“Whose clean India is it?”

Private sector and the human rights of sanitation workers

The septic tank and vacuum truck operators in Bangalore work with their bare hands and in flip flops. “We don’t wear gloves or masks. Wearing them makes people think that our work and the waste we carry in our truck is dangerous. So we act normal, as if it is harmless. That also makes dumping it a lot easier.”[[1]](#footnote-1)

Their work is dangerous. They risk quick deaths of drowning or suffocation from falling into the tanks—many people die so every year. They risk slow deaths from diseases and infections they contract by working so closely with human waste. They risk arrest and harassment from law enforcement. They are stigmatized by their cities and communities.

The world is rigorously working towards creating equitable, effective sanitation—constructing latrines, lobbying for policy changes, researching “best practices” in university labs and out in remote areas. Safely disposing of human fecal waste is massively important for human health and global development overall.

Development bodies have been exploring the potential of private sector actors to create effective, sustainable sanitation solutions. However, it is vital that regulations or incentive structures be put in place to protect the people who carry out the work. In the global drive to achieve global sanitation coverage, the workers of sanitation should not have their rights to safe and healthy working conditions and non-discrimination violated.

**Sanitation labor in India**

In India, the government’s *Swachh Bharat* Mission (“Clean India Mission”, or SBM) has spurred a massive amount activity around sanitation. But the manual work of sanitation is usually relegated to the most marginalized of populations, defined by their low place in the caste system, their religious affiliation, or their migrant status. During his 2017 visit to India, Mr. Leo Heller, the UN Special Rapporteur on the human rights to safe drinking water and sanitation, expressed concern about this issue: “Particularly given the generations-old practice of imposing sanitary tasks onto the lower castes, the growth in the number of toilets raises concerns that manual scavenging will continue to be practiced in a caste-based, discriminatory fashion.”[[2]](#footnote-2)

Bezwada Wilson, an activist and national convener of *Safai Karmachari Andolan* (“Manual scavenger mission,” or SKA) asks, “Whose Swachh Bharat *is* it?” Because, with few finances and little attention paid to the workers, the Clean India Mission threatens to make their lives worse.

“Manual scavenging,” according to the legal definition in India, refers to work that is “manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta” without protections or if the excreta is not safely decomposed or otherwise treated.[[3]](#footnote-3) It can include work in dry latrines, open drains, septic tanks, railways, public restrooms, open spaces used for defecation, and sometimes vacuum trucks. It has been illegal in one form or another since Indian Independence in 1947.

Usually, governments, NGOs, and private sector actors who provide sanitation services will differentiate the labor carried out in their operations from manual scavenging, saying that it is a kind of labor and *not* manual scavenging. But the line between what is sanitation labor—necessary and legal—and manual scavenging—illegal and unprotected—is often fluid, dependent more on political positioning than objective assessments of the hazards of a given situation. Here, I will group it in as a form of labor, even while recognizing that, according to many activists, manual scavenging is more akin to slavery than labor.

Whether it is manual scavenging or sanitation labor, however, the people who are employed to do the work of cleaning and maintaining sanitation systems are usually the most marginalized. People doing this work often operate in hazardous conditions, like those described at the top of this essay, and suffer from a loss of dignity and social stigma. In addressing these issues, the international community are looking to the private sector.

**Private sector engagement**

Two of the key ways in which the private sector has been engaging with issues of sanitation labor is through technology and through establishing lower caste workers in the space as “entrepreneurs.”

Technological solutions to the challenges of sanitation labor have primarily manifested in two ways: the first is in designing technologies that can clean sewers and septic tanks, and thus eliminate the need for workers to go inside; the second is creating technologies that fully compost or process the waste on site, eliminating the need for manual scavenging.

In October of 2018, SKA, an advocacy group for sanitation workers, held an event in which they invited inventors and private companies to help to “find solutions to reclaim human personhood.” At the event, they showcased technologies from private companies such as including Genrobotics and Sanitor. These included the Genrobotics’s Bandicoot, a robot intended to clean manholes, eliminating the need for humans to physically go into the sewers.

Other technologies are intended to eliminate the need for manual scavenging through some form of onsite treatment. For example, the Reinvent the Toilet Fair of 2014 in Delhi showcased a range of potential technologies, many of which were developed through public/private partnerships or private actor collaborations with universities. Eram Scientific Solutions, in collaboration with the University of South Florida, won a grant to filed test a solar-powered toilet that is integrated with a waste processing plant.

These private sector technologies have great potential. However, past experiences with the introduction of new technologies suggest that these cannot be relied upon to protect labor without additional protections and regulations. The Indian Railways, for example, has installed biodigester toilets on many of their trains to address both the fact that they have been dumping raw waste onto railway tracks and hiring people to clean it.[[4]](#footnote-4) However, these biodigesters have failed. When on-site treatment systems break, people from these marginalized populations are called in to do the dangerous and dirty cleaning work. This has also been the case with many of the twin pit toilets.

While private companies may introduce new technologies, layers of regulation and accountability must be in place to ensure that harmful and exploitive practices are not carried out when these technologies malfunction.

Even if the technologies successfully clean and treat the waste or protect against physical and biological hazards, the people who are doing this work still face social stigma and psychological suffering. Association with human fecal waste is a problem not only because of the biological and physical contamination, but social or ritual contamination. By only addressing the physical hazards, these technologies do not address the underlying discrimination. They may even serve as a means of erasing those problems by allowing actors to claim they have “solved” the problem.

Another common means of engaging private sector actors and ideas in addressing challenges of the sanitation labor is to “convert” sanitation workers into “entrepreneurs.” For example, Hyderabad, the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) contracted with 30 former sanitation workers to own and run 70 water jetting machines for unblocking sewers.[[5]](#footnote-5) This is an improvement. An activist with SKA said in an interview that while it is still not ideal, it is a step in the right direction. “At least they’re not slaves,” he said.

These are not the first attempts to professionalize sanitation workers. In the 19th century, the British gave workers uniforms and brooms as a form of “civilizing” the Indians. While it may have *appeared* more acceptable, it did not eliminate discrimination.[[6]](#footnote-6) Indeed, by formalizing the labor, it implied that the state *sanctioned* the caste’s role as cleaners. Similarly, while the truck owners in Hyderabad may have improved their situations, they have not disentangled their identities from the stigmatized area of sanitation.

Both in terms of technology and in reconfiguring the economic arrangements, private sector involvement threatens to merely disguise the underlying discrimination, to make it more palatable to international audiences, and to remove accountability of lawmakers to address the underlying discrimination and social suffering.

**Moving forward**

Private sector actors and approaches have the potential to offer useful tools in addressing the challenges faced by sanitation labor. By creating technologies that prevent the need for close human contact or by rearranging the economic configurations to improve the agency and circumstances of the sanitation workers, these approaches and actors can materially improve the lives of people engaged in this labor. However, these approaches fail to address underlying social inequalities or the human right to nondiscrimination. As precedent has shown, without other efforts or regulations, these kinds of initiatives can actually disguise and erase social stigma and suffering.

Private actors motivated by profit are not necessarily configured in such a way as to ensure the safety, well being, and dignity of their workers. They are also frequently not in a good position to address the underlying social inequalities that cause marginalized populations to be more highly impacted by the challenges of sanitation work.

The ties between social discrimination and sanitation labor have been most clearly articulated in South Asia, where caste and religion are some of the key divisions by which marginalized groups are marked. However, there has been a rise in conversations about sanitation workers globally, and these ties between social stigma, marginalized populations, and sanitation work are likely to be universal. However, more systematic research is needed to understand those links.

Balancing the drive to improve sanitation coverage with the need to protect the human rights of sanitation workers is complex and requires thoughtful engagement from a range of actors. Moving forward, there are several ways that the sanitation community can begin to more thoughtfully engage with this issue:

**Include the wellbeing of the workers and their social and demographic data in any sanitation project assessment.** “Wellbeing” of workers should be interpreted broadly to include not only protection from physical and biological hazards, but assessments of psychological and social wellness. Social and demographic data should be included in order to monitor whether sanitation work is disproportionately affecting any particular group.

**Collaborate with other initiatives to give workers and their families the ability to choose other life paths.** In India, much of the oppression of sanitation work comes from the fact that it is intergenerational, with the children of sanitation workers often unable to pursue other lines of work. Sanitation work should be *a* job option for people, but not the only one. Support the families of workers through other educational, empowerment, and poverty alleviation programs.

**Collaborate with other sectors to ensure sanitation programs are being carried out equitably.** International development is often very siloed. Learn from, listen to, and collaborate with workers rights groups, labor activists, women’s empowerment groups, or groups that address the marginalization of particular groups.

**Increase research into sanitation workers and work.** There is a dearth of information on this topic, and most of it is confined to South Asia. Effective and ethical action can only be taken after careful, thoughtful research.

Improving sanitation is vital in improving the world. But as we do so, it is important that it is done so in a way that does not compromise and worsen the situations of already marginalized groups.

1. Prasad Sharada, CS. 2019. “When the Pits Fill Up: A Day in the Life of Sanitation Workers in Urban India.” 2019. https://sharadaprasad.com/essays/trucks. [↑](#footnote-ref-1)
2. Heller, Leo. 2017. “End of Mission Statement by the Special Rapporteur on the Human Rights to Safe Drinking Water and Sanitation Mr. Leo Heller.” New Delhi: UN Office of the High Commissioner. https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22375&LangID=E. [↑](#footnote-ref-2)
3. This is according to the most recent law on the topic, The Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 [↑](#footnote-ref-3)
4. Jha, Srinand. 2017. “New Toilets In Indian Trains No Better Than Septic Tanks: IIT Study.” IndiaSpend, November 23, 2017. https://www.indiaspend.com/new-toilets-indian-trains-no-better-septic-tanks-iit-study/. [↑](#footnote-ref-4)
5. Dalberg Associates. 2017. “Sanitation Worker Safety and Livelihoods in India: A Blueprint for Action.” Dalberg. http://sanitationworkers.org/wp-content/uploads/2018/04/Phase-2-Best-practices.pdf. [↑](#footnote-ref-5)
6. Mann, Michael. 2007. “Delhi’s Belly On the Management of Water, Sewage and Excreta in a Changing Urban Environment during the Nineteenth Century.” Studies in History 23 (1): 1–31. [↑](#footnote-ref-6)