

Tales of Two Cities

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2009

March 2009

Published by:
Mahanirban Calcutta Research Group
GC-45, Sector - III, First Floor
Salt Lake City
Kolkata - 700 106
India
Web: <http://www.mcrg.ac.in>

Printed by:
Timir Printing Works Pvt. Ltd.
43, Beniapukur Lane
Kolkata - 700 014

The publication is part of the course material of the CRG Annual Winter Course on Forced Migration. The support of the UNHCR New Delhi, the Government of Finland and the Brookings Institution, Washington DC is kindly acknowledged.

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Strangers in Helsinki

Ishita Dey & Sanam Roohi

Introduction

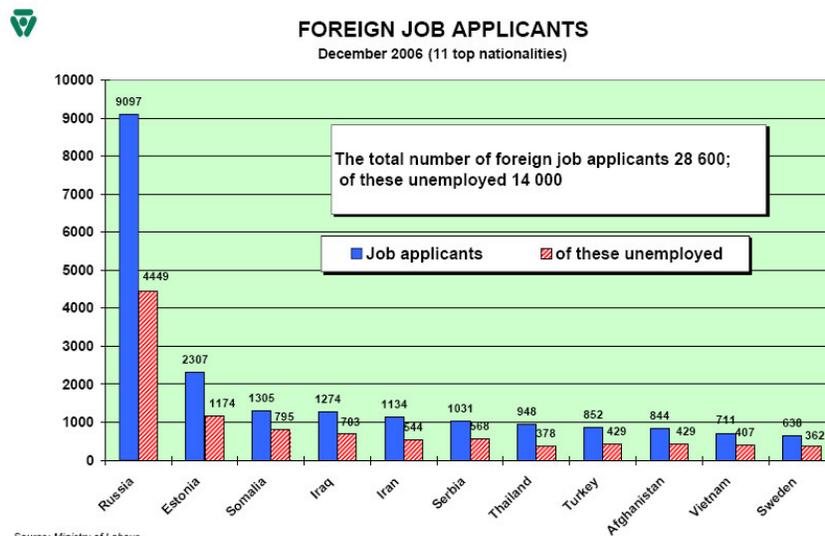
The economic restructuring has induced various types of labour migration across time and spaces. The categories of “slaves”, “indentured labour” are colonial categories of understanding how people from the colonized centres were forced to join labour market. With the emerging economic dynamics; specially globalization; the economic disparities between the north and south has increased. The onslaught of globalisation has led to a newer kind of labour force who are voluntarily willing to sell their labour power to the emerging economic centres. The emerging economic centres vary from continent to continent. While most of the attention in the past centuries has been paid to the movement of “cheap” labour from Asia to North America, United Kingdom; we have sparsely paid attention to the labour attrition and labour movement to the Scandanavian countries.

Why is labour movement so important in the study on forced migration and border control? Labour movement is not only about people moving to cities and areas in search of better life but also about how this movement down the years have been seen by the state as subject of constant surveillance through control of borders, securitization of borders through various legal measures so that the economically better off states do not have to share their resources with the others. The legal measures of immigration, work permit and various other identification documents determines the status of a “foreign labour” in an alien country. While all of us are familiar with the literature on remittances that have economically and socially restructured the lives of many, the hardships they countered through the innumerable documentation of South Asian labour movement (both the white collared and blue collared workers) to the Gulf; in this essay we move to another dimension of “labour movement”- how we do we understand the position of temporary workers in Finland specially after Finland joined European Union in 1995 and European Monetary Union in 1999. What implications are embedded in case of workers from the economically lesser countries like Estonia? What about the neighbouring countries specially countries like Bulgaria and Yugoslavia as Finland also shares its border with many Russian countries.

Background and Context of “Foreign” Workers in Finland

Finland is a large and sparsely populated country in the northernmost part of Europe. One of the largest countries in area in Europe, Finland's population is only 5.3 million - averaging 17 inhabitants per square kilometre. One million people live in the Helsinki Metropolitan Area, and a total of 71% of the population live in urban areas. The average size of a Finnish household is 2.1 people. Those living alone account for 39.1%. The average life expectancy for women is 81.3 years and for men 75.3 years¹.

According to official estimates, since 1990s immigrants started arriving in Finland. In 2007, people from Non European Union countries between January and November filed nearly 6,000 applications. By the end of the year, Directorate of Immigration officials estimated according to this report they will receive papers from some 6,500 foreigners hoping to move to Finland for a job. There has been a sharp increase from 2006 when just 3,900 applications were filed. By November 2007, some 7,800 EU residents had registered to work in Finland compared to 2006 when it was just stood just 4,600 .



Source: http://www.mol.fi/mol/en/99_pdf/en/04_migration/kal_en.pdf

Our interest in “posted workers” stemmed from our interest in the organized workforce; the history of trade unions in Finland. We have been reading on trade unions in India and structurally, functionally we realized that there is a lot more to the Finnish trade unions than their Indian counterparts. What we found particularly

¹ The statistics are available in a document “Working Life in Finland” by Ministry of Employment and the economy. (http://www.mol.fi/mol/fi/99_pdf/fi/06_tyoministerio/06_julkaisut/05_esitteet/tme7601e_workinginfinland.pdf)

interesting was that every four out of five employees belonged to the trade union. When we were reading the webpage of Central Organisation of Finnish trade unions; we found out about the information point at Tallin and developed an interest in doing a small research study on the implications of creation of European Union; opening up of borders and labour migration in sectors that will provide them with short term employment. As is well known that construction industry across the world is in dearth of cheap labour; and with mobile labour; this industry is expanding globally. Apart from the construction industry, there have been increasing number of reported Thai and recently, Vietnamese workers to pick up berries in the summer. In this essay we are going to flag some issues that faces the “global” migrant labour specifically people who migrate for temporary work.

The central thesis of this essay would be to situate the temporary workers and the working conditions in Finland in the context of the widening up of borders with the creation of European Union. In the context of globalization the position of temporary work is particularly interesting because though we have international conventions to safeguard the rights of the “labour”; how do we safeguard the rights of a migrant labour particularly migrant temporary worker? Do we try and create protection-based mechanisms or rather incorporate the temporary migrant worker within the larger framework of the existing negotiating avenues (like trade unions) in a welfare state like Finland. This essay is a journey into “temporary work” in Finland specially the construction industry which has witnessed increasing number of foreign workers in the recent times.

The first section will deal with the international labour laws to understand how “temporary work” and problems associated with these categories have been addressed in legal practices. As we all know that “it is as labour that an immigrant requires recognition. His/her labour rights are a crucial factor in the creation of a humane society”(Samaddar 1999). It is against this backdrop and context we need to understand the legal recognition of temporary workers in Finland in particular and EU in general. The international safeguards on labour laws will provide a comparative perspective to understand the situation

The second section of this essay will deal with an overview of the “working life in Finland to set the background and perspective of the research essay. It will mainly draw upon the documents of the Central Organisation of Finnish Trade Unions (SAK), one of the three large confederations. The other two confederations are the Finnish Confederation of Salaried Employees (STTK) and the Confederation of Unions for Academic Professionals in Finland (AKAVA). Apart from these documents, we would also draw upon newspaper sources and the concern voiced by Eve Kyntaja, Project Manager, SAK². “The transition period of Estonia joining the EU was a crucial moment. People did know how to cope with the transition. It was a difficult time”. The difficulties, the challenges will help us to understand how the

² Interview and correspondences with Eve Kyntaja, Project Manager, The Central Organisation of Finnish Trade Unions on 27 March 2008. She discussed in detail the Information point in Tallinn. This info point has been closed after Estonia joined Schengen countries.

widening of borders in the global world has its sets of advantages and disadvantages. On one hand it securitises livelihoods; on the other it is a hindrance to people's movement. Eve Kyntaja addresses the complexities, challenges of the posted workers in the context of globalization.

This will be followed by an ethnographic account of the "Rakennusliitto-The Construction Trade Union", Finland- the role it plays in the lives of the construction workers. Nina Kreutzman and Esko Auvinen in their interview with us reveals the recruitment process of the construction industry, the increasing consciousness among the foreign workers to join the union, the reported cases of low pay of foreign workers and the recent collective agreement.

Section four deals with the life stories of two migrant workers, Krasimir Kostadinov and Dimitqz Petzov from Bulgaria who were hired through a recruitment agency and were paid extremely low wages and lived in inhuman conditions reveals the other side of the "working life of "illegal" workers in Finland". Their life stories show the recent initiatives by the Union with Minaret, a construction farm in Lohja which has been recruiting foreign workers who have been cheated / dupe by former agencies. The life stories reveal the importance of "identification documents" as they tell us that would not be able to get themselves an internet connection without a "written contract" from the employer.

Finally, we give a brief overview about the other occupations in which foreign workers are engaged in Finland. This will be based on literature review of foreign workers in berry picking industry, sex work and restaurants.

Section I: EU and International Conventions Protecting Labour Laws

Attempts have been made to endorse the unity of the globe as an integrated economic one world. The global economy as Robert Cox (1996) puts it, is a 'system generated by globalizing production and global finance.' Globalisation inevitably brings with itself a movement of labour necessitated by the rapid development and sustenance of the world economies. Finland as a nation has become highly integrated into the global economy by pursuing a liberal free-market economic model. Sixty percent of the total trade that Finland does is within the European Union and it is also the only nordic country to have joined the *Eurozone*. Trade policy is managed by the European Union, where Finland has traditionally been among the free trade supporters, except for agriculture.

The evolution of EU from a core central Europe entity to one that has increasingly encompassed eastern countries like Estonia and Bulgaria (which are the focus areas of this paper) into its fold, the logic of globalization has been in the case of EU to strengthen Europe as a regional economic unit. The economic compulsion and the urge to contradict the logic of globalization by making the world a borderless one, Europe conceptualized the idea of shared sovereignty by creating a European federal State, which has an economic base and will move towards a political superstructure in the foreseeable future. The idea behind the creation of this structure is also the security concerns, especially in the wake of illegal or irregular

immigration, which has been associated with the rise in terror in Europe, and EU can help to securitise the border by regulating migration to allow only regular and beneficial migration necessary for the growth of the European states, largely from EU but also from third countries. The shared sovereignty attempts to build a Europe fortified and self sustaining which can create a common market and a regional zone wherein there exists a self-sufficiency in the demand for labour from the developed central and Nordic countries and the supply from the south and eastern part of this 'Fortress Europe'. Finland is one such country where there exists a positive net migration, owing to it's increasing prosperity and development.

The EU has increasingly expanded its membership to many new sovereign nations of East and Southeast Europe which were not traditionally a part of the imagination of the European Community. The EU has since then evolved to the extent where there is a strong and intense debate over the consideration of including Turkey into the fold of EU. The new EU entrants look for the economic security that is guaranteed by the membership of EU, especially for its many migrant communities who are protected under the Amsterdam Treaty. In particular, the EU is now able to legislate on immigration, insofar as this is necessary for the free movement of persons within the EU. A common Schengen Agreement ratified by most of the European Countries facilitates the free movement of people within the EU without the hassles of traveling documents.

However this EU treaty to protect the rights of immigrants from within EU is limited and is preceded by a more universal understanding and implementation of protection mechanisms adopted by the UN and it's member states. The protection of the rights of workers employed outside their countries of origin has been the subject of increasing concern among the United Nations members. A large number of international instruments exists today to provide the parameters for the regulation of international migration and to provide standards in the area of human and labour rights. The rights and freedoms stipulated in the Universal Declaration of Human Rights apply equally to migrants as to any other individual, as do the provisions of the human rights instruments, CEDAW, for example, which have subsequently been developed by the United Nations. Particular attention is devoted to migrant workers in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998). The first international instruments providing for more comprehensive solutions to the problems facing migrant workers include the Migration for Employment Convention, 1949 (Revised) (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) as well as their accompanying Recommendations.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted in 1990 embodies most of the substantive provisions of the ILO Conventions. These ILO instruments on migrant workers provide for guarantees and facilities to assist migrant workers and their families in all stages of the migration process. It should be noted however, that the ILO Conventions do not affect the sovereign right of each Member State to allow or refuse a foreigner to enter its territory and that it is up to the State to determine the manner in which it intends to organize the potential entry of migrant workers or the

refusal of their entry. Indeed what ILO seeks to do is channelise the movement of the workers so that irregular migration can be eradicated in the long run. However, it does seek to provide for humanitarian assistance to those who do migrate. The ILO conventions provide a vital and important framework for guidance on what should constitute the basic components of a comprehensive migration policy with the help of its various instruments.

Europe has increasingly worked towards adopting policies that deal with the citizens of member states belonging to EU in an indiscriminating manner. This also includes agreements on the migrant population. In this way, it wants to consolidate the rights of European members and simultaneously strengthen itself to the outsiders or non-European migrants. The Council of Europe's instruments in the field of labour migration cover general human rights as well as more specific agreements relating to migrants and migrant workers. The European Convention on the Protection of Human Rights and Fundamental Freedoms (1950), and the European Social Charter (1961) and its Additional Protocol (1988), include a number of provisions relating to individuals living and working in countries of which they are not nationals, covering the rights to privacy, family life, the right to engage in a gainful occupation in another member's territory, provision of information to migrant workers, facilitation of the migration process, equality of treatment of nationals and non-nationals in employment, the right to family reunification, and guarantees against expulsion, etc.

But what is noteworthy here is that these provisions are only for the citizens of those states, which are members of the Council of Europe Member States, and their application is conditional on reciprocity only. The European Convention on the Legal Status of Migrant Workers (1977) includes provisions relating to the main aspects of the legal status of migrant workers coming from Contracting Party countries, and especially with regard to recruitment, medical examinations and vocational tests, travel, residence and work permits, family reunion, housing, conditions of work, transfer of savings, social security, social and medical assistance, expiry of the contract of employment, dismissal and re-employment, and preparation for return to the country of origin. However, few countries have ratified this Convention. But this scenario changed once the Treaty establishing the European Community, as amended by the Amsterdam Treaty (the EC Treaty) came into force in 1999. It represents a turning point in the commitment with regard to a common migration policy for the European Union. Differences however exist in terms of rights and benefits granted to migrant workers coming from within the EU, from future accession countries, and migrant workers coming from third countries, as mentioned earlier. The EC Treaty provides for freedom of movement for workers from EU member States and shall entail the abolition of any discrimination based on nationality, ethnic origin, religion or belief between these workers with regard to employment, remuneration and other conditions of work and employment. It affords migrant workers from EU member states a set of social rights unequalled in other regions of the world.

Furthermore, measures have been taken in the field of asylum, immigration and safeguarding of the rights of nationals of third countries. The Council is also required to adopt measures on immigration policy with regard to conditions of entry

and residence, with regard to standards on procedures for the issue by Member States of long-term visa and residence permits, including those for the purpose of family reunification; and with regard to illegal immigration and illegal residence, including repatriation of illegal residents. In its Conclusions adopted in Tampere in 1999, the European Council reasserted to make full use of the possibilities offered by the provisions of EC Treaty in the area of migration.

The European Commission and European Council have also developed a body of regional norms with the aim of regulating intra-regional migration flows and treatment of non-national workers from within the region and achieve a degree of equal employment opportunity through the EC Directives. Other issues covered by these directives are freedom of movement and residence, right to remain in the territory of another Member State after employment has been terminated, education of children of migrant workers, issues of health and safety of migrant workers, and the right to vote and stand in elections of other Member States.

Although not a binding instrument, the European Union Charter of Fundamental Rights adopted in 2000 is a major point of reference in this context as most its provisions are applicable to all persons irrespective of their nationality. It sets out in a single text, for the first time in the European Union's history, the whole range of civil, political, economic and social rights of European citizens and all persons resident in the EU. European Union institutions increasingly make policies on working life in the Member States of the European Union, and collective bargaining at European level is also becoming more common. As the EU's immigration agenda is still being formed and currently has a limited scope, the most important regulations concerning immigration and citizenship are made on the national level. Finnish policy in this regard will be covered in section III of this paper.

The EU has had some influence on the Finnish immigration system, whereby an asylum seeker coming from an extra-EU country of origin but through an EU country may be, under certain conditions, returned to this EU country. The EU asylum policy, however, is only in its very initial stage. Therefore, the Finnish legislation, administration, and practices still have many national characteristics. For example, in other EU countries, asylum matters are typically under one ministry, be it Justice, Foreign Affairs or Interior, whereas the central parts of the Finnish asylum system are handled by two ministries of Labour and Ministry of Employment and Economy till recently but has merged to become one. Apart from the EU treaties and EC Directives another important regional agreement that protects the rights of the citizens belonging to that region is the common Nordic Agreements signed between Norway, Denmark, Sweden, Iceland and Finland. Several Nordic agreements have been adopted to promote mutual recognition and mobility of people and professionals.

There exist many agreements and conventions to which Finland is a party. Yet it has not always been successful in protecting the rights of this very vulnerable group of temporary workers, which is the focus of this paper. Sometimes excesses have been meted out to even those who come from within EU and are protected by innumerable international labour laws. This poses an important question – What

about the conditions of those who come non-EU countries? At the heart of the protection of the rights of men and women migrant workers lies their potential vulnerability to discrimination, exploitation and abuse, especially in marginal, low status and inadequately regulated sectors of employment like construction and berry picking, the two areas where we have empirically based our study on. In the other sections of this paper, we shall see explore the conditions of temporary workers who come to Finland, the laws that protect or sometimes fail to protect them and the role Trade Unions have played in this regard.

Section II - “Working Life in Finland”

In this context, it is important to remember that labour mobility is one of the “four freedoms” of the EU enshrined by the Treaty of Rome and pursued by the European Commission. There have been various debates and directives within EU on the labour mobility in the construction industry. First and foremost the passing and implementing of 1996 Posted Workers Directive, 2004 accession of Eastern European and Mediterranean island countries to EU and the debate over the 2006 Services Directive. According to Lillie and Greer (2007), each of these issues stem from “interactions between firm-level union and employer practices, national politics, and EU politics”. Transnational subcontracting has been a feature of “global” economy to recruit cheap labour and workforce and this pattern has not only created north-south divide but also created various corners of south within north.

According to the 1996 Posted Workers Directive, posted construction workers are entitled to statutory minimum conditions of either the host state or the sending state. This directive has become the sole protection mechanism in the context of increasing labour migration from Eastern Europe. This directive has been responsible for the copying strategies during the transition period when another ten new countries joined EU. The transition period was the crucial time for the posted workers in many countries as the Unions were trying to work out mechanisms to negotiate with changing times. The Posted Workers Directive was used by the Finnish and German Unions to enforce national standards.

In the case of Finland the transition period marked the process of Estonia joining the EU. Estonia joined EU in 2004. The Finnish Unions and confederations are working for a common labour market. It is important to understand that Finland has one of the highest rates of union membership in the industrialised world. There are 76 trade unions which are further organized into three central federations. Almost 80 per cent of employees are organised in trade unions. With 76 trade unions organized into three central confederations, there is a union for every employee regardless of line of work, type of employment or status in the enterprise.

The Central Organisation of Finnish Trade Unions - SAK is one of the largest confederations. SAK represents the interests of about one million members in its affiliated trade unions. These union members mostly work in industrial occupations and include lumberjacks, woodworkers, shop assistants, bakers, restaurant staff and cleaners. The unions affiliated to SAK are Chemical Workers'

Union, Coastguard Union, Construction Trade Union, Finnish Aviation Union, Finnish Cabin Crew Union, Finnish Customs Officers' Union, Finnish Electrical Workers' Union, Finnish Foodstuff Workers' Union, Finnish Locomotive men's Union, Finnish Media Union, Finnish Musicians' Union, Finnish NCOs' Union, Finnish Post and Logistics Union, Finnish Prison Officers' Union, Finnish Railway men's Union, Finnish Seamen's Union, Finnish Social Democratic Journalists' Union, Finnish Transport Workers' Union, General Union of Journalists Metalworkers' Union, Paper workers' Union, Railway Salaried Staff's Union, Service Union United (PAM), Theatre and Media Employees in Finland, Trade Union for the Public and Welfare Sectors (JHL), Union of Foremen in Commerce Wood and Allied Workers' Union³.

The Finnish Confederation of Salaried Employees – STTK have a total of about 640,000 members. These members mostly work in clerical and technical occupations, and include nurses, managers and supervisors, police officers, bank clerks and public servants.

The Confederation of Unions for Academic Professionals in Finland - AKAVA represents about 448,000 members of its affiliated trade unions. These members work in professions requiring high education, and include teachers, engineers, doctors, lawyers and professional social workers.

Trade union members pay membership dues to their unions, in return for which they enjoy such benefits as contractual security, training, legal aid and leisure-time services. Employers often set off trade union dues from the wages of organised employees and pay them directly to the union. Any interested employee can join each trade union through local activists or by directly contacting the union through completion of the application form available online. Most of the unions have websites from where the members can directly fill in the application form and register themselves directly. Members pay monthly subscription charges which is between 1 and 2 percent of the employee's gross pay. The subscription charges are tax deductible which shows that the union membership is encouraged in Finnish working life. After membership, a member is entitled to legal services after six months of membership.

The above mentioned three confederations have considerable influence in Finnish society. They conclude incomes settlements, help to prepare labour laws and play a central role in the evolution of working life. The central confederations of employers and employees are able to negotiate centralised incomes settlements between themselves. Together with the Finnish government they may conclude tripartite incomes policy agreements covering not only wages but also employment policy and developments in working life, promotion of equality between men and women by harmonising the demands of work and family life, benefits and contributions to social welfare and pension scheme, taxation and the principles of good practice in the labour market. These agreements usually last from one to two years. Since 1968, the labour market organisations and the government have concluded centralised incomes policy agreements aiming to improve working

³ <http://www.sak.fi/english/thisissak.jsp?location1=5&sl2=1&lang=en>

conditions and the social security system. The incomes policy agreements of recent years have sought to reduce unemployment, to maintain a low level of inflation and to secure improvements in working life. While wage increases have been moderate, the purchasing power of employees has improved due to restraint in pricing policy.

Usually the central confederations decide on the general principles and then the respective trade unions for the respective industry negotiate with the employers' federations to formulate their own collective agreement

For the purposes of our essay we will see how SAK, one of the largest confederations in Finland is working towards a common labour protection policy for the Estonians working in Finland. In 2002, a information point was set up in Talliin , capital city of Estonia to improve the co-operation between the Finnish and Estonian labour markets. This project was financed by the European Union Interreg III A programme which began on 1 August 2002 and ended on 31 July 2005. The Info Point has been extended until 31 December 2008 with financial support from Finnish trade unions (SAK and TU). Initially the partners in the Info point project in Talliin were the Central Organisation of Finnish Trade Unions , the Finnish Union of Salaried Employees – TU and the confederation of Estonian Trade Unions –EAKL.

We interviewed Project Manager Eve Kyntäjä, project manager of the Info point. She is an Estonian born psychologist working in both Helsinki and Talliin. According to her, the info- point in Talliin was an attempt to create and generate awareness about the Finnish labour market and to avoid creation of two parallel labour markets in Finland; Fins working in Finland and foreigners working in Finland. This kind of division in labour market would affect the institutional collective agreement, as the posted workers would be seen as cheap and easily available labour. The creation “ foreign” also carries severe inherent biases and prejudices that the migrant workers across the world has faced and continues to struggle against specially in the global economy when the employer is faceless and often there is no direct contract with the employer as there are various subcontractors involved in the recruitment process. The creation of two labour markets would be a hindrance to progress and it would create fissures within the Finnish society.

The aims of the project in a nutshell were:-

- To increase the cooperation between labour market institutions in Finland and Estonia
- To avoid development of two labour markets in Finland- one for foreigners and one for Finns
- To prevent speculation on foreigners working conditions in Finland and social dumping
- To support cooperation between Estonian and Finnish trade unions
- To support Estonians adjustment to working life in Finland and to promote solidarity and tolerance.

(SAK records)

According to SAK records, Estonians figure in the ten largest foreign groups in Finland. In 2007, of the total number of foreign citizens i.e, 121739(about 3 % of the whole population), 25,326 were Russians, followed by 17 599 Estonians and

others. The official records reveal that there are migrants from Sweden, Somalia, China, Former Serbia and Montenegro, Iraq, Thailand, Germany and Great Britain.

Table 1: - Ten Largest Groups of Foreign Citizens in Finland

Russia	25326
Estonia	17599
Sweden	8265
Somalia	4623
China	3382
Former Serbia and Montenegro	3340
Iraq	3045
Thailand	2994
Germany	2978
Great Britain	2910

Source: SAK records

There were roughly 8000 customers and 6500 enquiries by email and phone on the availability of jobs and working conditions in Finland. About 21 % of the visitors were construction builders; followed by service sector (16%), metal workers (14%), transport work(11%), farm and garden workers (9%), health care(6%), others(23%). According to 2007 data, 65% of the employment related enquiries were made by men and 35% women visited the Info point with queries related to the work place and security of the workplace. One of the most commonly asked questions among women and men cutting across wage group are wages and taxes of posted workers. While posted workers in Finland are expected to income tax on income received in Finland pursuant to progressive income tax rate if his stay exceeds 183 days; the leased worker shall apply for an income tax card after presenting the E101 certificate of the assigning employer. The leased worker shall pay 35% of income tax on his gross wage to the Tax administration and if his stay exceeds 183 days he will be have to follow the guidelines of the progressive income tax. The info point in Talliin provides prospective migrant workers free of charge in Estonian or Russian languages. They also help them to find information through the internet. During the transition period one of the main concerns was the opening up of labour market would lead to decrease in employment among the Finnish labourers as the migrants have been traditionally seen as cheap labour. She recalls when the project started there was a certain element of resistance among the Finnish trade Unions to coopt the foreign workers and fight for their collective agreement. SAK with the help of some unions felt that the national identity of the “labour” is not important in the already existing exploitative labour market. Instead they made them aware that cooption would not lead to discrimination but equal opportunities and rights for the labour migrants and the existing workforce. Unions were hence used as a platform to bridge the potential gap between the “Fins “ and “foreigners” in labour market. Eve also

reported that 1% of SAK members are immigrant and majority of them are from Russia and Estonia. SAK's Info point in Tallin is an exemplary model for the mechanisms that could be adopted to safeguard the rights of cross border labour movement. Though at its initial stages Eve hopes that one day her organization would be able to work towards transborder project which will protect the rights and measures of the "common labour market". While these cross border initiatives are ways of understanding the complexities that underlie the "common labour market" in the context of globalisation; it is important to see how these safeguards are being taken up when the migrant workers are facing problems in Finland. How have the unions responded to the growing number of foreign workers? Have the unions taken up their problems? We will address some of these issues in the following section.

Section III: Case Study of Finland- Temporary Worker Situation

The most important aspect in the issue of rights of migrant workers is their protection as they are considerably more vulnerable to discrimination, exploitation and abuse, especially in marginal, low status and inadequately regulated sectors of employment. The two sectors where we have focused our study – construction workers and berry pickers fall into this category. Compounding the situation is the fact that most of these workers are temporary workers or what is legally termed as 'posted workers' which refers to an employee who for a limited period, carries out his or her work in the territory of an C Member State other than the State in which he or she normally works (The details of the Posted Workers Act is provided earlier in section II). But many such workers are not under the purview of the EC's Posted Workers Directive as they come from third countries (for example in the case of berry picking, they come from places as far off as Vietnam). Additionally, those migrants without an authorization for entry and or employment are at the margin of protection by safety and health, minimum wage and other standards as they are most often employed in sectors where either those standards are not applicable, or not respected or enforced. It is therefore imperative that countries ensure some minimum standards of protection, including the basic human rights, for all migrants workers, whatever their status.

Finnish History of Migration

These first waves of modern immigration included Swiss cheese makers, Bavarian brewers, Norwegian sawmill proprietors, British textile industrialists, Italian ice cream makers, Jewish merchants and Tatar fur and carpet traders. They made a comprehensive and considerable contribution to the Finnish economy.

Finland has a long history of migration. Many Finns have also migrated to other countries like Sweden for example; but this is not the area of study for this paper. The first wave of immigrants - Swedes, Russians, Central Europeans, Tatars, and Jews - came to the capital Helsinki and other major towns from the end of the 19th century through the 1930s for economic opportunities. In Finland, the fall of the Soviet Union, has opened Russia's borders and has allowed for freer movement in

the region. Also, Finland's entry into the EU in 1995 appears to have made it a better-known and more accessible country for potential migrants. Three statistics indicate the relatively strong impact of today's immigration. First, the number of foreigners legally living in Finland without citizenship increased four-fold between 1990 and 2003, from 26,300 to 107,100. Second, the number of foreign-born Finnish citizens and residents doubled between 1991 and 2003, from 77,000 to 159,000, which is three percent of the total Finnish population. Third, the number of residents whose first language is not Finnish has tripled between 1992 and 2004, from 43,000 to 128,000.

Towards Harmonisation of European Asylum Policy

In 2000, the European Commission called for a common framework for promoting the convergence of European migration policies. The so-called 'open coordination method' aimed to set common guidelines and targets on migration policy, covering such areas as the recruitment criteria and procedures, and treatment of labour migrants. These ideas were set out in a draft Directive of 2001 on the admission of third country nationals for employment. Most recently, EU states have been developing plans for a common border control system. The EU Constitutional Treaty signed in October 2004 provides for the establishment of an external border management system as the long-term objective of EC is to establish a European Corps of border guards. Despite the perceived political urgency of this agenda, progress with harmonisation is not likely to be rapid. EU has been working towards 'harmonisation' of policies on asylum, where immigration and integration has been seen as a means of standard-setting. The idea is that establishing common standards, norms and approaches that will improve the effectiveness of national policies in areas such as asylum, integration, or labour migration within the EU.

According to the Treaty and draft Constitution the decision-making in Economic migration policy belongs to the member states. EU level policy can be at very common level, harmonisation can't be very detailed while the basis of the national migration policies are linked to national labour and educational policies and national social security system and historical background. Member states decide on the numbers of immigrants to be admitted to their area and the ways they come both in work basis and while they are looking for work. Undocumented migrants needs should be included in the supervision of trade unions' interest. Finnish Trade Unions are taking up this responsibility actively.

The European Commission in its Green paper sought for the addressing of the issue of migration at the European level in the context of the progressive development of a coherent Community immigration policy. In this Green Paper, the Commission has tried to outline the main issues at stake and has put forward a number of different options which could be part of a common EU framework. In a Green Paper EC asks authorities, the social partners (including employers' associations and trade unions), nongovernmental organisations, the candidate countries, third country partners, academia and other civil society organisations and

individuals are invited to contribute on legal migration, including admission procedures, by the end of 2005, as set out in The Hague Programme (which attempts to maximize the positive impact of migration within EU).

Interestingly, as a response to this Green paper, The Finnish Confederation of Salaried Employees STTK and AKAVA- The Confederation of Unions for Academic Professionals in Finland, suggested the following (among other things):

European Union needs to widen the possibilities for third country nationals to legally migrate into EU in to all professions. This is needed in order to avoid illegal migration and to ease the problems which demographic development might cause at labour market. However the immigration cannot solve the demographic problem.

This opinion shared by the Finnish Unions show how open they are about a more flexible approach to migration policies. The Finns are an ageing community and there is a growing concern about it, an opinion shared by young and old alike whom we had a chance to talk to. It is estimated that over 500,000 people will retire, which is every fifth or sixth person presently in the active workforce. Unless compensating measures are systematically deployed, population decline will inevitably occur after 2025. Which translated into a huge tax deficit for the state and one way to curb this decline is to allow more immigration. Since Finland has no openly xenophobic party, unlike many other European countries, the major parties have been able to take a fact-oriented approach to immigration-related policy.

The Role of Finnish Trade Unions: The Example of the Construction Industry

In Finland organisation of interest groups and collective bargaining between Trade Unions and the employer's federation is seen as a fundamental feature of Finnish society. Both employees and employers in Finland are highly organised. Every trade union has a negotiating partner representing the employers in its industry. This high level of organisation enables national employer and labour confederations to negotiate very broad collective agreements, which then serve as guidelines for collective bargaining by individual industry trade unions and employers' federations. Each trade union also provides a varied range of other small benefits to members. Typically these benefits include a union newspaper and discounts on insurance and package holidays, together with partially or fully subsidised educational opportunities. The trade unions also administer unemployment funds for the industries in which their members work. Members of these unemployment funds are eligible for earnings-related unemployment benefit and other allowances paid by the fund. It is customary for new members to join both the trade union and the unemployment fund at the same time by completing a single application form. The membership subscription fee that is normally quoted by a trade union also includes the subscription fee for its unemployment fund.

According to the statistics of the Finnish labour administration, the number of foreign workers in the Finnish construction sector has been growing strongly already for past few years. As an example: in a 2004 report, Helsingin Sanomat had

predicted, given that the number of foreign construction workers has been growing considerably, it would double within a few years, according to the employer and employee organizations in the Finnish construction sector⁴. Esko Auvinen, from the Finnish Construction Trade Union, whom we had interviewed in March this year as a part of our research had estimated in 2004 every tenth construction worker in the capital region "speaks a foreign language", but in a few years, every fourth or fifth construction worker in the whole country would be a foreigner.

According to an article in YLE News report (2007) 6,000 applications were filed between January and November. By the end of the year, Directorate of Immigration officials estimate they will have received papers from some 6,500 foreigners hoping to move to Finland for a job. Last year, just 3,900 applications were filed. The residents of non-European countries mostly filed these applications. By November 2007, some 7,800 EU residents had registered to work in Finland. The total number last year stood at just 4,600⁵.

In recent years, Finland has admitted tens of thousands of labor immigrants who have first secured job contracts with Finnish employers, sometimes through recruitment agencies. Generally, there is no system or recruitment plan regarding future labour immigration. The Aliens law of 2004 maintains the authority of the offices of the Ministry of Labor over case-by-case evaluations of candidates' credentials, and the Ministry's recommendations depend on the labor market's needs. The Directorate of Immigration (under another ministry, the Ministry of the Interior) then makes the ultimate decision⁶.

The construction workers however are not always protected by the EC Directives and there have been many instances of their basic rights being violated. Our interview with the Bulgarian workers as a case in point has been brought out in the last section. In a report published in August 2008, The Finnish Construction Trade Union says the rights of foreign workers in the sector are often trampled upon. In a number of cases, not even the basic minimum wage has been paid, nor any other appropriate allowances. It stated that "In a new angle to the problems they face, foreign building workers are forced to set up their own company and then work as sub-contractors. The company buying their labour is then able to wash its hands of any responsibility. The union adds that often foreign workers do not adequately comprehend Finnish work legislation." (Details of the Wage rate of Housing Industry is enclosed in Annexure I).

⁴ "Number of foreign construction workers in Finland soon over 10,000", Helsingin Sanomat, International Edition, 25 May 2004. The report refers to Confederation of Finnish Construction Industries (RT) Director Tapio Kari's estimates that there are currently some 2,000 foreigners with work permits in the sector, but believes that the number will reach as many as 10,000 by the year 2010, provided that foreign workers are willing to come to work in Finland. Trade Union Leader Esko Auvinen whom we had interviewed (Interview on 28 March 2008) in this newspaper report again mentioned to us that there is going to be a rise in foreign workers in the construction sector.

⁵ "More Foreigners Look to Finland for Work" YLE News, 16 December 2007.

⁶ "Guide to employment of foreigners in Finland, Confederation of Finnish Construction Industries RT, Finnish Construction Trade Union 2007

Section IV- Life Ahead – Foreign Worker- Union and Recruitment in Perspective

Krasimir Kostadinov and Dimitqz Petzov⁷ from Bulgaria are currently working in Minaret, a construction firm in Lohja, Finland. Rakennusliitto, the construction trade union upholds wage standards despite the presence of nonunion posted workers by enforcing the legally extended collective agreements over the entire construction workforce. One of the recent attempts by Rakennusliitto apart from cooperating with the legal authorities to take legal actions against employers of undocumented workers is to try and find foreign undocumented workers jobs in construction firms. Firms such as Minaret often hired the undocumented workers through the aid of Rakennusliitto⁸.

When we interviewed Krasimir Kostadinov and Dimitqz Petzov, they were content that could send remittance worth after paying their taxes and rent. They were able to take an internet connection in their apartment. They no more lived “illegally” and lived in a two-room apartment with two more fellow workers. For them life is better. They pay 100Euroes per month for their housing and rent. They receive 1300 Euros per month after paying their taxes. They work for eight hours, they told us that like other workers they are entitled for paid leave during vacation. Both of them told us that if they can manage to send 1000 Euros back home; it would take care of their family expenses back home.

Krasimir, 36 year old is married with two children a boy and girl. He reiterated that its important that for him its different as he is not only supporting himself but also securing his children’s future. He said he would encourage his children to migrate in search of better life and livelihood. He dreams of educating his children so that they can migrate for better work; preferably white collar work. He told us that he wish he could work slightly more say 11-12 hours so that he could earn 1700-1800 Euros per month. He says he is indebted to the union because it not only helped them to find out work but also guides them at every step. Krasimir met us during the lunch break grabbed a cold pie and told us that he needs to be back at work early. He said he doesn’t want to talk about the hardship he faced when he came to Finland initially. He said that in Finland the work contract is important and if you do not have it you are in trouble.

Dimitez, our other respondent told us that they were hired through a recruitment agency and were working for a firm (they did not want to disclose further details) and went without pay for two months. He said that there is a nexus between the recruitment agency and the employers and often the employers are closely connected with the recruitment agencies to dupe the foreign workers. The foreign

⁷ Interview with Krasimir Kostadinov and Dimitqz Petzov on 28 March 2009.

⁸ The interviews and trip to the construction firm was arranged by Nina Kreutzman, International Affairs Secretary Rakennusliitto, Construction Trade Union. Nina Kreutzaman was our translator.

workers are ignorant about the legislations, taxation system and thus fall easy prey in the hands of the dubious agencies. As we have already mentioned that the unions are working towards penalizing the employers with undocumented workers because a employer hires foreign workers because he feels it is the most cheap, easily available source of labour. This notion undermines the exploitation of the migrant workers worldwide. Dimitez recalls when they were traveling without money and seeking help from a travel agency they advised to get in touch with the union. Dimitez was hired through subcontractors and has no idea of who his employer was. The foreign workers are usually familiar with one subcontractor and not the tiers of subcontractors who are involved in the recruitment process. This makes it more difficult for the unions to take legal action in these cases.

The law that has been enforced on 1 January 2007 has made the first contractor accountable for its work. Esko Auvinen⁹ reminded that it is not enough to speak about the laws that safeguard the rights of the foreign workers; we need to understand the “attitude”. First and foremost most of the workers speak Finnish so they are not able to converse with their foreign counterparts. Secondly, they are scared that if they report about low wages to the union ; they will lose their jobs. The union has changed its strategy and is advising its members to maintain close observation in sites where people are receiving low wages because a mafia could be at work.

One of the persistent problems is low wages. During one of the construction of one of the shopping arcade; Idea Park the Polish workers received 2Euros per hour whereas they were promised 15 Euros per hour. In the case of Polish workers, through the aid of the union they managed to lodge a case and received compensation of 2 million Euros¹⁰.

These problems are likely to end. What is needed at this hour is “awareness” of the problem. In the recent years the union has taken up these life stories to the public through media. The union representatives feel that no employer wants “bad press”; hence they are cautioned in their moves. The most publicized cases of the last summer in the construction industry concerned a group of Chinese workers working under immense hardship for repairing of roads were cheated by the recruitment firms. Even in this case like our respondents they were only aware of one subcontractor which shows that the recruitment agencies involved in hiring foreign workers is a organized network and often works in a disguised fashion.

The Union in the recent times has encouraged union membership among the foreign workers and there has been increasing awareness among foreign workers regarding the role and function of trade unions. The workers are getting themselves registered and the unions are also engaging with workers through their website which is being made available in languages other than Finnish and Swedish. These small initiatives with the larger support of the Union in general are a check on the rights of the global labour market. The Union has also brought out a booklet for the

⁹ Interview with Esko Auvinen on 28 March 2008.

¹⁰ Interview with Nina Kreutzman, International Affairs Secretary, Rakennusliitto - The Construction Trade Union (Finland) on 28 March 2008.

construction workers from foreign countries, which carries the legal protection measures of the union and Government of Finland.

Conclusion: Other Temporary Workers

In Finland the right of public access (everyman's right) allows everyone the opportunity to make use of natural resources regardless of who owns or manages the area in question. In order to pick forest berries or wild mushrooms under the right of public access, the landowner's permissions is not needed and no payment can be charged for exercising the right of public access. However, a person picking berries or mushrooms under the right of public access may not cause any disturbance. For example, it is prohibited to pick berries or mushrooms in a garden, a yard or in the close vicinity of a dwelling. The most common wild berries picked are bilberry, lingonberry (cowberry) and cloudberry. Wild mushrooms widely picked include various milk-caps, chanterelles and boletes. Berry picking was a common summertime activity for many Finns but with a tremendous positive change in their standard of living this work is now assigned to foreigners.

In Finland, since many berry pickers are foreigners, they are often ignorant of Finnish collective agreements. Hired by recruitment agencies, they are often cheated of their agreed wages. Sometimes they invest a huge sum of money to come to pick berries in Finland but due to a bad harvest they are unable to even recover the money they had invested. To improve the situation the Wood and Allied Workers' Union has produced a summary of the central collective rights of berry pickers in seven languages. The one sheet summary handles pay, annual leave rights, various allowances, insurances, employee's obligations and a few other topics. The sheet, due to be distributed to the foreign berry pickers, is published in Finnish, Swedish, English, German, Polish, Russian and Estonian. However there has been a gradual trend of berry pickers now coming from places like Thailand and Vietnam¹¹. The first

¹¹ Helsingin Sanomat carried a newspaper report on 4 October 2006 that Thai Berry pickers carry home a year's salary after working in Lapland. For details:

<http://www.hs.fi/english/article/Thai+berry-pickers+return+home+after+earning+years+salary+in+Lapland/1135222070704>

wave of Vietnamese workers has been to Finland. The workers will gather fruit in the forests under the company's management. Finland has a big demand for seasonal workers, about 10,000 workers a year, and the work mainly suits Vietnamese workers.

Apart from the berry pickers, there are other kinds of summer jobs provided to foreigners largely who face a similar abuse of low wages. Some have suggested that forming a union for summer workers and other types of temporary jobs is the answer, but Finland's existing unions do not think this is a good idea. They point out that such a union would have little clout, and say that existing unions are sufficient to address temporary workers' rights. The Central Organisation of Finnish Trade Unions set up an information hotline for summer workers this year, which has fielded around 350 calls from people concerned about their wages and working conditions. Many feel they're not being paid what they were promised, or that the pay does not reflect their education.

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Annexure 1: Collective Agreement, Housing Construction Industry 2008

Housing Construction Industry 2008

Wage Increases

Wage increases will take effect from 1 March 2008 or the beginning of the first pay period following that date.

The general wage increase is € 0.76/h or 5.24%, whichever is greater. (In practice, if the wage is over € 14.60/h, a percentage calculation of 5.24% will be applied).

Time Rate Pay

All construction industry employees may fall under any wage category, regardless of their vocation.

Wage Category

I	New employee	€ 8.40/h
II	Employee with some experience	€ 9.60/h
III	New professional	€ 10.55/h
IV	Professional	€ 11.65/h
V	Experienced professional	€ 12.77/h
VI	Very experienced professional	€ 13.75/h

In addition to the hourly wage based on the relevant wage category, each employee must also be paid a personal wage component.

Contract Wages

For contracts in progress, the wages are increased by 5.24%/h for the remainder of the contract.

Prices in contract pricing are increased by 5.24%. The targeted earnings in contract work is € 15.15/h.

Others

The maximum wage for sick leave is € 13.16/h for the sickness insurance waiting period (9 working days) and € 17.13/h after that.

The shift work supplements are as follows: evening shift supplement € 0.96/h and night shift supplement € 1.81/h.

Holiday Bonus 18.5%

The holiday bonus is paid with the wages paid prior to the holiday or in the final payment in case the employment relationship ends.

Mid-week holiday compensation and shorter working hours leave in 2008

A wage according to the categorisation (no higher than IV) is paid for the following days that, if falling on working days, are holidays:

- 1.1. New Year's Day
- 6.1. Epiphany
- 21.3. Good Friday
- 24.3. Easter Monday
- 1.5. May Day + Ascension Day

A full day's wage is paid for Finnish Independence Day, 6 December.

The shorter working hours compensation is paid in the context of each regular payment of wages. The shorter working hours compensation is 3.6% until 31 May 2008.

Note

- As from 1 June 2008, the mid-week holiday compensation and the shorter working hours compensation are combined, and the following compensation will then be 7.7%.
- This wage component (7.7%) is paid *in the context of each regular payment of wages*. It is also paid for those working shorter days.
- This wage component must be *itemised* in the wages calculation.
- This wage component *may not be included* in the basic wages of employees, whether based on a time rate, contract wage or production bonus system.

Daily Allowance

The daily allowance is € 32.

Accommodation Compensation and Overnight Allowance

Accommodation compensation is € 58/day and overnight allowance is € 10/day.

Daily Travel Expenses Compensation

As from 1 January 2008, travel expenses compensation in accordance with the collective agreement are as follows:

Based on the radial distance between home and workplace, the daily travel expenses compensation is:

- Over 5 km € 1.55
- Over 10 km € 2.50
- Over 20 km € 4.50
- Over 30 km € 6.55
- Over 40 km € 8.07
- Over 50 km € 9.78
- Over 60 km € 12.85
- Over 70 km € 14.55
- Over 80 km € 16.53
- Over 90 km € 18.82
- Over 100 km € 21.10

Kilometer Allowance

€ 0.44/km

The Finnish Construction Trade Union

For further information, please contact the Finnish Construction Trade Union regional office near you. Please also take a look at our Extranet for members at www.rakennusliitto.fi

Acknowledgement

First and Foremost we would like to thank Dr. Ranabir Samaddar and the CRG team selecting us for this exchange programme. We would specially like to thank Ms. Anna Kaisa Heikkinen, Embassy of Finland for helping us with our visa. We would like to thank Prof. Tarja Vayrnen, Tiina and Eeva for facilitating our visit to TAPRI, Tampere. Our special thanks to Ksenia for helping and guiding us through our stay in Finland and Kaisa and Juha for all the support during our stay in Helsinki and Tampere. We thank all the individuals, organizations who agreed to our interviews during our stay in Helsinki.

Compassion and Kolkata

Tiina Kanninen

“There is nothing simple about compassion
apart from
the desire for it to be taken as simple,
as a true expression of human attachment
and recognition.”¹²

“And then we weaved through the extraordinary traffic, [...] went across town past the British monuments; – a white ball, like kneaded dough, rolled from wrist to bat; and the bowler shouted huzza-huzza-huzza Ram!”¹³

Explorations in Modes of Compassion

This is a travelling story in more than one sense. It is a story about my travels in Kolkata, it is also a story that travels. It involves my personal location within the research and in Kolkata – hence a story of multiple locations in space and time. The story also travels between my position as an explorer of compassion and an analyst of processes of learning and the power relations that these modes of cognition involve.

The organisations that I visited for my study were: (1) Association for the Protection of Democratic Rights (APDR), an organisation working for the promotion of human rights; (2) Calcutta Samaritans, a rights-based organisation with a major focus on issues such as homelessness and drug abusers; (3) the Indian Red Cross Society's West Bengal State Branch, a sub-branch of an internationally known organisation with long traditions in humanitarian assistance; (4) Child in Need Institute (CINI), an organisation that works for the sustainable development in health and nutrition of children, adolescent and their mothers; and (5) Talimi Haq School at Priya Manna Basti in Howrah, a non-formal education scheme and part of Howrah Pilot Project (HPP) – a community development scheme.

Theoretically, the paper carries certain assumptions, some of which I analyse more explicitly than others. First, I believe that a common motivation in all civil society work is to be found in the ambiguous emotion called compassion. Compassion, however, while perhaps an expression of humanity in all its paradoxes, is not to be understood as something essentially ethical. It is a complex emotion that involves choices – between caring about and ignoring other people's pain. It is an

¹² Berlant 2004, p. 7.

¹³ Vazirani 1993, p. 509.

emotion that, always, marks relations of power: it is felt, from a distance, *for* the one who suffers *by* the one who cannot feel the sufferer's pain directly¹⁴. S/he – the compassionate – cannot feel how the other feels, as there will always remain a gap between the self and the other. Therefore, s/he can only relate. Indeed, for reasons discussed below, I have approached compassion in this paper as a particular technology for negotiating one's position – relations – in the face of suffering. Through the case studies – of the five organisations and my own experiences of encountering Kolkata – I will bring up and illuminate the controversies involved in these negotiations. Here, also a range of issues regarding the social justice in the city and in West Bengal are introduced.

Another assumption underlining my writing – albeit I could not analyse it very thoroughly here due to limitations of space – is that the emotion of compassion, as such and in itself, plays a vital role not only in the operation of the various units of civil society but, through them, in the creation and recreation of the city of Kolkata. This means that “my” Kolkata, like any other locality, is relationally constructed. I think and write about Kolkata not as a city with definite location and boundaries, but as a city constructed through particular and ever-changing network of relations. These relations are formed between the identities of human beings and other places than Kolkata, as well as their locations in space; they are relations of power, relations of affect and emotions. Therefore, also Kolkata's civil society is to be understood a crucial joint in the processes that produce and reproduce the city. This means that various kinds of relations are created and made meaningful through the organisations and advocacy groups acting in Kolkata, all of them contributing to the constant making of the city.

In the next section, I elaborate this theoretical framework a bit further. I then introduce five organisations I visited, as well as to their particular roles of compassion in Kolkata. Here, it is evident that their acts of compassion cannot be limited by the boundaries of the city, but are directly linked to wider processes at work in West Bengal – which are themselves affected by national, international and trans-national political economies.

Kolkata as a Relational City and on the Role of Compassion

Following Doreen Massey¹⁵, Kolkata can be thought of as a place relationally constructed. This means that, as a place, Kolkata is never fixed by its meaning, identity and shape, but is continuously constructed in relation to other places and identities operating in the global space. As a locality, Kolkata is “necessarily the location of intersection of disparate trajectories”, and hence also a place of negotiation¹⁶. This negotiation produces Kolkata as a node of complex and ever-changing power relations that extend through space and time, and beyond the territorial confines of the city itself. In this perception, the space of the global does

14 Berlant 2004.

15 Massey 2004.

16 Massey 2004, p. 6. See also Massey 1994.

not exist in isolation from localities such as Kolkata – or from any other place for that matter. Instead, the city with all its stories and agencies continues to make the global too. This is because space – be it one for global, local, regional, national or any other identities – is always ”a product of practices, trajectories, interrelations, [which] *we make...* through interactions at all levels, from the (so-called) local to the (so called) global”.¹⁷

The civil society in Kolkata is one setting for the negotiations and power relations that construct the city. Indeed, the different kinds of Organisations and community groups of Kolkata are a perfect example of the complex ways in which the agencies of individuals intersect with global, national and local politics, enabling certain constructions of the city to arise while resisting and disabling others. Being linked, through funding and action, to people on the very grass-roots level of the vibrant city life, to regional and international actors, to individual citizens around the world and to the political economies that embrace these relations, the civil society of Kolkata thus represents a vital joint in the processes that produce the city – globally as well as locally.

There are certainly as many different kinds of Organisations and advocacy groups operating in Kolkata as there are perceptions of the political and social injustices in the city, and this study barely scratches the surface. Nevertheless I believe that, in Kolkata and elsewhere, the different kinds of civil society movements share a particular motivation that inspires their work. This is the emotion of compassion. With the different units of civil society functioning as the loci for interactions of compassion, the emotion can be seen as having a particular role in the relational construction of the city. Compassion, however, is not a simple emotion but denotes controversial relationships of humane goodwill, hierarchies and power. Thus, working as nodes of compassion, the Organisations also operate as nodes of hierarchical power relations, hence crucially contributing to the political as well as emotional construction of the city. In this respect, the mere recognition that the city is emotionally constructed through a particular emotion called compassion is not enough. Instead, the universally ethical meanings of the emotion need to be problematised so as to differentiate between different bodies’ political locations and their respective capabilities to relate compassionately and act upon it¹⁸. Only by so doing is it possible to uncover the political connotations within relations of compassion. When these are recognised, coining Kolkata as “a city of compassion” is not an act of underlining its linkage to the ethereal humanitarianism of Mother Theresa, as somebody might erroneously claim, but to point to various registers of responsibility and the political in the global space. Let me elaborate this point by briefly discussing the controversial nature of compassion.

Although often thought of as such, the emotion of compassion is not to an inherently ethical reaction to the pain of others; it is a special kind of *social relation* that denotes privilege, hierarchy and relations of power¹⁹. Originally, the Latin term

17 Massey 2004, p. 5. My emphasis.

18 E.g. Tolia-Kelly (2006) raises interesting and important points relating to this argument.

19 Berlant 2004, p. 4, 9.

for compassion did bear an etymological meaning of the fellow feeling of suffering *together* (*com*=together, *pati*=suffer), hence implying a relationship of equality. Over time, however, this connotation has vanished under the shadow of the term's dual meaning as "an emotion felt *on the behalf of* another who suffers" – that is, an emotion felt not between equals but from a distance²⁰. This is effectively an emotion that denotes a relationship "between spectators and sufferers, *with the emphasis on the spectator's* experience"²¹. Of course, that compassion is a relation of asymmetry and power is not to say that all acts of compassion are somehow unethical or intentionally suppressing of the other. I, too, believe that there is a certain power of goodwill in compassion as a catalyst of action. Nevertheless, denoting a social relation with a particular kind of hierarchy, compassion is, in effect, an inherently political emotion. Namely, the operation of compassion always involves anxiety and volatility in the choices of whether or not provide help and if so, to whom. In this way, the emotion and its material consequences are inherently intertwined with political economies of care, and the performance of compassion is constructed not only of acts reaching out towards the suffering other, but also of acts of withholding, refusal and denial.²²

In addition to perceiving it as a social relation, Berlant describes compassion as *a technology of belonging*²³. Building on these observations, I would like to portray compassion here as a particular technique for negotiating one's position within those power relations that relate to situations of care and responsibility. It is an affect that informs individuals of and emotionally relates them to the suffering and needs of others. In the operation of this ambiguous affect, the compassionate subject's own privileges vis-à-vis those who suffer is simultaneously revealed and hidden. This double movement appears as the subject struggles with the choices of reaching out and withdrawal; between the desire, duty and capacities to take responsibility. In this respect, compassion is an emotion that, in some contexts, serves as an incentive to act so as to relieve the pain of others. Yet, in other situations, it can be considered as an adequate expression of sympathy in itself – which surely does not relieve despair but brings complacency through the recognition of pain with a nominal decency. Hence, along with more "rational" (as opposed to emotional) calculations of care and responsibility (such as economical or political restraints) compassion thereby enmeshes with the processes that create both action and inaction in the face of suffering.

In this way, compassion is arguably also a crucial emotional catalyst in the creation and operation of the organised care or advocacy groups many civil society groups represent. Respectively, also the five particular organisations and advocacy groups presented here work as nodes of construction of the relational Kolkata, channelling compassion not only from the people of Kolkata to the people of Kolkata but from and to places well beyond the city itself.

20 Garber 2004, p. 20. My emphasis

21 Berlant 2004, p. 1. My emphasis

22 Berlant 2004, pp. 6, 9–10.

23 Berlant 2004, p. 5.

The Stories of Institutions Embodying these Relations

While there are myriad components to the construction of these relations I have alluded to in the previous lines, an important one is to be found in the people I met during my field work. This section of the article is devoted to them.

The five organisations that I visited differ from one another in terms of their strategies, focus and interest groups, although their operational fields might occasionally overlap. Thus, although they are but a drop in the ocean of civil society bodies in Kolkata, they can give an idea of the heterogeneity of the activities going on in the city. My encounters with each organisation were different. Some of them comprised merely of interviews of different length, while others were more intimate. All visits were eventually relatively short however, and I did not have time to participate directly in the work of any organisation. Apart from one occasion, that had probably to do with mutual communication difficulties, I was always very warmly welcomed. The ORGANISATION representatives also always answered my questions with care and time and, in which ever environment the encounters took place, at whatever time of the day, I always left the meeting with my head full of stimulating thoughts; feeling that the encounters had somehow built me and my relation to Kolkata anew.

Association for the Protection of Democratic Rights (APDR)

APDR is a human rights organisation that focuses primarily on the promotion of civil liberties in West Bengal. Established in 1972, it is one of the oldest civil liberty bodies in India²⁴. It began its operation by defending the rights of political prisoners but has, over the years, grown to include many other issues in its agenda, hence following the wider socio-political developments in the area. In the whole of West-Bengal, APDR has approximately 2,000 members and, while there remains a gender imbalance also in the board membership, also women are actively involved. The organisation remains unregistered, as it wishes to maintain a total independence from government and international donors. However, after a lot of internal struggle, APDR now has a fraternal relationship with Amnesty International.

I only visited APDR once. The meeting was set in the APDR office, where I and my two friends from MCRG were invited to meet the organisation's former General Secretary Sujato Bhadra²⁵. Here, I was extremely thankful for my two colleagues' company. There was a meeting due after our appointment and, in addition to Bhadra, there were also a few other men present in this tiny and shadowy room, listening to our conversation that did not seem to begin very well. I felt like Bhadra either did not understand my questions – or indeed my purpose of being there

24 Association for the Promotion of Democratic Rights: Homepage
[[http://sanhati.com/wp-content/uploads/2007/03/nandigram_final_report.pdf]].

25 Unless stated otherwise, this account on APDR is based on the interview with Mr. Sujato Bhadra, 20 Dec 2007.

in the first place – or simply did not want to answer them in the form presented. This arguably made me feel uncomfortable and insecure, after which it was no wonder if he had difficulties to decipher my mumbling. However, when I finally managed to convey that I wanted to know about APDR in rather broad terms, about its principles and action, there was really not much need for additional questions. Eloquently, passionately and with a brilliant sense of humour, Bhadra spent the next hour and a half presenting us with an interesting narration of the over thirty years of APDR history.

The organisation having developed hand in hand with broader political and juridical development in West Bengal, and side by side with civil rights (or their violations), the meeting provided me with some important perspectives as to the radical origins of the civil society in Kolkata and the whole of West Bengal. Since its establishment, APDR has represented the subversive forces of society. Its main point of criticism has been, and still is, the government abuse of power and there has always been a zero-tolerance of state violence in APDR principles. The strategies of action consist of non-violent public protests, petitions, civil disobedience, pamphlets of civil rights and state abuse of power, and juridical assistance to individuals facing unfair treatment from public authorities. Due to the radical nature of the ORGANISATION, as well as the West Bengali authorities' tendency to suppress any public protests even violently, the work of APDR has not been without its hindrances. In 1974, for example, APDR published a book that included oral testimonies from political activists mistreated by the government. The following year, the book as well as the whole of APDR was banned by the government, and five APDR activists were sent to jail. It took two years until the revival of the organisation and the release of the prisoners in 1977. Comparable conflicts between the ORGANISATION and the government authorities have taken place throughout the APDR history.

Over the years, APDR has also gone through a range of changes. In the beginning, it focused only on individual cases of injustice; since the 1990's action has been taken also in communal cases. Traditionally, domestic violence has not been in the focus of ADPR; now, with women's rights included in the programme, cases of domestic violence are also included. Similarly, there has always been a zero-tolerance of state violence, but only in the 1990's did APDR principally condemn also *non-state* violence in its most gross forms. Many changes have been inflicted by wider political developments in West-Bengal, and an example of this can be found in the organisation's changing attitudes towards the issue of private property.

In early 1980s, APDR activities widened from the cause of political prisoners to the promotion of the Universal Declaration of Human Rights. Here however, clause number 17 was excluded. This declares the right to private property and, being an explicitly leftist organisation at the time, APDR could not include such an aim in its programme. Later, internal struggles of the organisation have diluted its leftist outlook, but also external events have forced the organisation to renew its agenda. Since February 2006, for example, the coming into force of the Special Economic

Zone (SEZ) Act²⁶ has forced APDR to look at the issue of private property and human rights from a whole new angle.

Briefly put, SEZs are zones of economic action that are meant to invite foreign investments by different kinds of incentives, including a variety of tax exemptions to individual companies and the developers SEZs. The main goals of these areas are to generate additional economic activity and employment, to promote exports and investments (from both domestic and foreign sources) and to develop infrastructure facilities.²⁷ Applied in concert with the 1894 Land Acquisition Act, which gives the Indian central and state governments the right to extract land for public purposes²⁸, the SEZ Act has allowed the public authorities to practically expel people out from areas reserved for SEZs. This has led to internal displacement and loss of livelihood, especially in the rural areas. For those who own the land reserved to the establishment of SEZs a nominal compensation is paid but, even in cases where farmers depend on the land for their livelihood, there are no rehabilitation programs in place so as to secure their income in the future.²⁹ Of course, for those dwellers of the area that have no property, the establishment of SEZs brings no compensation whatsoever, merely a need to find another place to live.

According to the available government statistics³⁰, six SEZs have been “notified” (the administrative term denoting land acquisition for the purposes of SEZs) in West Bengal since the SEZ Act came into force, comprising approximately 140 hectares of land altogether³¹. Compared to many other states, this may be a minor number³². Yet, none of the SEZs have come without their social and political costs. In Nandigram, for example, measures of land acquisition by the government for the purposes chemical industry led to an armed struggle in 2007³³. The violence erupted in January, when the farmers of *Bhumi Ucched Pratirodh Committee* (BUPC) blockaded the Nandigram area as a protest to the government’s SEZ plans. Communist Party India (Marxist) [CPI (M)] responded to this by force, and eventually also BUPC resorted to violence. Throughout 2007, there were numerous confrontations between CPI (M) supporters and different groupings supporting the cause of BUPC. CPI (M) having a majority in the West Bengal government, the state

26 *The Gazette of India*.

27 Ministry of Commerce and Industry Department of Commerce (a), [http://sezindia.nic.in/HTMLS/SEZs_notified_under_SEZ_Act_2005.pdf],. See also SEZ Act, II, 5, in *The Gazette of India*, [<http://sezindia.nic.in/HTMLS/SEZ%20Act,%202005.pdf>].

28 Ministry of Rural Development Department of Land Resources, [<http://dolr.nic.in/hyperlink/acq.htm>].

29 Nikam 2007, [<http://indiainteracts.com/columnist/2007/01/21/SEZs-Back-to-the-Drawing-Board-Look-At-the-Land-Acquisition-Act-First-/>]

30 Ministry of Commerce and Industry Department of Commerce (b), [http://sezindia.nic.in/HTMLS/SEZs_notified_under_SEZ_Act_2005.pdf]

31 *Ibid*.

32 *Ibid*.

33 E.g. Association for the Protection of Democratic Rights 2007, [*ibid*]

has done little to bring a peaceful ending to the armed confrontations³⁴. In November 2007, the party forcibly recaptured Nandigram from BUPC³⁵, but the incidents of violence between various parties have continued³⁶. According to a Human Rights Watch, there were at least 30 people killed, hundreds injured, and thousands displaced as a result of the 2007 events. Also numerous human rights violations from the burning of villages to beatings BUCB supporters and rapes of women have been reported.³⁷ In May 2008, CPI (M) clearly lost the panchayat elections in the area³⁸, but the struggle over land continues.

With a reference to SEZ Act, Bhadra of APDR noted that the year 2006 marked a sea-change in the whole of West-Bengal regarding the rights of an individual vis-à-vis the state. This has also had implications on the principles and action of APDR. Whereas the early APDR would have found it principally difficult to intervene in struggles of land – that is, private property – these principles cannot be applied in case of SEZs; the concern over human rights is simply too impeding. APDR has been one of the human rights organisations active in the case of Nandigram, defending the rights of the local residents and distributing information of the government-led injustices in the area³⁹.

The SEZ Act has not been the only sea change in the history of West Bengal, however, and respectively in the principles of APDR. Representing the subversive forces of the civil society, APDR is an organisation that continuously lives in the edge of change: it breaths the political atmosphere of West Bengal, responding to each molecule of injustice it detects. In order to maintain its ability to respond, the organisation needs to remain open for changes in its internal principles and, in spite of a number of internal struggles – or perhaps because of them – it has managed to do so over the last thirty-odd years. However, it surely is not only APDR that is forced to change by juridical-political changes of society. Instead, being a radical unit of civil society, it continuously – and consciously – puts pressure on the wider social and political structures of West-Bengal, calling for change for the sake of those who face injustice.

In this respect, APDR is perhaps an apt example of how a civil society body can actively engage in the making and remaking of Kolkata and the whole of West Bengal. But what of compassion? Listening to Mr. Bhadra's presentation, it struck to me first that this is a man and an organisation with a *passion* to human rights – not so much *compassion*. But then, looking at some of APDR's publications⁴⁰, and thinking of its strategies to change things through detailed accounts of government injustices,

34 E.g. the police posts were emptied before the advancement of the CPI(M) in the area, and the local. Police did close to nothing about the complaints filed against the CPI(M) supporters. Human Rights Watch, [<http://hrw.org/english/docs/2008/01/15/india17753.htm>].

35 The Times of India, 12 Nov 2007.

36 E.g. *The Times of India*, 7 May, 2008; *The Times of India*, 7 August 2008; *The Times of India*, 13 August 2008.

37 *Human Rights Watch*, [ibid]

38 *The Times of India*, 21 May 2008.

39 Association for the Protection of Democratic Rights. 2007, [ibid]

40 39 E.g. Association for the Protection of Democratic Rights, [ibid]

it is clear that in APDR work, too, compassion plays an important role. When advocating human rights, one effectively appeals to others to relate to the suffering of those who face injustice – whose rights are breached. Such appeals – be they made through petitions to the court or photographic reports of torture⁴¹ – are made so as to provoke compassion amongst those who do not suffer. Here, compassion – or the potential of human beings to relate compassionately and act upon this emotion – is effectively used as a tool of human rights work. Perhaps, APDR cannot be described as an organisation of compassion in a similar way like charity based organisations could be but, in the operation of the organisation, compassion remains to operate as an invaluable resource.

Calcutta Samaritans

Like APDR, Calcutta Samaritans is also established in the early seventies. Whereas APDR is a human rights organisation, Calcutta Samaritans has a more humanitarian focus on the issues of social justice. They follow a rights-based approach in all the work that they do meaning that, with an aim at social empowerment, they work together with the people they help, respecting individual indignity and integrity. Although the organisation is highly organised with a range of paid employees, a majority of activities relies on voluntary work. Financially, the organisation depends on donations from individuals, organisations and charitable trusts⁴².

Among those assisted by Calcutta Samaritans are homeless people, street children, drug users, alcoholics, hand pull rickshaw-*wallahs*, rag-pickers and slum-dwellers. While most work takes place in Kolkata, Calcutta Samaritans also work in three other districts of West-Bengal, as well as in Aizawl in Mizorm, and Jamshedpur in Jharkaland⁴³. The organisation has an impressive range of activities from day-care and counselling services to night shelters, and outreach and awareness programmes to de-addiction centres. They raise awareness about HIV and other sexually transmitted diseases (STDs), and have harm reduction programmes, such as exchange of needles to drug users and distribution of condoms⁴⁴. So as to assist in the processes of rehabilitation, there is also a vocational programme at place where drug users are given occupational training⁴⁵. In addition, Calcutta Samaritans is involved in a variety of research programmes related to its field of action⁴⁶, and an official recognition of the high quality of its work can be found in its nomination as one of

41 40 See e.g. Sontag 2003.

42 Ministry of Social Justice and Empowerment National Institute of Social Defence (a), [http://ncdap.nisd.gov.in/calcuttasamaritans_01.php#who],

43 Ministry of Social Justice and Empowerment National Institute of Social Defence (b), [http://ncdap.nisd.gov.in/calcuttasamaritans_02.php#ser_pre],.

44 Ibid.

45 Ministry of Social Justice and Empowerment National Institute of Social Defence (c), [http://ncdap.nisd.gov.in/calcuttasamaritans_03.php],

46 Ministry of Social Justice and Empowerment National Institute of Social Defence (b), [http://ncdap.nisd.gov.in/calcuttasamaritans_02.php#ser_pre]

the eight Regional Resource Training Centres (RRTCs) that the National Centre for Drug Abuse Prevention has identified in the whole of India⁴⁷.

During my stay in Kolkata, I had two contacts with Calcutta Samaritans. First, I met with one of the ORGANISATION's programme coordinators at his office in Ripon Street⁴⁸. This encounter was very brief, as he was busy to start the training of two new employees. Nevertheless, upon my departure from Ripon Street I remember hoping to have contacted the organisation already earlier, so that I could have participated in some of their work on the field also. Judging on the basis of what I heard there and later read, Calcutta Samaritans is involved in extremely valuable rights-based humanitarian work that not only focuses on the needs of the "beneficiaries" but also respects their own political voice in the processes of aid and beyond. The ORGANISATION's work with the nearly 70,000 pavement-dwellers of Kolkata⁴⁹, for example, is strictly community-based, involving the targeted communities in both action and planning. Increasingly, also women are involved in the projects and, indeed, today about a hundred community groups are lead by women. Similarly, in the promotion of the rights of the hand pull rickshaw-*wallahs*, Calcutta Samaritans does not merely look at whether the job of these men is humane or not, but what their rights are as citizens and employees in the city of Kolkata. Indeed, in this particular case, the Calcutta Samaritans ended up giving a hand to the city as it continued to throw my privileges back to my face.

My second encounter with the organisation was at a film screening at *Rotary Sadan* in Chowringhee Road on my very last full day in Kolkata. The event was organised by Calcutta Samaritans and it was titled "The other face of development". This face was sketched of stories of Nandigram after the SEZ Act, pictures of homelessness in Kolkata, a narration of what rural development does to traditional culture, and a documentary on the hand pull rickshaw-*wallahs*' rights in the streets of Kolkata. In association with Action Aid India, Calcutta Samaritans has conducted a research on the rights of the rickshaw-pullers⁵⁰, and the documentary presented some of its findings. As you have already read in the above extract of my Kolkata notes, I have found the hand pull rickshaws an extremely dehumanising sight. For similar reasons, I actually also avoided using the cycle-rickshaws throughout my stay in Kolkata – apart from riding one myself for a few meters⁵¹. The film on the rickshaw-

47 Ministry of Social Justice and Empowerment National Institute of Social Defence (d), [<http://ncdap.nisd.gov.in/aboutrrtc.php>].

48 Left anonymous on purpose.

49 According to a random survey quoted by the interviewed programme coordinator at Calcutta Samaritans, there are at least 67,000 people living in Kolkata who have no roof on the top of their heads.

50 Calcutta Samaritans et al. 2003.

51 With a friend of mine, we paid to a rickshaw-wallah one evening, for a few meters try-out on his bike. This was arguably a touristy and thoughtless thing to do. Indeed, in hindsight it is difficult to say whether it was any less disrespectful of his occupation than paying to him for a lift.

pullers, however, touched me rather personally, as it was here that I realised how *uncritical* my criticism of this allegedly dehumanising occupation had been.⁵²

The hand-pull rickshaws were brought to Kolkata in the late 19th century by the Chinese traders, and later adopted by the British colonial rulers as a handy means of transportation⁵³. Today, these rickshaws can only be seen in a limited area of central Kolkata, and they are still considered as a good way for moving shorter distances – especially at the time of the monsoon-rains when the flooding streets are not suitable motorised vehicles. The rickshaw-*wallahs* are mostly wage-labourers from outside West-Bengal, and hence without vote or other civil rights in Kolkata. They usually come from Bihar, but also from Uttar Pradesh and Jharkaland⁵⁴. Ninety per cent of the rickshaw pullers are homeless. They sleep on the streets of Kolkata, or in a *dera*, a kind of a rickshaw garage, and visit their families only a few times a year. Only one out of ten men lives in rented or owned houses.⁵⁵ Without full civil liberties in the city of their profession, these migrant workers are also vulnerable to the abuse of the local police, who supervise the rickshaw licences of Kolkata: the police are in a position to ask for bribery, and to arbitrarily arrest those who do not comply⁵⁶. Pulling a rickshaw by foot is a physically straining job that results in injuries and, with poor nutrition, often to chronic conditions. Because of the polluted city-air, many rickshaw-*wallahs* suffer from respiratory diseases such as tuberculosis, and also heart ailments are common.⁵⁷

Elsewhere in India, the hand-pulled rickshaws have been replaced by cycle rickshaws or the three-wheeled motorised vehicles so easily attached to images of India. In Kolkata, too, particularly since the 1980's there have been periodical attempts to ban these “human-horses”. The most recent attempts dates back to August 2005, when West Bengal's Chief Minister Buddhadeb Bhattacharjee announced a plan to ban the hand pull rickshaws in Kolkata over a period of five months, during which officials were supposed to find alternative livelihoods for the rickshaw-pullers.⁵⁸ Of course, the ban has not been realised in its total form yet, as one can still see rickshaws in Kolkata. However, the government has restricted the number of licences down to 6,000, and no licences have been renewed since 2006 – but then, there are unlicensed vehicles illegally on the streets, and an estimated 18,000 pullers still remains in the profession.⁵⁹

Of course, making rickshaw pulling an illegal activity for some, renders the rickshaw-*wallahs'* social position even more vulnerable than previously. The justification for the ban has been – what else but the inhuman image of the profession. However, arguing that it is exactly *only the image of the city* that the

52 Unless otherwise stated, the following is based on the film screening (29 Dec 2007) and my notes.

53 Jawait 2003.

54 Jawait 2003; Majkowski 2008.

55 Infochange India; Calcutta Samaritans et al. 2003; Majkowski 2008.

56 Jawait 2003; Majkowski 2008.

57 Infochange India.

58 Dhar 2005; Infochange India.

59 Majkowski 2008.

government is interested in, and not the rights of the rickshaw-*wallahs*, the All Bengal Rickshaw Union (ABRU) and other advocacy groups have opposed the ban from the very beginning. They point out that, although rickshaw-pulling may seem like an inhumane occupation, without a sustainable rehabilitation plan for the men, the ban does not help the pullers but merely makes them worse off. At present, the wages of the rickshaw-*wallahs* are meagre, about from 100 to 120 Indian rupees on a good day, about half of which goes to the rent of their vehicles. The rest is left for food and shelter, or sent home to the families.⁶⁰ However, most of the rickshaw-pullers being illiterate and “unskilled” in terms of the labour market, the money they get from this job is probably the best they can get. Indeed, many a rickshaw-puller would consider their work as good as any – and better than the options available. Thus, as for the public image – that I, too, have despised – ABRU probably has a point in that “a man pulling a man is by no means more inhuman than a man labouring in the fields or the coal mine”⁶¹. This comment boils down to the matter of rights of the workers, implying that it is not the job that is inhuman in itself, but the conditions of living that come with it. Not only in Indian but also in global terms, there is a tendency in the labour market to make use of those who do not possess full rights to defend themselves, or who have no access to them – thanks to poverty, lack of education, information, or citizenship. In India, migrant labourers from one state to another are arguably in such a position, and rickshaw-pullers are by no means the only group concerned.⁶²

Coming back to the work of Calcutta Samaritans then, their rights-based approach seems to be a good starting point to the assistance they provide to the rickshaw-*wallahs*, and other vulnerable people living in Kolkata. In the end, acts of compassion do not make things better, if they do not address causes at the root of vulnerability. Such causes are often in the right(lessnes)s to speak and to be heard. What is challenging in the rights-based approach, however, is that there will always remain a controversy between the pursuit of rights and the humanitarian aims of the assistance. To balance between rights and care is controversial, because the relationship between the helper and the helped is inherently built on a hierarchy – between those who have the ability to help, and those whose survival depends on the realisation of this ability in action. This is the core paradox in all action motivated by compassion.

However, even in the hierarchical relationships – such as those created in the programmes of Calcutta Samaritans between the employees and their “target groups” – there is always some space for negotiation for those concerned. Therefore, that humanitarian assistance involves power relations marks not only the possibility of “imposing aid”⁶³, but also a space of resistance for the less powerful. I think one of the most valuable characteristics of the principles of Calcutta Samaritans is that, they seem to respect this space of negotiation and resistance in situations of care and

60 Majkowski 2008.

61 Calcutta Samaritans et al. 2003; Infochange India; Gentleman 2005.

62 See e.g. Breman 2000a; 2000b.

63 See Harrell-Bond 1986.

protection. Not having seen their work in practice, I am in no position to judge how the principles of rights are turned into action; my educated guess is that not without difficulties and outright failures. However, in spite of its controversies – or perhaps because of them – I believe that the rights-based approach to humanitarian assistance is the only way for the recognition, and nourishment of the subversive forces of empowerment. This approach may be impossible to follow a total sense but then, as Derrida has noted, the road to justice is always an impossible *aporia*: it is just, because it is impossible; a road which we cannot pass, and yet cannot but pursue⁶⁴.

West Bengal State Branch of the Indian Red Cross Society

Working amongst the people of West Bengal, the work of Indian Red Cross Society overlaps with that of the APDR and Calcutta Samaritans every now and again. On the level of principles, however, there is a crucial distinction. Whereas APDR solely focuses on human rights, and the Samaritans exemplifies the kind humanitarianism that explicitly drives for political changes in society, Red Cross is known for its strict political neutrality and impartiality. In this section, I will look at the principles that guide the activities of the Red Cross movement around the world, and discuss the particular role of such a neutral institution in the field of humanitarianism. The discussion moves between references to West Bengal; comparisons between the Finnish Red Cross movement and its Indian/West Bengali counterpart; and between comparisons of Red Cross with the Organisations discussed earlier. The examples of West Bengal are based on two encounters with the state branch representatives. First, I had a brief meeting with the organisation's former General Secretary at his home in Kolkata. A few days later, having expressed my interest towards the organisation, he then arranged me to visit to the State Branch headquarters, based in Kolkata. Here, I had a thorough interview with the disaster management (DM) project coordinator, as well as a brief meeting with the present General Secretary.

The meeting with the former General Secretary was organised by an associate of MCRG, and it was agreed that I go and meet my interviewee at his home. One evening I then found myself in a home library, at a residential suburb of Kolkata, discussing the policies of the Red Cross and Red Crescent movement with an older gentleman. In the discussion, I caught myself continuously making comparisons between Red Cross activities in Finland and those in West Bengal. It soon turned out, however, that their contexts of action are very different indeed.

In Finland, the Red Cross Society is one of the most respected and visible charities. Having local branches in even the smallest of towns, and a broad range of voluntary-based activities from blood-donation to health clinics to first aid training courses to international relief, the organisation is close to people in many contexts. Situations of major humanitarian emergency are rare in Finland, however, and even then the operations are of minor scale when compared those of Indian Red Cross Society, or the West Bengal State Branch. However, to provoke compassion for also large-scale humanitarian situations, the Finnish Red Cross Society often has big

64 Derrida 1992.

media campaigns where they bring far-away emergencies close to individual Finns, telling us that we too can make a difference. As a consequence, the Red Cross is very well known to the Finns. This is likely to show also in its fund-raising when compared to smaller organisations in Finland, or organisations elsewhere with more competition. For example, in West Bengal alone, the sheer number of international, national and local Organisations competing for funds, visibility and volunteers means that the specific reputation of Red Cross is now getting more and more difficult to preserve⁶⁵. Also, the emergencies with which the local branches have to deal with are major when compared to those encountered by the Finnish Red Cross. With floods, storms and other “natural”⁶⁶ disasters, or violent incidents such as those in Nandigram, the West Bengal State Branch annually deals with situations that the national headquarters in Finland has encountered perhaps only in wartime – or when recruiting Finnish delegates to the service of International Committee of the Red Cross (ICRC).

In my interview with the former General Secretary I first had difficulties to comprehend this difference. Here, I posed numerous questions about the organisation’s activities other than disaster management, so as to get an idea what the *local* volunteers do in West Bengal. It took a while for me to realise that, unlike for the Finnish Red Cross, disaster management *is* one of the central tasks for the West Bengal State Branch – as well as for its local branches. Here, local volunteers are not only trained for situations of large scale emergency, but also frequently practice these skills in actual situations *in their own neighbourhoods*. To compare, a Finnish Red Cross volunteer must be *sent abroad* to participate in such work, and the work in our local branches is of quite different nature (e.g. visiting those elderly persons, who rarely have visitors at their homes; helping out in blood donation campaigns; participating in fund-raising campaigns for international emergencies). Realising this contrast reminded me, once again, of certain personal positionings and privileges from which I was exploring Kolkata’s civil society in the first place. Yet, there were assumptions I shared with my interviewees, and one of them was the understanding of the Red Cross and Red Crescent movement as something unique in the global realm of humanitarian action.

65 This surfaced in my interview with the Red Cross West Bengal Coordinator of Disaster Management, 27 Dec 2007.

66 I acknowledge that many disasters are caused by nature-related phenomena – events, the occurrence of which the human being may not directly influence. I use the quotation marks here for two reasons, however. First, human action does influence indirectly the increasing occurrence of many such events (for example through the impact of the climate change, or environmental degradation caused “developmental” projects). Secondly, the consequences of “natural” catastrophes to different groups of people are never natural, but socially, politically and economically produced. In all disasters, it is the poor who suffer the most (and, among them, usually the women), and even amongst those worst off, there are those who lose and those who benefit from the situation. I believe that paying attention merely to the “natural” side of disasters only works as a scapegoat to such operation of human agency in the *global* political economy of disasters.

Although the growing competition between Organisations in West Bengal may make it difficult for the local Red Cross to maintain its particular role in humanitarian relief, the former General Secretary was quick to (proudly) point out that “Organisations are Organisations but Red Cross is the Red Cross”. With this he did not refer only to the ways in which the local branches of Red Cross are part of a systematic global network. What makes the Red Cross and Red Crescent movement original is that, being established in parallel with the creation of the international humanitarian law⁶⁷, it is the oldest voluntary-based organisation for modern humanitarian relief. Indeed, based on the historical proximity of the Red Cross principles on one hand, and those inscribed in the international humanitarian law⁶⁸, it could be argued that the Red Cross represents the modern institutionalised ideals of humanitarian action – that is, a discourse of *human needs* strictly separable from the discourse of political subjectivity. What this means, however, is that the uniqueness of the Red Cross movement is not without its controversies.

According to its seven fundamental principles, the primary aim of the Red Cross and Red Crescent movement is to bring relief to the suffering, neutrally and with respect for the human being, regardless of the identity of the victim, and independently from any political forces⁶⁹. In practice, these principles – and especially that of neutrality – mean that the organisation is primarily concerned with the biological needs and lives of the individual – not the political context in which this social, psycho-physical whole of a human being suffers. Here, the individual is a life to be saved, or a body whose primary right is to receive treatment, as the servitude of humanity simply does not involve matters of politics. Moreover, all other principles are considered as subservient to that of humanity. From the strict neutrality follows that the Red Cross employees and volunteers are not allowed to comment on the causes and consequences of the relief situations in which they work. Be it an annual flood in the country-side that could have been prevented by pre-emptive government action, or an armed struggle with major human rights violations, the task of Red Cross is to save lives and relieve human suffering, not to intervene in the situation with their commentary.

The restrictions related to the principle of neutrality also surfaced in my interview with the disaster relief coordinator of the West Bengal State Branch. In the discussion, it turned out that the Red Cross, too, had been involved in the relief operations in Nandigram, by helping the displaced, by providing blankets, medical service, utensils and garments⁷⁰. Nandigram being a topic that came up over and over

67 Rosén 1977.

68 Compare the Red Cross principles with the humanitarian law. For the former, see e.g. IFRC, [<http://www.ifrc.org/what/values/principles/index.asp>]; for the latter ICRC, [<http://www.icrc.org/Web/Eng/siteeng0.nsf/html/genevaconventions>],

69 The form and number of these principles has been modified several times during the organisation’s history, but their contents have remained largely the same. See IFRC, [<http://www.ifrc.org/what/values/principles/index.asp>].

70 According to my interviewee, the Indian Red Cross Society no longer provides food relief as this is taken care of by the government. This sometimes causes conflicts between the relief workers and the beneficiaries.

again in my visits to different organisations, I was interested to hear more. Quite a few of my questions then touched the role of the government in causing human suffering in the area. My interviewee, however, either skilfully avoided answering these questions, or simply said that he cannot comment on that particular matter. Here, the principal difference between Red Cross on one hand, and APDR and Calcutta Samaritans on the other, is clearly demonstrated: whereas the latter two considered it as their task to actively distribute information on the government abuse of power in Nandigram, the former focused on bringing impartial assistance to all those in need.

Given my previous praise of the rights-based approach of Calcutta Samaritans, I should probably condemn the Red Cross neutrality for not adequately addressing the question of rights in situations of relief. Indeed, there barely is such neutrality that the organisation aims for: through their action in politically inflicted emergencies, the Red Cross *does* intervene in politics all the time – even though they might avoid doing so explicitly. There is a reason to the Red Cross policy of silence, however, and perhaps also a niche for it in the field of humanitarian assistance.

First, it is to be noted that, while being a *policy* to maintain neutrality, *silence* is not amongst the principles of the organisation. In most cases, the Red Cross does abstain from speaking out about human rights violations, but this is not because it did not care.⁷¹ The primary aim of the organisation is to provide humanitarian assistance, and the access to those in need is not to be risked by political statements. Therefore, the organisation goes public very rarely, and only in matters where the publicity is considered as benefiting the persons under threat. Here, as Kellenberger has pointed out, one of the biggest challenges of the organisation is “not to miss the *right* moment for going public”. Indeed, the organisation believes that the positive impact of public statements is generally over-estimated, and that although this is considered important by human rights organisations, their speaking out about human rights violations actually leads to political measures rather rarely.⁷² Conversely put, the Red Cross suggests that their policy of strict confidentiality is, perhaps, undervalued.

Thanks to the tradition of neutrality, however, the Red Cross movement still bears a particular reputation in the field of humanitarian action. In situations of conflict, for example, the belligerents can rely on Red Cross focusing on its humanitarian mission rather reporting on their brutal politics of war, and the organisation thus has an access to places where Organisations openly concerned of human rights could not go.⁷³ Moreover, under the Geneva conventions, the ICRC has particular mandates such as the supervision of humane treatment of prisoners of war (POWs), the organisation of relief operations, and assistance in family re-unification. To meet these duties, it is imperative that the Red Cross and Red Crescent movement enjoys confidence from all the parties involved, and this confidence is upheld by the principle of neutrality. Moreover, in their tasks, the employees of Red Cross may

71 E.g. Plattner 1996.

72 E.g. Kellenberger 2005. My emphasis.

73 Gnaedinger, [[<http://www.icrc.org/web/eng/siteeng0.nsf/html/humanitarian-principles-statement-121007>],

well appear to silently close their eyes in the face of injustices, but by distributing information about the humanitarian law, for example, or by recommending improvements for the conditions of prisons, they continuously profess silent diplomacy on the field.

Without a doubt, from the viewpoint of human rights, the Red Cross neutrality – and the respective non-recognition of the beneficiaries' political agencies – is controversial. Above, I noted that if one aims at justice in humanitarian work, as Calcutta Samaritans does, for example, the rights-based approach is the necessary – while perhaps an impossible – road to take. The Red Cross “only” aims at humanitarianism, however, and the work of rights is left for others. As Jean Pictet puts it, “One cannot be at one and the same time a champion of justice and of charity. One must choose, and the [international Red Cross and Red Crescent movement] has long since chosen to be a defender of charity”⁷⁴. However, which ever route one chooses – charity or justice – a technology to negotiate one's position in the face of suffering, compassion remains in the crossroads of the two. Moreover, compassion itself marking an emotional clash between the needs and the rights of individuals – between the capability to help and the (political) choice to do so – one's personal-yet-relational negotiations take place on the edge of multiple controversies. In both the cases, it takes courage and tears to choose one route, and to stick with it. Yet, I wonder: is there a chance to choose the both; or, is there a choice for not making the choice at all?

Child in Need Institute (CINI)

Child in Need Institute (CINI), as already the name suggests, is an organisation with a clear target group in children. This ORGANISATION also has a particularly medical focus in the work that it does. Established in 1974, with a focus on child nutrition, CINI has served its mission in “sustainable development in health nutrition and education of child, adolescent and woman in need”⁷⁵ for over thirty years. Today, CINI is considered as a pioneering organisation in India in matters of child nutrition, and it has grown into a sizeable national ORGANISATION. It has a range of activities from nutrition education to schemes for street children and adolescents to women's reproductive health to sexual education and HIV-programmes. It operates in six thematic units in Kolkata, South 24 Parganas and the surrounding areas. It also has offices and activities in Delhi, Jharkhand, Murshidabad, North Bengal, Bihar, Chhattisgarh and Bhopal. Moreover, in 2000, CINI International was established as the organisation's “Northern arm”. Here, sister organisations in Italy, the UK, the Netherlands, and the US support CINI by means of information campaigns and fund raising. A particular focus of these Western based organisations is CINI's original Adopt a Mother and Save a Child (AAMSC) programme that enables a private donor to sponsor a mother from her early pregnancy until the baby turns 18 months old.⁷⁶

74 Quoted in Minear 1999.

75 CINI 2006, p. 1.

76 CINI: “CINI International”, [<http://www.cini-india.org/international.asp>]

The aim of the programme is to secure safe motherhood and hence a healthier starting point for many disadvantaged children's lives.⁷⁷

Unlike the first three organisations discussed here, CINI's activities are not voluntary-based, but the organisation employs some 400 people altogether. Of course, working on the level of communities with rights-based mentality and an aim in sustainable development, the invaluable role of the community volunteers is acknowledged and appreciated. Although CINI's mission in many ways is "social work against the status quo"⁷⁸ in that it aims to empower poorer communities to better meet the needs of children and their mothers, the organisation works in cooperation with the government. It has diverse sources of funding, including government, private and international.

I visited CINI twice during the last week of my stay in Kolkata: First, in Golpark in the joint premises of CINI ARC (Adolescent Resource Centre) and the AAMSC Project Office. Here, I was warmly welcomed by two wonderful women, the organisation's relationship manager, and a research consultant. Although the schedule was tight in that I was about to leave Kolkata in not more than two days, for the following day the women managed to organise me with a visitor's appointment at CINI's Nutrition Rehabilitation Centre (NRC) in Pailan at the outskirts of Kolkata.

My meeting with the two CINI officials at Gol Park was a kind of an introductory interview to the world of CINI. Here, the women told me about the history, activities and principles of the organisation, and I asked additional questions so as to position this organisation in relation to the others I had visited in Kolkata. The more they told, the more impressed I was. Particularly educating for me was to learn about the Life Cycle Approach (LCA), which the organisation has found to be crucial in the realities of the field, and which it now follows in all its activities.

In LCA, issues like low birth weight, malnutrition, reproductive and sexual health issues are addressed so as to "break the intergenerational cycle of poverty" and hence to contribute to a better health for children and their mothers.⁷⁹ LCA interventions aim at sustainable behavioural change in the level of communities by educating young mothers and their families in matters relating to child nutrition and health. Experience shows that, in spite of poverty of the communities in which CINI works, it is possible to improve the children's nutrition considerably. This, however, requires an intervention on the level of behavioural patterns. CINI recognises that all communities live in specific socio-economic and political contexts, which then have an impact on customs and beliefs relating to issues of nutrition and health. However, in West Bengal, many gendered customs and beliefs have a direct impact on the health of mothers and their children. Therefore, in order to transform the conditions of living so that more children could grow up in good health, it is important to know about such beliefs and customs and to try and contribute towards a positive change.

For example, often in the poorer communities, a young West Bengali mother's well-being is subject to the way she is treated by her husband and the in-

77 CINI: "Adopt a mother", [<http://www.cini-india.org/adopt.asp>].

78 Interview with CINI officials, 27 Dec 2007.

79 CINI 2006, p. 4.

laws. Even if pregnant or lactating, she might be doing the physically most straining jobs at home and, despite of this, be the last to have her bite to eat. Moreover, especially in rural areas, girls marry at a very young age – even if against the law – and by the age of 18 they might have given birth to several children already. Marriage at an early age – sometimes as early as 13 – usually also means an end to education, which further lessens the girls' status within the community, as well as decreases their chances to know about issues of health.⁸⁰ Due to poor nutrition, girls often suffer from anaemia and other ailments, and lactation may not always succeed. In such conditions, it is obvious that babies do not begin their life at a very stable ground. Especially girl-children's nutrition can remain scarce throughout her years of growth. Thus, given the young mother's position in the communities, it is not enough to provide only *her* with education on issues of children's health and nutrition. In CINI's LCA interventions therefore, it is considered crucial that all those taking part in the decision-making of the family are provided the vital information, and especially the fathers' participation in child care is emphasised.

Admittedly, in my interview with the CINI officials in Gol Park, I was slightly suspicious of the political connotations imbued in the terminology of “intervention” and “behavioural change”, and the relations of power/knowledge that these terms rather explicitly denote. When I provocatively asked about CINI's needs-based approach, however, the organisation's research consultant was quick to correct that CINI actually has a *rights*-based philosophy in all the work they do: Although the target is in the *needs* of children, adolescents and their mothers, and although much of the work is related to their biological well-being, the political integrity of individuals and the rights of the local communities are to be respected. After all, the aim is in sustainable development, and this by definition requires active empowerment of the people “targeted”. Indeed, generally CINI's work is welcomed in the communities but, sometimes and especially amongst families relatively well-off, the response to the organisation's “interventions” can bluntly be: “We're fine as we are. Don't come and tell us how to live. Don't come and tell us that we have a problem.” In such situations, too, CINI still attempts to negotiate with those concerned – normally through its community volunteers – but, in the last instance, also the position of resistance is to be respected.⁸¹

During my visit to the CINI Nutrition Rehabilitation Centre (NCR) in Pailan, I got a picture of one section of the LCA work in practice. I visited NRC on my last Friday in Kolkata, spent a half a day there, and was, in the end, hoping again that I could stay a bit longer in the city, and learn a bit more.

Established in the 1970s primarily for purposes of rehabilitation for severely undernourished children, NRC is one of the original institutions of CINI. These days,

80 Although the Supreme Court ruling for the minimum age for marriage in India is 18, an estimated 46 percent of girls marry under that age. In rural areas, the proportion is even higher, at 55 percent. Interview with CINI paediatrician, Fri 28 Dec 2008; UNICEF, [WWW-source].

81 Interview with the CINI officials, 27 Dec 2007.

the institute-based services at Pailan consist of a subsidised Thursday clinic, which provides health services for children under six every Thursday from 8.30 am to 12.30 pm. Here, seriously ill children can be referred to further treatment, and sometimes they are taken in to the CINI Emergency Ward based at NRC. This is a 10-bed unit, where curative treatment is provided to children requiring immediate attention. During my visit, I got a chance to visit the Ward, and saw many happy toddlers with their mothers there. All these children were former acute cases, seemingly on their way to full recovery. On Thursdays, pregnant women are also provided antenatal care and there is a Reproductive Health Clinic for those with reproductive health problems.⁸² Here, HIV testing facilities are available and, in fact, CINI also has its permanent HIV & AIDS Unit (BANDHAN) in its premises in Pailan.

Given the wide range of activities taking place on Thursdays⁸³, it was a pity that I visited the place on a Friday. However, during the day of my visit, I got to see some of the day-to-day routines going on in the Centre. These consist of the Out Patient Department (OPD), which provides clinical services to children less than six years old every day apart from Thursday mornings; and CINI's Lactation Management Unit (LMU), which admits mothers with lactation failure to stay in the Centre for counselling and education of nutritional issues. Here, also other family members are encouraged to participate, and information about the importance of nutrition and emotional support to lactating mothers is given. Especially the fathers' participation is emphasised.

At NRC, I was hosted by a community paediatrician, who had devoted three decades of his career for the work in children's health at CINI. Throughout the day and in between his daily routines, he took care to show me around the place, introducing me to its various activities and their long-term purposes. I saw him consulting young mothers with their toddlers at the OPD, and I also observed the lunch time routines of women and children admitted to LMU. All this took place outdoors, on the sheltered terrace of the building's ground floor; by a tranquil yard with green trees and an artificial pond in the middle. In the clinic, the children were generally rather healthy looking but, while my host was seeing his patients, I got to see some "before and after" -photos of the children admitted to the clinic. To say the least, the "before" -pictures represented skeleton-babies held by their undernourished mothers – a truly heart breaking sight. The next picture, however, showed the same children after a few months of treatment at LMU. Together, these were photos to provoke an impressed tear of hope in the corner of the eye: however hierarchical they might be by nature, acts of compassion *can* make a difference.

Hearing that I was a student of international politics, my host was slightly surprised, as this was an unusual field of study for those visiting the clinic. I told him that, while in Kolkata, I was exploring civil society activities of the area in general, although in my other work I was particularly interested in the politics and power

82 CINI 2006, pp. 8–9.

83 Services are provided on Thursdays, because this is the day of the market. Families living in more remote rural areas thus have also other business in Pailan on Thursdays, and the clinic is thereby more accessible.

relations imbued in practices of care. At this point, it was as if a light of passion was lit in the eyes of the doctor. He told me that the politics of care was a question very close to his heart, too – indeed something he encountered in his work on a daily basis. I then got to hear an experienced charity paediatrician's presentation on the topic⁸⁴.

For my host at NCR, the politics of care must be looked at on the level of the social dynamics of the family. Of course, it is an issue of also bigger structures, such as national or international relations, and as to matters of child nutrition he quite bluntly stated that the National Family Health Service (NFHS) has failed in India. What is happening, according to him, is that there is no discipline, accountability, and sharing of responsibility or participation – and this is partly a heritage of the post-colonial experience, indeed world politics. In the last instance, however, and in spite of all the possible failures on international and national levels, the micro-practices of family politics make a difference. To mix up a discussion of care with one of nutrition was not a coincidence to the CINI paediatrician. For him, nutrition is never a matter of providing only food. Instead, it is a three-fold whole that consists of food, health care (including immunisation, environment and cleanliness) and, finally, of care in the sense of loving. No approach to nutrition is holistic if one or more of these corner-stones is missing. However, although often seen as an inbuilt quality of a mother, caring is *not* something that comes automatically. According to my host, it is active *work* consisting of choices and decisions: having a capability to care does not mean that one automatically professes it. Indeed, sometimes actions of care must be stimulated, and this is what is done in CINI's LCA programmes for example.⁸⁵ The doctor summarised his politics of care by arguing that, to care is to say “I understand your need”, and to act so as to provide for this need. In this respect, in order to care one must always be willing to understand the other – even if this is impossible.⁸⁶

Like compassion then, care denotes relations of power between capability and need, as well as a position – indeed a requirement – to negotiate one's *own way* within these relations. By “own way” here I do not mean “own” in a sense of individualistic possession, quite the opposite. It is a way that does not exist in an singular void outside relations to and with the other; yet, in spite of being inseparably linked to the other, it is “own” in a sense that it can never fully include her/him. Perhaps, relations of care then – and not only in children's nutrition – denote the relations of compassion that, by definition, require “fellow-feelings” from individuals in spite of their outright impossibility. In the end, individuals will only ever be capable of *relating* to the fellow, not feel how it is to be her/him. Indeed, compassion remains as a technology by which one negotiates oneself to profess (or withdraw) care; to say “I understand your need” and to act accordingly (or to ignore). What makes us use this technology in one way or another is, of course, another matter – though surely a matter of politics (of care).

84 The presentation was full of references to the Indian writer Vivekananda, whom my host coined as “a man of action and philosophy”.

85 Interview with CINI paediatrician, Fri 28 Dec 2007.

86 Interview with CINI paediatrician, Fri 28 Dec 2007.

Largely thanks to my host's passionate talk, I left the Nutrition Rehabilitation Centre with head full of thoughts. In many ways and rather unexpectedly, this particular organisation struck me – personally, academically, emotionally. In spite of NRC being a health clinic where children are brought when severely ill, some without a cure, there was a sense of safety in this place – a sense of safety and caring, though certainly not without its controversies.

Talimi Haq School at Priya Manna Basti and the Howrah Pilot Project

The century old Priya Manna Basti (PM Basti) is a former jute-workers' slum in Howrah – the town next to Kolkata, on the other side of the Hooghly-river. Built originally as a settlement for the migrant labourers of the Howrah Mills, Ganges Jute Mill, and Fort William Jute Mill, the *basti* today is home to some 50,000 people. The area is extremely densely populated, and its residents generally poor. The facilities for drinking water, sanitation, drainage and waste-disposal remain inadequate and, consequently, environmental health risks are high. Among the poorest ten percent of the community, children are often working in the household or outside as early as from the age of five. The position of women in the community is suppressed and, with no education opportunities, the future prospects of children – especially of girls – remain limited. Girls often marry well below the age of 18, which further decreases their chances to go to school. Illiteracy is close to universal among this poorest section of the community.⁸⁷

Having seen the squatters of urban Kolkata, however, my first visit to PM Basti was positive in a sense that the living conditions there were not as bad as I expected them to be. Of course, my visits taking place around the time of the Islamic celebration of *Bakri Id*, the streets were too busy for a proper tour of the neighbourhood. But still, unlike the pavement dwellers of Kolkata, at Priya Manna Basti people generally seemed to have firm roofs above their heads, and there were very few signs of outright destitution on the narrow but lively alleys of the slum. In fact, rather than despair, the dominating memory of my first visit to PM Basti was a fascinated impression of communal serenity in a place where I hoped to return: a view from a high roof top, with an orange sunset colouring the shadows and shouts of kids, playing on the alleys; a cow on the fifth floor (I wonder how she got there) waiting for her destiny on *Bakri Id*; the figure of a minaret on the horizon, with a singing call to prayers weaving its way through the orange-grey air.⁸⁸

In spite of these impressions of tranquillity, life in PM Basti does mark many of the greater Kolkata's socio-economic inequalities, however, one of them having to do with the standards of education among the children of the metropolis. Most people in PM Basti belong to Kolkata's Urdu speaking Muslim minority.⁸⁹ Altogether, Muslims form about one fifth of the city's population, and approximately

87 Ramaswamy, [<http://www.caravansary.org/charity/index.htm>],].

88 Also others have got positively caught in PM Basti through HPP. See Tewari, [WWW-source].

89 Field notes.

80 percent of them speak Urdu as the first language. In West Bengal, this minority has been generally “neglected by the ‘dominant socio-political system’”⁹⁰, which shows particularly in the statistics regarding children’s educational opportunities in the metropolitan Kolkata. In 1993, the Indian Supreme Court declared education to be a fundamental right of all children up to fourteen years old, but this legislation seems not to apply to all children in India⁹¹. According to M.K.A. Siddiqui, for example, only 11 percent of the Urdu speaking children in the Kolkata Municipal Corporation are enrolled in officially recognised schools. Even when the religious schools of *madrasahs* and *maktabs* are included, the proportion remains at 25 percent, hence leaving approximately 100,000 children without education. The problem is largely due to the dearth in educational institutions in the metropolitan area and, indeed, out of the 600 to 700 schools in Kolkata, there are only 43 Urdu medium schools, 27 of which are officially recognised.⁹²

With many Indian schools lacking basic facilities, such as school buildings or adequate numbers of teachers, inequality in education opportunities certainly touches poorer communities regardless of ethnicity throughout the country.⁹³ However, there remains disparity in literacy achievements between different sections of population,⁹⁴ and the Urdu speaking Muslims of the metropolitan Kolkata are in this respect a group of concern.⁹⁵ This is no minor concern, since an exclusion of children from access to education essentially deprives them from the route to develop their talents in the most fundamental ways. This, in turn, has repercussions on the level of communities, indeed whole societies, as all future socio-economic progress eventually depends on the younger ones.⁹⁶

In PM Basti, the Howrah Pilot Project has contributed considerably to the educational prospects of the slum dwellers. In 1997, the present honorary chairman of the project, V. Ramaswamy, established HPP with a goal of improving Howrah's community and city life starting from the grassroots level of the “poorest and most socially and environmentally degraded slum localities”⁹⁷. Having worked in Howrah with the Calcutta Environmental Management Strategy and Action Plan (CEMSAP),⁹⁸ Mr. Ramaswamy was aware of the area's socio-political plights. So as to contribute towards a positive social change in PM Basti, HPP began from the empowerment of women in the community.⁹⁹ Like CINI and Calcutta Samaritans then, also HPP aims at social change starting from the community level. Yet, there is a crucial difference in that, while a major part of activities of the first mentioned organisations are planned and orchestrated from outside the targeted communities,

90 Siddiqui, [<http://mail.sarai.net/pipermail/reader-list/2005-October/006409.html>].

91 Shirname 2008, p. 3.

92 Siddiqui, [ibid].

93 Shirname 2008, p. 3.

94 Ibid., p. 5.

95 Siddiqui, [ibid].

96 Shirname 2008, p. 26.

97 Ramaswamy, [<http://www.caravansary.org/charity/index.htm>],

98 Government of West Bengal Department of Environment, [WWW-source].

99 Ramaswamy, [<http://www.caravansary.org/charity/index.htm>].

HPP is a programme limited to one particular locality, where change is most strongly steered by those whose empowerment is at stake.

During the eleven years of its history, the activities of HPP have included, for example, programmes for women's literacy and social and health awareness, vocational training for girls, as well as a thrift-and-credit program.¹⁰⁰ In addition to these, the Talimi Haq School of HPP provides non-formal education to the children living in the slum area of PM Basti. The school was established in June 1998, with an aim to provide basic education to children who cannot go to school because of their poor backgrounds, or because of their involvement in wage-labour. The philosophy of teaching at Talimi Haq is largely influenced by the writers such as Paulo Freire, who see processes of learning as a dialogue between the teacher and the taught, hence emphasising the subjective capabilities of empowerment amongst the learners¹⁰¹. In Talimi Haq, there is no formal syllabus to be followed, although the primary subjects consist of Urdu, English and Arithmetic. Also other subjects such as History, Geography, Arts, Environmental Science and Physical Education are taught. In the teaching, creative methods are used so as to “equip the children to be honest, hard-working, capable and loving adults”, and Calcutta's wide public resources such as zoos, museums and the Science Park are regularly utilised.¹⁰² The teachers – most of whom themselves live and have grown up in PM Basti – work at the school on a voluntary basis, and they are provided regular training opportunities. These days, over a hundred children of different age groups attend the school which, since November 2005, has had premises in relatively spacious two-roomed flat in one of the high buildings of the slum. So as to accommodate all the kids at the school, different groups come there at different hours of the day. For working children evening classes are provided.

In terms of its non-formality, Talimi Haq is not a unique enterprise. Indeed, already in 1979 the government of India launched a scheme for Non-Formal Education (NFE), which recently has been revised and renamed as *Scheme of Alternative and Innovative Education*. The aims of the government scheme are like those in Talimi Haq – that is, to provide education opportunities in localities where children regularly do not get to attend schools because of their poor backgrounds or involvement in wage-labour.¹⁰³ However, in my discussions with the representatives of Talimi Haq, and other informed people in Kolkata, it turned out that Talimi Haq is an outstanding example of how non-formal education can work. Many non-formal education institutions are not systematically managed, and sometimes they are established with an aim in financial or other gains of the founders. In Talimi Haq, however, the standards of teaching and the atmosphere being better than in the neighbourhood's recognised schools, the children are keen to attend the lessons

100 Ramaswamy, [ibid].

101 E.g. Freire 1972.

102 Talimi Haq School, [[<http://talimihagschool.blogspot.com/search?updated-min=2006-01-01T00%3A00%3A00%2B05%3A30&updated-max=2007-01-01T00%3A00%3A00%2B05%3A30&max-results=39>]].

103 Shirname 2008, p. 11.

regularly. While the children may be disadvantaged by their backgrounds and future prospects in many ways, at the school they are provided an encouraging atmosphere for confidence building in different sectors of life. Moreover, the school being regularly visited by people from around the world with various occupations and interests, the kids at Talimi Haq also continuously receive the kind of international experiences that (child) labour market, or even the low-standard public schools, could not provide.

During my stay in Kolkata, I got a chance to visit a bunch of the school's teachers and some of the pupils three times altogether. For the first, introductory visit, I was joined by the school's founding father Mr. Ramaswamy, as well as a sociology student from Kolkata – herself involved in organisation work with urban children. Here, us visitors were told about the history and activities of the school – first in the class room and later on the roof top with the beautiful view over the slum. It being holiday time, there were no regular classes going on and, on this first visit, there were only a few kids present. Nevertheless, I remember departing from the slum with a warm feeling in my heart: In this community project, the hierarchies that characterise all social relations were not explicit. Of course, there were people with different social statuses and characteristics present during my visit – the founder of the project and teachers with their pupils, the Urdu speakers and English speakers, locals and foreigners, children and adults, women and men. However, the power relations imbued in these identities came out in a strangely harmonic manner, and it was as if everybody were at home in their respective roles in this space. There was a lot of laughter and jokes, with a sense of sisterly or brotherly humour in the voice. At the end of my visit, I was thankful to receive an invite to come and see the place again – this time for a whole day.

In the end, I got to spend the Christmas day that I had feared to be lonesome with some wonderful people living at PM Basti. Flavoured by chicken *biryani* and cricket played in the class room, the day was memorable to say the least. Again, it was not a school day, so I did not get to see any of the routine practices of Talimi Haq. However, there were all the five teachers present along with some of their friends, and a quite a few of the older pupils of the school. Again this was a joyful gathering of friends and, while language problems prohibited me from fully joining the joking and conversations, the kids as well as teacher made me feel extremely welcome. (I even ended up singing a song for my hosts, which I certainly would not have the guts to do in any occasion at home!) Inspired by a game of cricket in the class room at the end of the visit – and perhaps my lacking skills thereof – the children wanted to teach me a bit more of this national sport. On the day before my departure from Kolkata I then met them once more for a very informal outing at the lawns before the Victoria Memorial. I hope I'll get a chance to play with them again soon (and not only because I still did not quite learn the rules of this complex game).

What then, did Talimi Haq teach me about compassion? Perhaps, a study relating to the nature of compassion in civil society took me to PM Basti but, on the personal level, I wouldn't like to think of my relationship with the people at Talimi Haq as one of compassion. Rather, I'd like to see it as friendship. My encounters with the teachers and the children were full of laughter, and stories of hopes, dreams and

interests were shared both the ways. I had no reason to feel sorry for them, and hence to feel compassion. If anything, I respected them – and perhaps even slightly envied the communal belonging that seemed to be so strongly present in the everyday life of the school. But then, it was only a slice of their daily life that I saw – particular occasions of holiday time – and the realities of many of the kids' lives would certainly do as causes of compassion. They are, after all, children of low-waged rickshaw-*wallahs* and jute-workers, many of whom have to work themselves too in order to support the family. Like kids around the world, they too want to be doctors, join the police force, become teachers and professional sportsmen,¹⁰⁴ but – in spite of the good quality of non-formal education at Talimi Haq – realistically their future seems rather bleak.

In my discussion with Mr. Ramaswamy, this hopelessness surfaced in ways that aptly underlines the controversies of compassion in all work done towards social justice. I did not have a tape recorder with me during our discussion, which is a pity – so interesting points he raised in the most eloquently articulated presentation of the project. His core message, however, was that – although he cannot but come back to Howrah, although he cannot but continue to try and make a difference – after the ten years of HPP work, nothing concrete seems to have changed. PM Basti is still a slum of unofficially constructed buildings and dense population. The government has done barely any improvements in the infrastructure of the area, and the facilities for sanitation, drainage and waste disposal remain insufficient. The children now have a school they can attend, if only on a non-formal basis, but they still need to work, too. After the Talimi Haq School, it is highly unlikely for many of the children to continue education to the formal route, though – I tried to remind him – no longer absolutely impossible. In his blog, V. Ramaswami has copied an extract from correspondence he has had with a PhD student studying hope in the context of Priya Manna Basti¹⁰⁵. He writes:

[M]y exposure to the lives of the poor and my own experience [...] leaves me utterly devoid of hope. I know I shall not see any major improvement in my lifetime. [...] There is however a constant urge to either detach completely from everything, like a reclusive hermit; or descend into vengeful violent actions [...]

There's an (Urdu) poem by [...] Faiz Ahmed Faiz [where] the poet talks about the ugly underbelly of the city, of exploitation, suffering, injustice. He says that once you've seen that, all the charms and beauties of the city do not appear so charming and beautiful any more, instead they take on an ugly hue. Something like that happened with me. Though I could perhaps be comfortable and gleeful with my own life circumstances, that simply isn't possible any more, it is as if I'm infected by the reality, cursed [...] Concern for the poor, awareness regarding the poor etc. is one thing. That still presumes a distance and a difference, between oneself, and the other. But it's another thing altogether to be afflicted, to suffer like the other!

104 See some of the children's stories on Talimi Haq homepage

105 See Gibson, Lorena (2008), :

[http://talimihagschool.blogspot.com/2008_01_01_archive.html], last accessed 12 March, 2009.

Then one is reduced to silence [...] ¹⁰⁶

The extract is written on the topic of hope, but it also beautifully condenses some controversies of compassion – an emotional relation to the other that may never succeed unambiguously. However, Ramaswamy continues: “Thankfully, the poor do not suffer as much as one might imagine. They are hardy, they are habituated to their circumstances.” Thankfully, indeed, the failures of compassion to fully relate to the suffering of the other are not experienced by the one who is perceived as suffering. To the privileged who feel compassion, it may seem that there is no hope left; that, realistically, the future of the children at Talimi Haq is nothing but bleak. But for the objects of compassion, for the children themselves, Talimi Haq provides them with a space where it is permissible – indeed their *right* – to hope, and dream of alternative futures. Perhaps, this is a position *reserved particularly for them* – this is *their* privilege, out of the reach of those who feel compassion.

Is it not possible then, through acts of compassion, to construct more of such spaces – is that not their aim?

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