

Covid 19 and the Working Classes

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The global pandemic has exposed the underbellies of capitalism and the gargantuan states it has erected in its defence. Never before have the wheels of capitalist production, commerce and banking ground to a halt as now. Never before have the states' abilities to govern and enforce laws been so drastically paralysed. Never before in the last two centuries has the natural world breathed a sigh of relief as it has now, as it gears up to heal the damages inflicted on it by global capitalism. This unprecedented crises quite clearly is a making of the new wave of 'neo-liberal' globalisation which was initiated in the 1990s as the solution to recurrent capitalist slumps. The integration of the world, massive dependence upon Chinese manufactories, global supply and market and labour chains, capitalism's attempts to finally flatten the earth has created the conditions for this massive eruption of viral attack. The rapid global spread of a virus which originated in the Wuhan province of China is indeed a direct consequence of the global integration based on the critical role played by Chinese manufactory.

On the face of it, this is a global revolutionary moment, when capitalist production and state are no longer in a position to 'carry on as before' and so are the vast masses of people – working people who produce and consume and keep the capitalist system going. As millions of people across the world are rendered unemployed the only way they can access necessities of life is through 'extra economic means' outside the market system – either through doles, state intervention or through looting as the American working classes have demonstrated in the current rapid spread of rioting in the cities of USA. So much for neo liberal capitalism's claim to be able to address all needs through the mechanism of market. The world cannot go back happily to five years ago and live happily ever afterwards!

What will be the contours which will shape up to determine the future of the world? As things stand it would appear that the forces of capitalism and its states are most organised and conscious and seem to be in the driving seat. That is how it appeared in 1914-17 too. That is because the revolutionary response of the masses compelled by the impossibility of continuing living and working as before is only beginning to surface sporadically. The vast out-migrations of the Indian workers from the cities, the riot and looting in the USA, may just be the proverbial straws in the wind. As in 1917-19 when the working classes across the globe appeared poorly organised but managed with remarkable outburst of revolutionary energies to actively participate in reshaping the world, we can hope that the future will not be as the global lords of capital would want it to be. There appears one significant difference though: the working class had a beacon of light in Marxism and Leninist organisation, which has considerably dimmed in the intervening century. But then there are multiple lamps, albeit of very modest light, which is illumining a very complex world and we can hope that the working classes will once more display the revolutionary energy to make a new sense of the world and organise to change it.

But that may lie in the future. As we said before the capitalists and the states are still in the driving seat and true to their nature of being 'shroud stealers' (*kafan chor* as the Hindustani

phrase will put it) are trying to make the best of the most intense tragedy faced by humanity as lakhs of people across the globe are losing their lives to the virus and millions are left to face slow death by starvation and deprivation.

In this write up we will take up the response of the Indian state, its capitalist class, and the working classes to the current pandemic and the situation arising from it.

It may be recalled that the current BJP led government faced one of the most powerful protest movements in recent times against its policy of communal divide and pogroms against minorities, especially the Muslims. Its hurried enactment of a law allowing it to selectively confer citizenship on non Muslims from neighbouring Muslim majority countries, the social havoc caused by the exercise of checking the citizenship claims of people living in Assam and the threat of extending it to the rest of the country was meant to isolate and target Muslim minorities. Instead, it brought together youth and women belonging to minority communities, dalits, adivasis and all other communities, especially in the universities and led to massive sit in protests. The BJP lost elections in a string of state assembly elections the latest being Jharkhand and the key state of Delhi where it fared pretty poorly. Its repressive measures and campaign to malign the protestors as anti national clearly had backfired. Thus the pandemic came as a godsend to the beleaguered government which clamped down on the entire country using emergency laws framed by the erstwhile colonial masters more than a century and quarter ago in the wake of an outbreak of plague. State action and fear of the virus forced a closure on the protests and sit ins across the country, especially in Delhi. As the protests against the Citizenship Amendment Act wound up, the government relentlessly pursued the leaders of the movement by arresting them and jailing them under inhuman conditions and the Covid 19 threat. Hundreds of activists have been rounded up since then in the states of UP, Delhi etc.

The pandemic has also provided the Indian state with an opportunity to assume enormous powers of surveillance over and control over movement and the very bodies of the citizens. Instead of strengthening the collapsing public and private health care system, the government seized the opportunity to use artificial intelligence and such like technologies to monitor the movement and conversations of private citizens. Of course this is in line with the worldwide phenomenon initiated by the Chinese state. At least in the case of China this was matched by its preparedness to handle the pandemic in terms of both health care and effective planned lock down. In India on the other hand the health care and sanitation systems have been in a poor shape even to handle normal situation, as the public health care system was systematically dismantled in favour of privatisation with a fraudulent scheme for insurance cover for the poor. The public sanitation system, condemned by the caste based ideology to be the sector which was least modernised, as it was principally manned by dalit workers, just couldn't cope with the massive task of keeping the cities and villages clean.

As the central government announced a complete lock down without any adequate planning or consultation with state or local administrations, the principal task of keeping the country going fell upon the health care workers, the sanitation workers and the police force, all of them ill equipped to handle the task without any training, adequate protective gear or replacement at work. This resulted in thousands of them getting infected and bearing the brunt of not only the

pandemic but also social ostracism by an insensitive middle class. It should be remembered that most of these health and sanitation workers are on contractual and informal tenures without any legal or social security cover. The same can be said of workers in the so called essential services and sectors, petty shopkeepers, vendors – who had to continue to render service under lock down conditions even as the malls and ‘online’ shopping platforms closed down into safety. The lock down essentially protected the urban middle classes as it is this class that was privileged to stay home and get paid for it.

The lock down meant complete stoppage of work in all industrial units (the ‘non-essential’ ones), transport including railways and roadways and more important in the vast informal and self employed sectors of work which provide livelihood to about 90% of the urban population. Since the lock down continued to be extended for over three months, it has led to loss of employment and income for millions of urban and rural poor. While the rural sector was somewhat spared and the annual spring harvest was completed across the country, it was the urban sector that saw an unprecedented collapse. The employers used this opportunity to abscond without paying the wage arrears of their employees, most of whom, it should be noted, do not have any formal agreement or documentation. For example a ‘phone’ survey conducted by the e magazine, The Wire, of Delhi’s labouring population reported that nearly half the respondents had not received full wages for the pre lock down month and over 90% reported complete work stoppage and 80% reported complete loss of any income during the lock down period.

A study conducted by Azim Premji University and other organisations reported massive unemployment and loss of earnings as a result of the lock down. Loss of employment was the worst for the self-employed in urban areas, with 84 per cent of them losing employment, compared with 76 per cent salaried workers and 81 per cent casual workers. In rural areas, 66 per cent casual wage workers reported loss of employment, followed by 62 per cent of salaried workers and 47 per cent of rural workers.

Average weekly earnings for non-agricultural self-employed workers who were still employed fell by over 90 per cent from Rs 2,240 to Rs 218. For casual workers who were still employed, average weekly earnings almost halved from Rs 940 in February to Rs 495 during lockdown, the survey noted. Half of all salaried workers, or 51 per cent, saw either a cut in their salary or received no salary.

Nearly half (49 per cent) of households reported that they did not have enough money to buy even a week’s worth of essential items, while 80 per cent of urban households and 70 per cent in rural areas reported consuming less food than before. As per the survey, over one-third, or 36 per cent, of vulnerable households in urban India received at least one cash transfer from the government, while 53 per cent of rural households received this benefit.

Denied pay for the work done in the past month or week and faced with an indefinite loss of employment the workers, casual workers and the self employed faced pauperism and starvation. Added to this was the harassment by landlords of their shacks, who demanded rent and were also keen to get rid of the poor who were considered potential carriers of the virus. The state governments indeed intervened, somewhat slowly, by providing direct cash transfer and free

ration to ration card holders and free kitchen in many areas. However, given the scale of people requiring such assistance, the coverage was highly inadequate, particularly since the number of documented workers with ration cards and bank accounts is but a fraction of the total number of workers.

The most vulnerable in this of course were the migrant workers. We really do not have any figures to understand the scale of the problem. The ten year old census figure for 2011 tells us that there were 57 million interstate migrant workers in the country. A majority of such migrants work in the informal/unorganised sector; a large number are daily wagers and very few have any form of identification or employment papers. This figure does not include workers who have been migrating within the states, from the villages to the towns or mining districts or brick kilns or for harvesting/transplanting. Most of these workers are not really 'free wage-labourers' but bonded workers, who have been paid a paltry advance by contractors who then sell their services to prospective employers, whether industrial, agricultural or builders. Quite often the contract involves entire families including women and children. They are usually made to live at worksites with poor arrangements for food or sleep or sanitation. Labour historians like Jan Breman have remarked that unlike the 18-19th century industrialization which saw permanent migration of rural workers into towns, the present migrations are temporary (usually contracted for a season or two) after which the workers go back to their villages to do similar seasonal work there before they are engaged again by the contractors. This oscillation between villages and distant towns happens under conditions of debt bondage, which implies a loss of choice in employment or free negotiation. The employers and contractors usually do not pay the workers their full wages so as to keep them under leash.

Technically they are protected by the "Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979". The act provides for the contractors who lure these migrants, enticing them with the promise of fulfilling their dreams, are required under the Act to obtain a license from an authority both of the state to which the workman belongs (home state), as also the one in which they are proposed to be employed (host state). Establishments hiring them are also required to obtain a certificate of registration before employing them. The Act stipulates that the license may contain conditions regarding the arrangements under which the inter-state migrant will be recruited, the remuneration payable, hours of work, fixation of wages and other essential amenities to be provided. There is an explicit provision regarding the wages to be paid to these migrant workmen, the date from which it is due, and their entitlement to a displacement allowance. Suitable residential accommodation, adequate medical facilities and protective clothing are also amongst what is to be provided. Needless to say that the noble provisions of this act are not implemented and the labour departments have neither the capacity nor the willingness to intervene and regulate the labour trafficking. It is these workers who became the most severely affected by the unplanned lock down announced by the central government. Given the loss of wages, of employment prospects of residing indefinitely in a hostile environment, vast masses of migrant workers sought to return to their homes, usually in distant villages thousands of kilometres away. Those who enforced the lock down were perhaps not even aware of the existence of such people and had definitely not planned for them. Their imagination was confined to the urban middle class families, safe in their pucca homes. Without

any ration cards or identity cards, these workers did not have any entitlement to rations or monetary assistance. Soon enough as the workers defied the lock down and descended upon the streets, did the powers that be realise that there were these migrants who wanted to go home. The first response of the state was of course to prevent any such exodus for that would cripple the prospects of economic revival. They had all the power to prevent it, curfew, prohibitory orders under section 144 of Indian Penal Act, extraordinary powers to the police to detain and incarcerate violators of the lock down etc. All kinds of transport including road and rail were shut down. Yet as workers streamed out into the highways, it was obvious that the flood was unstoppable. They were hungry, thirsty, sick, with sore feet, carrying loads on heads and children on shoulders, walking away hoping to reach home or die in the effort, something better than to die of starvation in a hostile city environment. Soon panic gripped the state, that these dense crowds that were thronging the roads were potential carriers of the virus to all over the country. The police were deployed to beat them up and send them back. Soon the tide began to rise and yet the state had no idea of how to deal with it. All that it could do was to harass them on the way and when they actually reached their own states, insult them as was done in the UP town of where they were made to sit on the roads and disinfectants splashed over them or quarantined under inhuman conditions.

The migrant workers almost walked out of the cities to which they had come to work, often saying that they were so badly treated by them that they will never return to them. This thus was not only an act of desperation but also one of protest and rejection.

Much later when it became evident that this was a human tragedy of colossal proportions, the government began operating special trains. By 4th June, the Railways claim to have transported nearly six million migrant workers to their homes. Interestingly this figure is far in excess of the numbers given by the ministry of labour for total number of inter state migrant workers in the country. In fact, this is more than double of the labour ministry figure of 2.6 million.

It may be added that the only state which appears to have adopted a somewhat humane approach towards the migrants, was Kerala. Thus even the labour ministry usually hostile to the state that nearly 1.5 lakh migrant workers were housed in shelters provided by the state government and as many were in living in work sites. Those who wanted to go back home were provided with state transport buses along with provisions. One must also underline the help provided by NGOs which organised innumerable help lines and medical and food assistance to the migrants walking back home. These were being done at great personal risk by the volunteers of these organisations.

As the lock down proceeded, its deep economic impact, loss of employment, fall in demand, collapse of supply chains, became apparent and the government sought to restart the economy again without any appropriate planning. As the virus is fast spreading into urban communities and shows no signs of abating, urban factories, shops and markets have been re opened vastly increasing the possibility of the infection spreading. Every day we are hearing about the virus making entry into densely populated slums and industrial areas. Yet the governments do not seem to have even a near semblance of adequate medical services to face the situation if massive

escalation of infection. They also appear unconcerned about effectively enforcing containment of affected areas as it would affect the movement of labour to factories which are fully operational.

In most industrial areas when work restarted proper protocols were not followed and the workers were exposed to serious accidents. A massive gas leak occurred in LG Polymers in Vizag (plastics plant) causing the death of over 12 workers and sickness among thousands. As we write this report, a massive explosion has occurred in an agro chemical plant in Gujarat causing the death of at least five workers and injuring fifty others. Thousands of surrounding villagers have been evacuated as this explosion is expected to cause leakage of toxic gases.

In most of the industrial areas, resumption of work has been sluggish and not all workers have been taken back to work and many remain unemployed. A large number of workers face the prospects of being unemployed. The workers who have been taken back are now being employed at lower rates and much longer working hours often stretching to 24 hours. Even before the lockdown was eased, leading capitalists urged the government to stay operation of labour laws governing working hours. Even before the government made a move in that direction, they had already increased working hours unilaterally from 12 to 16 hours a day. Turning back a number of workers and forcing the rest to work for longer hours for lesser pay without any overtime payments appears to be the new labour strategy of the capitalists to cope with the loss of production during the three month enforced closure.

But this was not all. In early May the central minister of Labour Affairs held a video conference with the 'captains of industry'. Representatives of 12 employers' associations and industry bodies on Friday asked the government to suspend labour laws for the next two to three years "to help industry come out of the present crisis". Among the suggestions given by the employers' associations were relaxation of the Industrial Disputes Act in order to treat the lockdown period as lay-off, treating wages paid during this period as corporate social responsibility (CSR) funding, increasing the maximum workforce to 50% from 33% upon reopening and suspending labour laws for two to three years. The employers' representatives also said working hours should be increased to 12 hours a day and the industries be given an appropriate package to ensure no job losses. This meeting was soon followed by a slew of 'relaxations' in labour laws by the BJP ruled states.

In early May state after state (MP, UP, Gujarat, Maharashtra, Haryana..) extended working hours from 8 to 12 hours, some requiring overtime payment and others not even insisting on it. And this was a part of a package - these states also through ordinances suspended the working of many labour laws for as long as three years especially in new enterprises. This was spearheaded by the BJP government in Madhya Pradesh. The Chief Minister declared the suspension of major labour laws for new units which could be opened with minimal formalities and registration would be completed in one day and if delayed the concerned bureaucrat would be taken to task. The newly opened industrial units can organise third-party inspections. They will be exempted from the requirement of keeping registers and inspections. And industries can change shifts at their convenience. New industries will be exempted from all Sections of the Factories Act, 1948, except for Sections 6, 7, 8, 21-41 (H), 59, 67, 68, 79, 88 and 112. "...we have relaxed the Sections for three months and proposed to the Centre to extend the relaxation for 1,000 days," Mr. Chouhan said in a live video address from Bhopal.

The new units will be exempted from the entire Section in the Act on 'right of workers' that empowers workers to obtain details of their health and safety at work. Further, the employer is not bound to provide workers ventilation, lighting, toilets, sitting facilities, first aid boxes, protective equipment, canteens, crèches, weekly holidays and interval of rest. Not even providing drinking water is mandatory now.

Further, maintenance of a register of adult and child workers and allowing for advance payments will not apply to new units. They can even get away without maintaining cleanliness on premises and ensuring safe disposal of waste and effluents. The entire chapter on 'Penalties and Procedure', fixing responsibility on employers in case of the violation of the Act, will not apply to the new units. Instead of 61 registers, just one will be maintained.

Units will be exempted for 1,000 days from all provisions of the Industrial Disputes Act, 1947, except Section 25, which prohibits financial aid for illegal strikes and lockouts. Organisations will be able to keep workers in service at their convenience. The Labour Department or the labour court will not interfere in the action taken by industries.

After amendments to the Madhya Pradesh Industrial Employment (Standing Orders) Act, 1961, industries employing up to 100 workers will be exempted from it.

After an ordinance to amend the Madhya Pradesh Labour Welfare Fund Act, 1982, newly established factories will be exempted from making a contribution of ₹80 for each worker every year to the Labour Welfare Board for the next 1,000 days. They will also be exempted from yearly returns, the Public Relations Department said on Tuesday.

Now, shops under the Shops and Establishments Act, 1958, will open from 6 a.m. to midnight.

The State government has proposed to the Centre to change the definition of factories. Only those using electricity in the manufacturing process and employing at least 20 workers should be registered, against the existing condition of those using electricity and employing at least 10. And without the use of electricity, the limit should be increased to 40 workers from 20.

After an amendment to the Contract Labour (Regulation and Abolition) Act, 1970, contractors employing less than 50 workers will be able to work without registration.

As the law does not empower state governments to make such sweeping changes in the labour laws, these are proposals to the central government to approve. The central government, needless to say is even keener to enact such changes to the labour laws in the name of simplifying them and making them investment friendly and easing the labour market.

Why were these governments so keen suddenly to initiate reforms in labour laws? Two major reasons emerge from the press reports. First of course was the pressure from the employers that we have mentioned earlier. The more important reason was to attract the investments fleeing from China post Covid 19. These governments hoped to attract the investors by promising them not infrastructure, or trained person power or tax reliefs, but unrestrained and unaccounted exploitation of workers. As is well known the investors across the world who had contributed to

make China the manufactory of the world, now were reconsidering the wisdom of putting all their eggs in one basket even a stable one as China. They were now supposed to be keen on diversifying their portfolio of investment. It is another story that no one was really taking the prospect of investing in India, and instead were heading to Vietnam and other South East Asian countries and indeed, Chinese firms themselves were passing off their products as ‘made in Vietnam’ to circumvent the Trump sanctions against China.

When considering changes to labour laws it should be clear that they in actual fact apply only to a microscopic section of the working class in the country. Most of the labour laws do not apply to the vast unorganized sector and even the contract workers working in the formal sector. Also we need to take into account that a substantial section of the working class, in actual fact the Industrial Reserve Army of Labour works the ‘self employed sector’ eking out a meagre living helping to produce or market the industrial produce. All these remain outside the operation of labour laws. It has been a long standing demand that labour laws be made simpler and more effective covering all sections of the laboring people. The demand then is not to abolish the labour laws, which are actually the result of more than a century and a half of labour struggles, but instead to extend their protection to all sections of the working class, especially to provide them formal recognition, minimum wages, fixed working hours, leave, and social security relating to retrenchment benefits, retirement benefits and sickness or injury related medical treatment etc. By suspending the labour laws altogether in the name of creating jobs is in reality a kick in the face of the struggling workers.

All these simply prove that the capitalists and the state are merely using the Covid crises as an excuse for making the working classes pay for the crises which is really a product of the policy of neo liberal globalization. This passing on the buck to those least equipped to bear the burden is characteristic of the class that holds power and capital. We can be assured that the last word on this cannot be that of the capitalists and their lackeys in power. The workers of the country will give them a fitting response sooner than later.