation for high-quality work, and their grassroots perspectives. The author of this report took Ms. Das's recommendations on this account and reached out to her contacts at Navsarjan and Rashtriya Garima Abhiyan. The author had her own relationship with SKA.

The interviews were conducted between September and October 2016, with a representative from each of the three organizations participating (n=3). Each was a semi-structured interview (Bernard, 2006) using an interview guide written by the author and Ms. Das. Each interview lasted between 45 minutes and 1.5 hours. Two of the interviews were conducted over the phone and the third was conducted in person. Responses were recorded and transcribed, then coded to highlight prominent or recurring themes.

This report was additionally informed by an ad hoc literature review that was conducted via Google scholar and Academic Complete online databases. I also reviewed court cases and laws pertaining to manual scavenging and Untouchability (See Table 1 for summary of methods).

While this project was carried out while I was carrying out my dissertation work, this work is a separate report requested by and written for WaterAid-India. This work was informed, however, by more detailed engagement with manual scavenging issues over the course of my doctoral research. My

doctoral research methods are summarized in the below table. I did 19 months of fieldwork in mostly Delhi, India from 2015 until 2018, spread out over three phases. I reviewed media coverage of sanitation; interviewed 45 sanitation professionals; attended 22 conferences, meetings, and publicity events; and conducted intense case studies of three NGOs engaged in sanitation (See Table 2 for summary of methods).

Table 1: Summary of report methods

Interviews	**Literature review**	**Observation**
Semi-structured interviews with representatives from three community/activist groups (n=3)	Ad hoc review of white and grey lit Review of court cases and laws	Field visits to sites of manual scavenging work and to activist organizations

Table 2: Summary of dissertation methods

Media analysis	**Context interviews**	**Observations**	**Case studies**
Google alerts on keywords “Swachh Bharat”, “India toilet”, “India sanitation”, “India sewage”, “manual scavenging”, “Bezwada Wilson”, “Safai Karmachari Andolan”, “WaterAid”, “Sulabh”, and “Bindeshwar Pathak” Skimming of Twitter feeds of key actors	45 interviews with number of people representing 37 entities, including NGOs, multilaterals, bilaterals, foundations, and government	Attendance at 22 events, including conferences, press conferences, government meetings Informal interview with people in attendance Collection of written materials at these events	Three to four months of participant observation at three sanitation NGOs Attendance at key events and meetings Collecting documents, press releases, and other written material Semi-structured and unstructured

Skimming of government press releases Daily skim of news media for media context Interviews with journalists who have covered sanitation or key sanitation actors (5)			interviews with staff members

IRB

This work follows similar methodological plans to my dissertation. As such, it is covered under my dissertation IRB approval, in which the work was declared “exempt.” My IRB number is IRB00083957 and was declared exempt 12/10/2015.

Key issues emerging from interviews

The following section is a summary and compilation of information from the three interviews conducted for this report. There was no subsequent fact-checking of data points; numbers and narratives are presented here as informants relayed them to me.

Identifying scavengers

Identification of those who are engaged in manual scavenging is an important step in manual scavenger eradication and rehabilitation. In terms of population numbers, identifying the number of people who qualify for assistance and rehabilitation is necessary to planning and designing appropriate structures; on an individual level, a person must have an identification card to receive the rehabilitation benefits they are legally entitled to.

The 2013 Act requires that all states survey and identify all manual scavengers within their boundaries. However, not all states have done so, and many of the ones who have make improbable claims. For example, one respondent relates, in 2013, the central government carried out a survey of manual scavengers and found 23,000 in the state of Madhya Pradesh. In 2016, Madhya Pradesh carried out its own survey and only identified 36 manual scavengers. In Maharashtra, a central government survey found 65,000 manual scavengers; the state government's survey conducted last year found none. Uttar Pradesh is the only state that has identified more than 11,000 women scavengers. However, in the respondents' opinions, no state or district have done a satisfactory job in counting and identifying the scavengers.

Much of this derives from (1) government apathy toward the issue and (2) a desire to avoid culpability. The 2013 Act criminalizes the employment of manual scavengers with fines and possible jail

time, disincentivizing accurate counts. However, one respondent rejected this as a primary driving explanation for the poor counts:

> See, before 2013 Act also they have said that there is no scavenger. And before '93 Act, also nobody said that there is a scavenger. So this it only, they are saying that because of the Act they are afraid of...That is all just nonsense. I don't believe that. When there was a Supreme Court case also they said that. When there is no case also there they say. So there is no honest officer in the country. Not even a single one. Not even a single one.

Respondents did acknowledge variability amongst the government in terms of engagement with the issue of manual scavenging, however. The central government, particularly the Ministry of Social Justice and Empowerment, is probably the most progressive on the issue of obtaining a count of scavengers—in part, probably because they are not directly responsible for the issue. Other ministries who do employ or rely on manual scavengers—the Ministry of Defense, the Ministry of Drinking Water and Sanitation, HUPA, and Ministry of Railways—are mostly in "denial mode."

To try to counter the sluggishness of government bodies to take action in identifying scavengers, the 2013 law has provisions to allow scavengers to self-declare so they can receive the identity cards necessary for acquiring compensation. However, to get the cards they must go to the local officials, who are the ones culpable for employing them. They fear that they will either get denied the cards or they will get fired from their jobs. And as part of the Dalit condition, there is an overhanging fear of violence should they be perceived as overreaching their place. Thus, self-declaration has not yielded accurate counts either.

The most recent government survey has been carried out in conjunction with Safai Karmachari Andolan and Rashtriya Garima Abhiyan. However, this survey has only been carried out in a limited number of districts so far and only counts dry latrine cleaners. In addition, in this survey, they would

open up camps for registration, but only keep them open for a day or two, meaning that many people were unable to register. The numbers gleaned from this survey were higher than previous counts, but the central government only recognized a small fraction of those registrations as being qualified for rehabilitation.

Government is apathetic and opaque.

Strongly connected to this lack of identification is overall government apathy towards the issue of manual scavenging. There is a lack of momentum at all levels, and respondents said that the government should be shamed for allowing the practice of manual scavenging to continue.

The Ministry of Social Justice and Empowerment is widely acknowledged to be the most engaged central government body engaged with the issue. They have been seeking to pressure the Ministry of Railways to acknowledge that they employ manual scavengers; however, due to relative power of the respective ministries, it has been a difficult endeavor, and so far, unsuccessful.

Groups working on this issue are constantly frustrated by bureaucratic delays and opacity regarding what is or is not being done in regard to implementation of the laws:

> When you meet them, with the flat face, we are trying our best, that's what they are saying, that's what they are saying, that we are trying our best. Now if you are saying you are trying your best, give us a report. And maybe we can file a Right to Information act, we can file an application to get the status of the implementation of this law...The information for what safeguards have been maintained, and what kinds of set-ups the state government and the central government have taken for the implementation of, and I think one has to also look at the Atrocity Act, which came up in 2015. That also prohibits manual scavenging. So both of these laws need to be reviewed.

For example, one of the portions of the law requires that committees be set up to monitor progress of implementation of the 2013 Act, but it is unclear whether these have actually been set up, and if they are, whether they are actually functioning. In addition, it is unclear whether many of the government agencies actually know the elements of the 2013 Act. The government is supposed to publish the 2013 Act in simple language and distribute it to affected communities and government stakeholders, but in many places, they have not even done that. This is borne out by the activists' experiences, in which many of the community members are unaware of their legal rights to compensation. On the district level, there also remains a lack of personnel and capacity: there aren't enough people designated as being responsible for identification and rehabilitation.

Caste is integral to the issue.

In addressing manual scavenging, all respondents emphasized that it is important to acknowledge that caste is integral to the perpetuation of the practice. Manual scavenging is not "just" an issue of labor; they call it an issue of "clear-cut slavery." Caste pressures manifest in terms of both external discriminatory forces acting on the community and internal pressures.

External discriminatory forces come in the forms of obstructive government officials or employers (see "Identifying scavengers" and "Government is apathetic and opaque") and local community members, who pressure them to stay within this practice. Even if former manual scavengers do manage to start a new occupation, members of the community will refuse to let them continue in their new occupation or to patronize their new business. Sometimes they are overtly lashed out against, sometimes violently.

An additional difficulty is that the manual scavengers themselves have often internalized that they are "a lesser human": "That is also one of the reasons that people keep doing this dirty work

because they say…[that] because we committed sins in the past, we are all untouchable, and that's why are we doing the dirty work." There is a sense that they *need* to do this work, that if they do not, then who will? The activist organizations interviewed seek to instill a sense of pride in the individuals with whom they work, to teach Ambedkarian[1] ideologies about the annihilation of caste and trying to generally obliterate the internalized notion that it is their responsibility to do this work.

Families and the scavenging community also will exert pressure on individuals who are trying to escape this practice. In one instance, during a workshop, the facilitators were trying to get women to think about what other work they could do. So much of what they came up with was related to cleaning in some sense, until one woman suggested she could sell sari fabric on the road. Others in the meeting began to scold her for thinking of something that was so far above her. Thus pulling people out of this work requires addressing the externally-driven perpetuation of caste discrimination and the internalized notion of the caste system.

Swachh Bharat

The Swachh Bharat Mission (SBM) elicits both derision and grave concern from respondents. For SKA, who has done a great deal of work around advocating for septic tank cleaners, they see Swachh Bharat as a toilet construction program that is continually creating septic tanks that their community will be forced to clean; they see these septic tanks as places of death.

The awarding of open defecation free (ODF) status is also a cause for concern. According to the original SBM guidelines, ODF status can only be awarded when the entire village disposes of waste safely, and yet some of the villages which have been awarded ODF status still have manual scavenging.

[1] Dr. B.R. Ambedkar was the architect of the Indian Constitution and a key Dalit rights activist and leader who advocated for the abolishment of the entire caste system.

Thus, SBM is being pushed for at the expense of the scavenging community, and it does not properly account for their issues.

Discrimination in schools

Children of these communities often face discrimination in their schools from both their peers and the teachers. Children from this community are frequently asked to clean the school toilets. This attitude and trend tends to decrease the quality of education and encourage dropout, leading to further compromised educational outcomes.

Ministry of Railways and railway scavengers

In spite of gathered evidence by Rashtriya Garima Abhiyan/Jan Sahas and SKA, the Ministry of Railways continues to deny that they employ scavengers. Technically, it may be true; like many other governmental bodies, the Ministry of Railways has sought to avoid responsibility by hiring these workers through contract systems. Thus the Ministry avoids responsibility for employing them or providing appropriate safety guards, such as machines and protective equipment.

Sewer and septic tank workers

While women from the manual scavenging community will be employed to do the work of cleaning latrines by hand, men from the community will be employed to clean out septic tanks and sewer lines. These men are employed by resident welfare associations, private companies, or government bodies to empty out septic tanks or sewers. They usually have no protective equipment. By SKA's count (as of 2016), 1,370 people have died in sewers and septic tanks over the last two years in accidents; however,

if one would be able to also count the significant health damage and risk from inhalation of gases, traffic accidents, infection, and other occupational health risks, the damage would be much higher. Thus, making sewer work safe by using appropriate technology (such as vacuums and pumps) and safety procedures is a high priority.

Municipalities often resist changes or the enforcement of laws that prohibit these kinds of employment. They say that manual cleaning of the drains is necessary because there isn't enough water or there isn't enough budget to use technology.

In addition, according to the 2014 Supreme Court judgement, the families of those who have died in the sewers are entitled to financial compensation; however, these payouts have very infrequently actually been made. This is in part due to the difficult of getting the required paperwork on the parts of the families. The officers who are responsible are also supposed to be charged on the SC/ST Atrocity Act, but there have been no convictions.

Sewer workers are often difficult to organize. Again, they are difficult to identify, particularly given the reluctance of municipalities to acknowledge they exist. It can become difficult to find them, because in the daytime they are sleeping or are drunk, and they tend to work at night in order to avoid complaints from the smells or to avoid the dangers of traffic.

Women's issues

Women from these caste communities undergo even more discrimination, since they are oppressed by both the caste system and patriarchy. Addressing social roots of manual scavenging also requires addressing patriarchal structures.

Women are disproportionately affected and pressured into this work. As one advocate said, “Women don't have the right to say, I don't want to do this dirty work. And especially when you are a married woman.” In many cases, the mother-in-law is the one who brings a woman into the work. Family members will put a lot of pressure on women to continue to engage in this work, seeing it as a source of security.

In addition, women who are the wives of men who have died doing this work are particularly vulnerable, often struggling to support themselves and their families, and unable to navigate the labyrinthian bureaucracy to get the compensation they are entitled to.

Women employed in this work are also at risk for harassment and sexual assault. Because of the power inequities, these women either do not report the crime or their reports are not taken seriously.

> Because on one side you treat yourself as a dirty human being, as someone who is defiled the pure, and on the other side, you are using these women for your sexual lust and whatever. It's terrible. It's very terrible. We have this new law that's for sexual protection for sexual harassment at work, I don't know how many women from this community would be knowing this thing, that they have a law to protect their rights. Whatever they do, whatever work they do, whether they are in the farms or in the sanitation places, they won't know what's happening.

Helping these women realize and pursue their rights to not be harassed involves fighting against both caste hierarchies and patriarchy.

But women also can help support each other into leaving this practice. All three of the groups have discussed the importance of putting forth female role models who have liberated themselves to inspire and encourage other women to come forth.

Rehabilitation

In addition to the challenges of identifying scavengers to rehabilitate that was discussed earlier, rehabilitation itself is a complex topic. In the limited cases in which some rehabilitation funds have been dispersed, it usually has meant giving the former scavengers the loan and then claiming that rehabilitation has been completed. But there is no work or business in the villages, even if they have the skills to try a different occupation. If they do, then they face that people in the village will refuse to patronize them because of their former occupation. What often happens is that people will take these loans and use it for family expenses for some time, then return to their formal work. One respondent said that "They need social support, economic support, skill development support for the rehabilitation." It is also important to look at rehabilitation as a holistic enterprise, integrating the entire family into the rehabilitation so that the children do not turn to this labor.

The amount for the urban population is not enough; one respondent mentioned that this money might be enough in the village, but not in most urban settings.

Overall, though, there was an agreement that the government needs to lead rehabilitation efforts. While they acknowledge that NGOs and civil societies have a place in piloting projects, the government is the only entity that can possibly operate at the necessary scale.

Community recommendations for WaterAid

One of the interview questions prompted respondents to consider specific actions that WaterAid can take to engage with the manual scavenging issue. The following is a consolidated list of these recommendations.

1. *The WASH sector needs to seriously consider and address this issue of manual scavenging.* First, however, WaterAid needs "clarity" on why they need to and a better understanding of the issue and the related topics, like the 2013 Law, rehabilitation, and the roles of different stakeholders like the Ministry of Railways, Ministry of Defense, HUPA, and the Ministry of Drinking Water and Sanitation.
2. *Gather reliable data on how many scavengers exist in India.* There are many different accounts of how many different manual scavengers there are in India from different parts of the government (both central and state) and different NGOs. Most government counts are considered gross underestimates by the leaders interviewed. This leads to inadequate efforts and resources allocated towards rehabilitation and a lack of accountability to government officials. WaterAid should assist in gathering accurate data about how many manual scavengers exist using the 2013 definition.
3. *Pressure government agencies by collecting evidence to prove that manual scavenging continues.* The investigated organizations have used photographs, videos, interviews to do so, but on a limited scale. WASH organizations with greater resources have the capacity to do this at a much larger scale.
4. *Talk about caste and patriarchy within WaterAid.* Respondents suggest that it is necessary for WaterAid to reflect on caste and patriarchy and how it affects the lives of the people within the organization. Only by acknowledging the casteist mindsets of one's self can you begin to address

it at a larger scale. While the respondents did not specifically recommend ways for WaterAid to do this, carefully moderated conversations and examinations of office practices may be a good way to start. A careful audit of the personnel within the organization and their respective castes may be a useful tool to begin this conversation.

5. *If WaterAid organizes any sanitation program or project, seek opportunities to integrate a component on manual scavenging.* For example, if WaterAid is doing an open defecation eradication project in a district, they should also identify the number of manual scavengers. That way, WaterAid is addressing both dry toilet conversion and liberation of manual scavengers and their rehabilitation. WaterAid should work with the government to create rehabilitation packages in places WaterAid is engaging in sanitation projects.

6. *Build capacities of partner organizations and help them address manual scavenging within their program framework.* WaterAid works with many different partners and many different organizations, such as small community-based urban planning organizations, women's groups, and large research organizations. This places WaterAid in the unique position of being able to help other actors who are working on sanitation and related issues to better engage with manual scavenging as an issue and to support people within that community. Using some of the suggestions from this report, WaterAid can assist their partner organizations and fundees to be more engaged with manual scavenging issues.

7. *Conduct a campaign with the community and the government related to manual scavenging.* In order to change the overall apathy of the government towards addressing manual scavenging, WaterAid could conduct a campaign to pressure the government into addressing the issue or to follow successful rehabilitation projects already being done on the ground.

8. *Become a watchdog on how groups like World Bank and government are spending money and make the information available.* There is a large amount of money that is flowing into sanitation

currently from multilateral sources. WaterAid could serve as a kind of watchdog on how that money is being used to ensure these funds are not being used to create sanitation systems that worsen manual scavenging issues. For example, ensuring that no systems are being constructed that will require or encourage manual emptying.

9. *Organize a national consultation on the issue of water and sanitation in order to get a true scenario of what's happening and get an update on where the country is in implementing the laws*. Included in this national consultation should be non-traditional WASH groups, like Dalit rights groups and the International Labor Organization.
10. *Avoid perpetuating Untouchability through WaterAid and their partners' actions.* The respondents emphasized that WaterAid should examine their own processes and attitudes towards the community and ensure that they are not inadvertently perpetuating Untouchability by avoiding those of the lowest caste groups. For example, are WaterAid workers willing to take tea with the Dalits? All of the respondents emphasized the need for people to demonstrate respect.
11. *Put the community first.* As one respondent said, "They have to come out of all of this kind of, giver and taker and I am there to lead. There are the communities, the movements are there and the people are there. Individuals are coming. They can involve in any way they want. And they have to involve where the changes are happening." It is important for WaterAid and other WASH actors to listen to community needs instead of imposing their own priorities.

Analysis of interviews and recommendations

The work of dealing with shit and cleaning has been the purview of Dalit caste groups for centuries. There is poor coverage of sanitation in India (WHO/UNICEF Joint Water Supply and Sanitation Monitoring Programme, 2015). Sanitation systems are often fragmented, with different institutional and technical arrangements together in the same space, what Alley and colleagues call "disarray" (Alley, Barr, & Mehta, 2018).

Sanitation infrastructure remains in disarray in great part because there is a subset of the population who people see themselves as having the duty to take away the shit: when people talk about 'flush and forget,' in a setting of infrastructure disarray, Dalit communities have been the ones who have put in the labor to maintain the illusion of 'away.' Because there is a community to deal with it, historically, ruling powers have not bothered to leverage even available technologies to alleviate people of this labor (Alley et al., 2018; Kelly Alley, Tarini Mehta, & Jennifer Barr, 2016). In the Mughal period, in spite of their technical savvy at making ornate systems of water fountains for the pleasure of the nobility, there was no effort made to use this system to carry waste (Hashmi, 2016). The British thought manual labor as "inevitable" in Indian sanitation systems (Prashad, 2001a) and merely systematized and formalized the manual system by regulating that the work only be done at night and distributing uniforms (Mann, 2007). This is in spite of the fact around the same time, London began construction on its own massive sewer system, proving the technology available (Barnes, 2005).

The act of dealing with fecal matter is oppressive not from just the objective repulsive and dangerous nature of the activity, but because of the way it entwines with the caste system: the idea that there is a community who is somehow destined to be in charge of waste makes up the oppression.

This makes addressing manual scavenging in the WASH sector challenging. It is impossible to completely eliminate labor out of the sanitation equation—even in countries with developed sanitation

infrastructure, some amount of labor is required to keep the systems operating. So in addressing sanitation-related labor, what sanitation labor practices are instances of manual scavenging that need to be eliminated? And which sanitation labor are ones that need to be regulated and enforced? How does one help create safe sanitation systems that accomplish the numerous advantages of sanitation *without* increasing the oppression of a marginalized community? This question can be a central one to tackle in future research projects, workshops, and conferences.

Perhaps easiest to understand and address is the so-called "traditional" form of manual scavenging: a woman using hand tools to scrape out shit from dry latrines and carry it on her head to an open field or drain. This image is the most prevalent if one is to conduct an online search; and in the experience of the activists, this is what district collectors and officials think of when they claim that they do not have manual scavenging, in spite of the broader definition of the 2013 Act (see page 6). It is easy for WASH advocates and the activist groups to align in their opposition to dry latrines: the latrines are insanitary, and the work is obviously dehumanizing.

When the issue becomes more challenging to grapple with is how this work has transformed from this more manual kind of labor to the maintenance of (often dysfunctional) sanitation systems. As listed in the introduction of this report, manual scavenging includes not only dry latrines, but spaces in which there is some kind of technology that is being used, like sewers, septic tanks, drains, or public restrooms. These sites show that intervention has been done, but not adequate enough intervention to prevent the need for human involvement. The main commonality between all of the different kinds of scavenging, however, is that, according to activists interviewed, the people who are maintaining these systems are from the same community.

Thus, when considering sanitation labor and manual scavenging, WaterAid must consider three important elements:

(1) The oppression of a community based on caste and patriarchy, in which a particular community has been relegated to the task of maintaining sanitation systems and subsequently face the full brunt of stigma.

(2) The elimination of unsafe and insanitary sanitation systems that are operational only through direct human intervention.

(3) Regulation of and protection for workers who are responsible for the upkeep of what is regarded as safe sanitation.

Perhaps the most challenging issue for organizations like WaterAid is to articulate the organization's stance on is the third issue, in which two uncomfortable truths coincide: some labor is needed to maintain sanitation systems, but the people who are most likely to be employed for this work are those from the Dalit communities.

To train sanitation workers, to call their labor skilled, without addressing the caste issues reinforces the oppression of the community. As Wilson said in a recent conference in response to some discussions about calling sanitation work "skilled," "Please stop this, whoever you are, stop this." 'It's inhuman,' he says. 'Stop glorifying it. Don't make it sound like cleaning shit is great work. We [our community] has been doing this for years. You cannot tell me it's a skilled job. You have forced us to do this.'

In other forums, in responding to this issue, people have asked SKA to come up with "solutions" to the manual scavenging problem by suggesting particular technologies or protective gear. This ignores the fact that by doing so, one is again asking this particular community to be responsible for shit, a fact which Wilson will quickly point out. 'Why is there no research institution for sanitation?' Wilson asks. 'To mechanize or render it automatic? We don't do it because we have people to take care of our shit.' It becomes a significant internal organizational challenge to ensure that in the quest for sanitation for

everyone everywhere, efforts and projects do not further the oppression and marginalization of these vulnerable groups.

Parsing what the three previously discussed elements (caste-based stigma and oppression; eradication of insanitary systems; and regulation of sanitary systems) mean and their relationship to each other enables more focused advocacy and campaigning. Disaggregating and defining the issue clarifies that particular actors or agencies are responsible and in what ways they might be responsible. Therefore, this also clarifies which civil society or NGO actors are best positioned to hold the other actors accountable and what to hold them accountable for.

Manual scavenging is a multi-sectoral problem: it deals with Untouchability and caste stigma; human rights; enforcement of laws; labor rights; occupational health and safety; and sanitation systems. As such, it and involves (or can involve) a significant number of stakeholders at national, state, and local levels.

Overall, there is a great deal of unevenness in the interests about addressing manual scavenging, although there is evidence amongst certain actors that there is increasing interest. Historically, the labor that has gone into maintaining WASH systems has not been a major concern of the WASH sector, as public health and development priorities were seen as being more important. But Bezwada Wilson winning the Magsaysay Award in July 2017 increased the visibility of both himself and the issue, and there is a slow recognition of the importance of the issue, although exactly *what* is being targeted is still not always clear, diluting advocacy efforts.

Summary of key suggestions for actions by WaterAid

- Clearly define for organizational project and advocacy purposes the difference between exploitive manual scavenging and sanitation labor.
- Include labor safety considerations in all projects.
- Include social stigma as an element independent of biological safety when designing sanitation systems.
- Pressure organizations and government agencies into creating a count.
- Work with partners or pressure government into creating a reliable, scientific census of scavengers in the country.
- Assist in the collection of strong data on number of scavengers.
- Internally assess and consider how support of the government's SBM positions WaterAid in relation to Dalit activist groups and communities.

Works Cited

[Explained] The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 | Nyaaya.in. (n.d.). Retrieved November 18, 2016, from http://nyaaya.in/law/28/the-scheduled-castes-and-the-scheduled-tribes-prevention-of-atrocities-act-1989/#doc

Alley, K. D., Barr, J., & Mehta, T. (2018). Infrastructure disarray in the clean Ganga and clean India campaigns. *Wiley Interdisciplinary Reviews: Water*, *5*(6), e1310.

Ambedkar, B. R., & Roy, A. (2014). *Annihilation of Caste: The Annotated Critical Edition* (Ant Cri edition; S. Anand, Ed.). Verso.

Baradi, M. (2016, December). *Manual Scavenging in Urban Areas*. Presented at the Scaling Up Urban Sanitation, Delhi.

Barnes, D. S. (2005). Confronting sensory crisis in the Great Stinks of London and Paris. *Filth: Dirt, Disgust, and Modern Life*, 103–129.

Barr, J. (2017, October 18). *Sanitation labor and human rights: Manual scavenging and the challenges for the sanitation sector*. Presented at the Water and Health 2017, UNC Chapel Hill.

Barr, J. (2018, December 25). NGOs Have a Moral Obligation to Manual Scavengers in India. *The Wire*. Retrieved from https://thewire.in/labour/ngos-haveobligation-to-manual-scavengers-in-india

Baruah, A. (2014). The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013: A Review. *Space and Culture, India*, *1*(3), 9–17.

Bernard, H. R. (2006). *Research Methods in Anthropology: Qualitative and Quantitative Approaches*. Rowman Altamira.

Gita, R. (2011). *India Stinking: Manual Scavengers in Andhra Pradesh*. Pondicherry : New Delhi: Navayana Publishers.

Hashmi, S. (2016, December). *Purana Qila*. Heritage walk presented at the Delhi. Delhi.

Human Rights Watch. (2014). *Cleaning Human Waste: "Manual Scavenging," Case, and Discrimination in India*. Human Rights Watch.

Johari, A. (n.d.). With its foreign funding cancelled, can Gujarat's oldest Dalit NGO survive? Retrieved January 12, 2017, from Scroll.in website: https://scroll.in/article/826311/with-foreign-funding-cancelled-and-employees-laid-off-can-gujarats-oldest-dalit-ngo-survive

Kelly Alley, Tarini Mehta, & Jennifer Barr. (2016, November 20). *Drains and Religious Exceptionalism.* Presented at the American Academy of Religion, San Antonio.

Lynch, O. M. (1969). *The Politics of Untouchability: Social Mobility and Social Change in a City of India*. Columbia University Press.

Mann, M. (2007). Delhi's Belly On the Management of Water, Sewage and Excreta in a Changing Urban Environment during the Nineteenth Century. *Studies in History*, *23*(1), 1–31.

Mines, D. P., & Lamb, S. E. (2010). *Everyday Life in South Asia*. Indiana: Indiana University Press.

Narayanan, P., Ashish Mittal, & Sowmyaa Bharadwaj. (2014). *Down the Drain!: A study on occpuational and health hazards and the perils of contracting faced by sewerage workers in Delhi*. Delhi: Praxis Institute for Participatory Practices.

Navsarjan Trust. (n.d.). Retrieved September 15, 2016, from Navsarjan Trust website: https://navsarjantrust.org/

Omvedt, G. (2006). *Dalit Visions: The Anti-caste Movement and the Construction of an Indian Identity*. Orient Blackswan.

Prashad, V. (2001a). The technology of sanitation in colonial Delhi. *Modern Asian Studies*, *35*(01), 113–155.

Prashad, V. (2001b). *Untouchable Freedom: A Social History of a Dalit Community*. Oxford University Press.

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. , (2013).

Rashtriya Garima Abhiyan. (2013). *Violence against manual scavengers: Dalit women in India*. Retrieved from http://www.dalits.nl/pdf/violenceagainstmanualscavengers.pdf

Safi, M. (2018, September 19). “Manual scavenging”: death toll of Indian sewer cleaners revealed. *The Guardian*. Retrieved from https://www.theguardian.com/world/2018/sep/19/death-toll-of-indian-sewer-cleaners-revealed-for-first-time

Sagar. (2017, April 30). Down the Drain: How the Swachh Bharat Mission is heading for failure. *The Caravan*. Retrieved from https://caravanmagazine.in/reportage/swachh-bharat-mission-heading-failure

Singh, B. (2014). *Unseen: The Truth about India’s Manual Scavengers* (R. Talwar, Trans.). New Delhi: Penguin.

WHO/UNICEF Joint Water Supply and Sanitation Monitoring Programme. (2015). Joint Monitorring Programme. Retrieved January 8, 2019, from https://washdata.org/data/household#!/dashboard/new

Appendix I: Interviewed organizations

Safai Karmachari Andolan (SKA)

Safai Karmachari Andolan ("Manual Scavenger Mission") is a national movement "committed to the total eradication of manual scavenging and the liberation and rehabilitation of all safai karmacharis engaged in manual scavenging into dignified occupations. SKA is also fighting to stop deaths of workers in sewer lines and septic tanks. SKA is committed to the Ambedkar ideology of equality, equity, and human dignity" (Safai Karmachari Andolan information sheet 2016). It claims that it is the only national-level organization that is dedicated solely to the interests of the manual scavenging community. Currently, SKA claims approximately 7,000 volunteers spread across 25 states, with the main headquarters in Delhi.

SKA is operating on multiple levels of organization. At the local level, they work with local communities to empower individuals to liberate themselves from scavenging and pressure local government bodies in enforcing 2013 laws. On the national level, they pressure government bodies to act on the issue through advocacy activities and court activities. Recent campaigns include the Bhim Yatra, a 125-day bus tour dedicated to spreading word of the 2013 Act and rallying support for the elimination of sewer deaths; SKA against patriarchy (launching now), aiming to address patriarchal institutions; and a campaign to prevent sewer deaths.

Jan Sahas/Rashtriya Garmia Abhiyan

Jan Sahas focuses on the empowerment of Dalit, Tribal and other communities and the elimination of discrimination. Rashtriya Garima Abhiyan is their campaign that focuses on manual scavengers. They have been operating in this sphere since 2002 and operate primarily in five different

states—Madhya Pradesh, Rajasthan, Bihar, Maharashtra, and Uttar Pradesh—and influence others through partnerships.

They operate on multiple levels. On the community level, they "identify the people and mobilize them for the liberation of this practice and then try to rehabilitate through the government program and some other opportunities" (Personal communication 2016). They create community-based organizations to help train women in other occupations who are still engaged in manual scavenging work. Through this program, they have liberated 24,000 women. For the children, they have established "dignity centers" which educated children about Dalit issues and dignity.

They also engage in advocacy, mobilizing media, lawyers, and student activists to engage with this issue, and gathering data to pressure ministries and government bodies. They have a set of trained lawyers who aim to prosecute relevant cases under the SC/ST Atrocity Act.

Navsarjan Trust

Navsarjan Trust is a Gujrat-based "grassroots organization dedicated to ensure human rights for all. Our mission is to eliminate discrimination based on untouchability practices. We also campaign for equality of status and opportunities to all, regardless of caste, class or gender, and ensure prevalence of the rule of law" ("Navsarjan Trust," n.d.). They have a field staff of approximately 80 women and men and are active in approximately 3000 villages and many of the major cities in Gujrat. The core of their work is "to create awareness among the marginalised and oppressed communities in such a way that people are able to develop independent thinking about the world around them, so that they can fight oppression and inequality without the organisation's support."

They have multiple means of engagement, including personal mentoring with women from the community; the establishment of women's groups; mobilizing the community and informing them of their rights; publicize the practice the filing of legal petitions in the Supreme Court to enforce preexisting laws; presenting of memoranda to local officials; and lobbying for policies to be enforced to benefit women whose husbands have died in sewer work.

In addition to their work on eradicating manual scavenging, they work on a range of issues, including human rights value education; women's rights; minimum wage implementation; land rights; digitization of data; local governance and political rights; and youth awareness and motivation.

In late 2016, Navsarjan's foreign funding license was abruptly revoked by the central government, endangering the functionality of the organization (Johari, n.d.). Currently, Navsarjan is no longer functioning.