

Geographical Indication: Will it Save Traditional Indian Art?

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India has always been famous for her hand-crafted goods. Most readers will not need an introduction to the rich diversity of textiles, fabrics, jewelry, metalwork, woodwork, ornaments, perfumes, etc. that have been manufactured here for centuries. The millions of artisans, men and women, employed in these industries possess a great wealth of knowledge and skills relating to local ecology and materials, production techniques, art, design, and market trends. These are the original “knowledge workers.” However, they usually do not receive material returns commensurate with this knowledge. For example, in the textile industry of Banaras, handloom weavers, the makers of the world-famous Banarasi Sari, who are paid piece-wages per sari, end up earning as little as Rs. 10-15 an hour. This amounts to barely Rs. 150 for a day’s work on the loom, less even than manual laborers make in a day.

Recently, Government of India, in collaboration with the United Nations Conference on Trade and Development (UNCTAD), began awarding Geographical Indication (GI) status to handicraft industries. Since their formalization as a part of the Trade-related Intellectual Property Rights (TRIPS) agreement in the early 1990s, GIs have become increasingly popular among international development agencies, non-governmental organizations, policy-makers, and academics as a means of protecting traditional knowledge and developing traditional brands for global markets. A GI is a “place-based” collective intellectual property right. All producers who operate in a designated geographical area and produce specified products using specified methods can avail of the GI-status and thereby claim to be “authentic producers.” GI and related “marks indicating conditions of origin” (MICOs) have been used extensively in Europe for wines and cheese (think Champagne or Camembert).

The attraction of such a policy approach is obvious in a country where place-based crafts abound; Banarasi saris, Pashmina shawls, Moradabad metal, Kanjeevaram silk, the list could go on. In India the first GI was awarded to Darjeeling Tea in 2003. As of today nearly 500 GIs have been awarded, of which over half are for artisanal products (and the rest for agricultural products). The idea behind this effort is to promote a national and international brand name for traditional handicrafts and prevent imitation of craft goods by machines, thereby securing and enhancing artisanal incomes. If they work, GIs have the potential of benefiting millions of working Indians.

But are GIs the answer to reviving our traditional industries and promoting artisanal livelihoods? In a recent study (Basole 2015) I investigate the conditions under which GIs can address problems of poor but skilled artisans and what are their limitations in doing so.

Based on a case study of the famous Banarasi sari industry, that was granted a GI in 2009, I make three points.

GIs must be designed through a participatory process.

Ordinary artisans, who are the producers of the knowledge in question, must take an active part in deciding which products and which processes of production need to be protected. Nominally this participatory process is in place. For example, in Banaras the GI effort involved a local NGO, governmental agencies, trader organizations and producer cooperative societies. But while this list appears to be a broad cross-section of interest groups in the industry, I found on the ground that with the exception of a few weavers directly associated with the NGO, ordinary weavers, who have contributed most to the knowledge commons that the GI seeks to brand and protect, were left out of the process. This is because the more powerful actors such as master-weavers and traders control the collective local bodies that represent artisans. Unions are absent. The consultations took place in hotels located outside weaver localities with officials, traders and well-off master weavers taking the lead. The entire GI application was drawn up in English with no copies available in the local language. As a result, even five years after the GI was granted, there is widespread ignorance about its existence among weavers. And many are skeptical that it will do anything to improve their lot.

GIs must be sensitive to the dynamic nature of artisanal knowledge.

The Banaras GI also highlights another problem with the way GIs are being used. It is primarily motivated by a desire to protect handloom weaving against powerloom competition and lays out rigorous criteria for what makes an authentic Banarasi fabric. In the process it unwittingly freezes knowledge by declaring only certain methods and designs to be “authentic.” But like all industries, artisanal industries are dynamic and they change both their products and processes to keep up with changing raw material sources, technology, and policy and market conditions. For example, silk has been substituted by synthetic fibres in Banaras and powerlooms are an outgrowth of the handloom sector, largely having taken off due to falling demand for handloom products, competition from Surat and other advanced weaving centers, and flawed trade policy that kept tariffs on Chinese silk high while reducing tariffs on Chinese fabric.

It is true that the market is awash with locally and foreign-made powerloom saris being sold as “handmade.” No enforcement exists and a lot of money is being made, as well as employment generated in the powerloom sector. But there already exists legislation that protects the handloom market, such as the Handloom Reservation Act, 1985 and certification schemes such as the Handloom Mark, whose intent was to prevent passing-off of machine-made cloth as hand-made. These have largely failed due to corruption and complicity of government officials with powerloom producers. In these circumstances, it is unclear how much impact a GI would have in protecting handlooms.

More generally, should it? It is clear that if fabric is made in China or Surat and sold as “Banarasi,” this is a case of free-riding on the city’s reputation and should be stopped. The GI is an effective mechanism to check this. But is a powerloom sari made in Banaras not a “Banarasi Sari?” Do weavers believe they are now producing a qualitatively different product undeserving of the name Banarasi? Does it not make sense to recognize and reward all the efforts of Banarasi weavers, whether in hand or mechanized weaving? These questions should have been debated widely, but were not. I believe one reason is that ordinary weavers were not part of the deliberations (the first point).

Wider consultations are needed and if necessary the GI must be broadened to include powerloom-made products from Banaras. A dual system that consists of a GI incorporating both hand and power produced saris (as long as they are made in Banaras), combined with a certification mark that protects the handloom market, is a better solution. A handloom mark can prevent encroachment of powerloom products on handlooms, while an inclusive GI will allow powerloom producers in Banaras to avail of the industry’s reputation thereby increasing the demand for powerlooms and creating jobs in that sector. Such a scheme would be analogous to multiple certification systems such as “fair-trade,” “organic,” and region of origin used, among other products, for coffee.

A GI cannot address problems that arise out of the political economy of artisanal industries.

Even a well-designed and implemented GI cannot make up for structural problems facing the artisanal sector today. At best, GIs can ensure higher premiums to those merchants or master-manufacturers who are able to navigate the GI bureaucracy and secure formal registration. Whether these will be passed on to the artisan-workers who work for piece-wages depends on the power relations between merchants/masters and artisans. For example, it is not difficult to imagine that in Banaras, eventually powerlooms will indeed be included in the GI, but nothing will change as far as the lot of ordinary wage-working weavers is concerned because, like most informal workers, they are unorganized.

Indeed today, it is harder than ever before to draw a line between artisanal production and the rest of the informal manufacturing sector. The same problems that plague the rest of the sector are also found in most artisanal industries. Long subcontracting chains, asymmetric relations between powerful merchants and subordinate artisan-workers, lack of marketing knowledge, credit constraints, precarious employment, lack of infrastructure etc.

Under these circumstances, GIs could be one component of a comprehensive industrial policy, but are not a magic bullet. They especially cannot substitute for the hard work of supplying adequate credit and infrastructure, formalizing informal contracts, and building unions and other collective bodies that represent the interests of ordinary artisans as well as those that speak on behalf of master-weavers who organize production. Without strong collective institutions at the local level, neither will acceptable and appropriate standards be

developed nor will a more equitable sharing of value occur nor will favorable industrial policy result. If bad industrial and trade policy, and prevalence of exploitative conditions continue to undermine the livelihood of the ordinary artisan, the GIs will not have any crafts to protect.

Further, instead of viewing “traditional crafts” are somehow frozen in time, consumers as well as policy makers should appreciate that “tradition” changes continually. It is this dynamism that brings crafts into existence in the first place! Artisans know this well. Communities of artisans, if they receive returns commensurate with their skills and knowledge, will continue to produce ever more beautiful things. If they do not receive these returns, no amount of pious wishes to preserve India’s traditions will work.

Further Reading:

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