
GEOGRAPHICAL INDICATIONS AND ARTISAN LIVELIHOODS: A SOCIO-LEGAL STUDY OF ARANMULA KANNADI AND CHENDAMANGALAM HANDLOOM

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ABSTRACT

Geographical Indications of Goods (Registration and Protection) Act, 1999, was enacted for the primary objective of protecting the goods of specific regions through the recognition of the interrelationship between the quality of the product and the geographical indicator. Though the overall framework is consistent with India's TRIPS obligations and has been effective in promoting a substantial increase in the overall number of GI registrations, there has been a lack of empirical research on the extent to which the overall framework is effective in promoting socio-economic benefits among artisan communities. This article presents a socio-legal empirical evaluation of the overall framework through a qualitative analysis of the Aranmula Kannadi and Chendamangalam Handloom GI communities registered under the Geographical Indications of Goods (Registration and Protection) Act, 1999.

Firstly, the paper will study the overall framework placed in the context of existing doctrinal and developmental scholarships. Furthermore, it presents the methodology adopted for empirical research. Later the paper presents the findings from the two case studies. Finally, the overall implications for the structural framework are evaluated. This also suggests that the impact of GI registration, in terms of product visibility and symbolic cultural recognition, does not have a positive impact on the remuneration of artisans or a reduction of their economic vulnerability. The enforcement mechanisms are product-centric, and the territoriality of the regime does not adequately factor the skill mobility of artisans. This paper argues that the Indian GI regime is product-centric rather than producer-centric, and the recommendations are for the necessary institutional changes for the achievement of distributive equity, participatory governance, and sustainable protection of artisans.

Keywords: Geographical Indications, Artisan Communities, Territoriality, Cultural Identity, Kerala Crafts, Socio-Legal Study, GI Enforcement, Economic Justice.

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1. INTRODUCTION

1.1 Introduction

Geographical Indications (GIs) represent a special category of Intellectual Properties, which are premised on the legal principle that products are often of a particular quality, reputation, and character due to their geographical origin. Contrary to individualized proprietary rights such as patents and copyrights, Geographical Indications (GIs) represent a type of collective proprietary right that symbolically and economically connects products to regional traditions and community knowledge systems. In this regard, India's Geographical Indications of Goods (Registration and Protection) Act, 1999,³ which was passed to satisfy international requirements of India in compliance with Articles 22 to 24 of the TRIPS Agreement,⁴ protects products that have a distinctive type, quality, and character based on their geographical region.

In the last two decades, there has been a steep growth in the registration of GIs in India, especially in the handicrafts and handloom sectors. This is premised on a vision that GIs represent a pathway to rural development and a means of differentiation.⁵ Even though the regulatory structure has proved to be robust and has aligned itself with international standards, the normative issue that has not been adequately explored is the question of whether the registration of Geographical Indications (GIs) really improves the socio-economic conditions of artisans or if it has actually become a tool for product branding that does not necessarily assure distributive justice.⁶

Existing literature has mainly focused on doctrinal analysis, international negotiations, and development rhetoric. In contrast, relatively little attention has been paid to empirical evaluation of the effectiveness of GI protection at the level of the artisan communities.⁷ This is particularly pertinent in a culturally vibrant region such as Kerala, where traditional crafts are an integral part of community identity and are currently subject to increasing threats of

³ Geographical Indications of Goods (Registration & Protection) Act, No. 48 of 1999, § 2(1)(e) (India).

⁴ Agreement on Trade-Related Aspects of Intellectual Property Rights art. 22, Apr. 15, 1994, 1869 U.N.T.S. 299.

⁵ J. Sai Deepak, Protection of Traditional Handicrafts under Indian Intellectual Property Laws, 13 J. Intell. Prop. Rts. 197 (2008).

⁶ Tomer Broude, Taking "Trade and Culture" Seriously: Geographical Indications and Cultural Protection in WTO Law, 26 U. Pa. J. Int'l L. 623 (2005).

⁷ Kal Raustiala & Stephen R. Munzer, The Global Struggle Over Geographic Indications, UCLA Public Law & Legal Theory Research Paper No. 06-32 (2006).

migration, imitation markets, and generational decline.

This article aims to bridge this information deficit through a socio-legal examination of two registered crafts in Kerala:

- (1) Aranmula Kannadi
- (2) Chendamangalam Handloom

Through this examination of the experiences of artisans in these communities, this article aims to evaluate whether the effectiveness of the GI regime lies in empowering artisans or remains product-centric.⁸ This article argues that the Indian regime of GI is strong in terms of territory but weak in terms of distribution, in that while the regime is effective in protecting product identity and recognition, it is not effective in providing economic justice and accessibility to the artisans.

1.2 Research Questions

1. To what extent are the socio-economic benefits of artisan communities measurable when they are registered under GI?
2. How is the experienced migration and mobility of organic producers solved by the GI framework?
3. How effective is GI protection in reducing the production of replicas and the abuse of the market?
4. How do intermediaries and state-supported marketing systems influence the payment of artisans?
5. Does the GI regime prioritise product integrity over producer welfare?

1.3 Research Objectives

1. To study how the GI registration has practically influenced the livelihoods of artisans in Kerala ?

⁸ Bisman Kaur & Radha Khara, *Crafting Protection: India's Artisanal Heritage and Intellectual Property*, GLOBAL LEGAL POST (Nov. 6, 2023).

2. To evaluate if the geographical descriptions under the GI Act sufficiently correspond to the skill-based and mobile craft identities.
3. To investigate the enforcement of accessibility and institutional support mechanisms available to GI artisans.
4. To evaluate the relationship between GI protection, market structures, and distributive equity.
5. To propose reforms aimed at strengthening producer-centric protection within India's GI framework.

1.4 Scope of the Study

The current study is limited to the GI-registered craft communities of Aranmula Kannadi and Chendamangalam Handloom in the state of Kerala. This study has specifically focused on handicraft and handloom industries and has excluded agricultural GI products. This study has a socio-legal research design. It has adopted a qualitative research design and has incorporated the findings of the GI Act. This study has regional-specific findings and has not attempted to provide a quantitative assessment of the GI regime.

1.5 Methodology

The methodology that this research is based on is a qualitative socio-legal research methodology, which combines a doctrinal methodology of the Geographical Indications of Goods (Registration and Protection) Act, 1999, with empirical research conducted among the artisan communities of Kerala. The rationale behind this methodology is to examine the operation of legal protection under the GI regime, not merely at the level of interpretation of the law.

1.5.1. Research Design

The methodology is qualitative socio-legal, which combines a doctrinal examination of the Geographical Indications of Goods (Registration and Protection) Act, 1999, with fieldwork among the artisan communities of Kerala. The idea is to move beyond the letter of the law and examine the reality of legal protection through the GI regime.

1.5.2. Selection of Case Studies

Two registered GI crafts were selected to be studied in more detail:

1. Aranmula Kannadi, a metal mirror craft based on a lineage model
2. Chendamangalam Handloom, a handloom craft driven by a society model

The research was carried out in December 2025 using in-person interviews with artisans from two registered Geographical Indic (GI) crafts: Aranmula Kannadi and Chendamangalam Handloom. The interviews were conducted at the geographical locations where the crafts were actually produced and at the respective society locations where the crafts were registered. The interviews were conducted for around 30-40 minutes each, and the researcher took detailed notes. The face-to-face interviews provided a better understanding of the processes and organizational forms associated with the crafts.

Two case studies were selected to represent different models of GI crafts. One is a restricted model of a hereditary community, while the other is a cooperative model with a focus on training. This is to understand if the structural model of a GI crafts impacts its socio-economic impact.

1.5.3. Data Collection

Primary data collection was conducted through face-to-face interactions with artisans who are currently influencing the production process. This method of data collection is a combination of a semi-structured interview, which allows for a balance of in-depth questioning and space for more personal and open-ended responses. This helped us obtain hard facts and experiences.

These questions were grouped under thematic clusters, such as:

- Family dynamics and the transmission of skills/traditions
- Migration patterns and occupational roles
- Awareness/understanding of the concept of registering 'Geographic Indications'
- Economic impact, such as income and economic visibility
- Presence of replica or counterfeit products
- Experiences regarding enforcement and the availability of grievance redressal

mechanisms

- Role of intermediaries and the process of price determination
- Territorial boundaries and mobility issues
- Cultural identity and sustainability

The interviews were conducted face-to-face, and detailed notes were taken of the conversations.

1.5.4. Analytical Framework

The data collected was also analyzed thematically, and the data collected was found to be based on structural concerns such as distribution, rules, control through intermediaries, and the aging of the leadership structure. These were then compared and analyzed based on the objectives of the GI Act and the current academic discourses on territory, community, and development.

This enables a critical analysis of the disconnect between the way the law has been framed and the way it actually functions socio-economically.

1.6. Limitations

The study is accompanied by a few methodological limitations. For example, the sample size is small and limited to the experiences of two craft-based GI communities in Kerala. Further, the findings are qualitative and based on perceptions and cannot be generalized. Also, the study lacks longitudinal income information and a quantitative comparative market analysis.

Nevertheless, the rich interviews provide a rich context that is useful for socio-legal interpretation. The empirical findings of the study provide insights into the operation of GIs at the community level, which is useful for a more substantial understanding of distributive justice.

2. LITERATURE REVIEW: TERRITORIALITY, DEVELOPMENT, AND ARTISAN AGENCY

The body of literature on Geographical Indications in India appears to be a rich and disjointed

dialogue, blending elements of legal principles, cultural theory, and developmental economics. There has been a significant examination of the Geographical Indications of Goods (Registration and Protection) Act, 1999. However, there is a relatively low level of emphasis on the impact at the community level. Nevertheless, a common thread among the literature indicates the presence of three main arguments: the formal territory theory, cultural identity, and the developmental implications.

2.1. Territorial Foundations and Doctrinal Formalism

Early doctrinal writings, such as V.K. Ahuja's,⁹ emphasize the statutory provisions of the GI Act and its conformity with India's obligations under the TRIPS Agreement, under Articles 22-24.¹⁰ In defining a geographical indication under the Act, the territoriality of the product's quality, reputation, or other characteristics must be essentially due to the geographical environment of its place of origin under Section 2(1)(e) of the GI Act.

However, the doctrinal writings have focused on the provisions of the GI Act, assuming a static geographical environment, which, in the actual scenario of a craft ecosystem, where the nature of knowledge is experiential, the movement of knowledge is more fluid, and the artisans are scattered among different communities, becomes a concern, as the rigid territoriality of the product's characteristics, being linked to a birthplace or a geographical area, does not allow for the recognition of the skills of migrant artisans or artisans who are 'semi-migrants.'

2.2. Cultural Identity and Collective Memory

Going beyond the level of doctrine, Irene Calboli proposes a cultural approach to geographic indications, which she calls "badges of cultural continuity." In this perspective, geographic indications are no longer simply an indication of the place of origin of a product but, rather, a reflection of the community's memory, knowledge, and identity.¹¹

⁹ V. K. Ahuja, Protection of Geographical Indications: National and International Perspective, 46 J. Indian L. Inst. 269 (2004). <http://www.jstor.org/stable/43951907>.

¹⁰ Agreement on Trade-Related Aspects of Intellectual Property Rights art. 22, Apr. 15, 1994, 1869 U.N.T.S. 299.

¹¹ Irene Calboli, Geographical Indications of Origin, Economic Development, and Cultural Heritage: Good Match or Mismatch? 11 Indian J. Intell. Prop. L. 11 (2020). <https://heinonlineorgchristuniversity.knimbus.com/HOL/P?h=hein.journals/ijipl11&i=12>.

This community-based approach seems particularly relevant to traditional crafts, in which the notion of authenticity is not only linked to place but to living knowledge systems and traditional craftsmanship. The emphasis on living knowledge systems over place in the literature leads to a questioning of the legal approach based solely on place.

2.3. Reputation, Market Signalling, and Economic Premium

Justin Hughes¹² provides a theoretical rationale for GIs based on the need to protect consumers and to use signals of reputation. In this context, GIs are seen as information devices that overcome information gaps and allow producers to obtain price premiums related to authenticity.

Reputation theory can be used to understand the economic rationale of GI protection, but does not necessarily address the equity of the distribution of these price premiums among producers. The difference between the value of the product and the value to artisans is not addressed in this type of thinking.

2.4. Empirical and Development-Oriented Analyses

Empirical studies offer greater depth to the development that Geographical Indications (GI) often evoke. For example, Amit Basole's ethnographic study of the Banarasi sari trade finds issues of precarity in labor, worker migration, and power relations continuing to exist even after the product's GI registration.¹³ The key takeaway here is the stark contrast between formal territorial protection and what the artisans' actual experiences reflect.

Similarly, Meghna Chaudhary and her co-authors examine the distribution of benefits in handicrafts in Uttar Pradesh.¹⁴ They highlight issues of awareness, producer groups, and enforcement in handicrafts sectors. Kasturi Das highlights issues of enforcement, collective action, and institutional flaws in India's GI regime.¹⁵

¹² Justin Hughes, Champagne, Feta, and Bourbon: The Spirited Debate About Geographical Indications, 58 *Hastings L.J.* 299 (2006). <https://heinonline-org-christuniversity.knimbus.com/HOL/P?h=hein.journals/hastlj58&i=331>.

¹³ Amit Basole, Authenticity, Innovation, and the Geographical Indication in an Artisanal Industry: The Case of the Banarasi Sari, 18 *J. World Intell. Prop.* 127 (2015). <https://doi.org/10.1111/jwip.12035>

¹⁴ Meghna Chaudhary, Bhawna Agarwal & Meena Bhatia, Geographical Indications in India: A Case of Handicraft Industry in Uttar Pradesh, 25 *J. World Intell. Prop.* 617 (2022). <https://doi.org/10.1111/jwip.12244>.

¹⁵ Kasturi Das, Socioeconomic Implications of Protecting Geographical Indications in India, *Social Science*

From a broader developmental perspective, Dionysia Zografos¹⁶ and P. Ghosh position GI within broader socio-economic development agendas.¹⁷ However, all of these studies highlight one common aspect: the success of GI protection depends on good governance and strong institutions.

2.5. Emerging Tensions and Identified Gaps

Throughout the body of doctrinal, theoretical, and empirical literature, the following tension continues to appear: on the one hand, GI registration can increase symbolic legitimacy and shine a spotlight on products in the market. On the other, structural obstacles such as restricted enforcement access, dominance by intermediaries, and precarious work conditions can impede artisans' full potential.¹⁸

Despite the breadth of the literature, the following article recognizes that there appears to be an empirical gap when it comes to GI communities within the context of the Indian state of Kerala, specifically within the context of handicrafts and handlooms. Most literature appears to highlight cases from the northern and central states, as well as agricultural GIs.¹⁹

This article attempts to fill the empirical gap with a socio-legal analysis of two GI communities within the context of the Indian state of Kerala. In doing so, the article contributes to the ongoing debate on the extent to which the Indian GI regime can be seen as empowering communities, versus merely serving as a form of territorial branding.

3. CASE STUDY I: ARANMULA KANNADI

3.1. Historical and Institutional Background

Aranmula Kannadi is a unique metal mirror that is produced in Aranmula, a small village in the state of Kerala. Unlike the regular mirror that uses glass to produce the reflective surface,

Research Network (2009), <https://doi.org/10.2139/ssrn.1587352>.

¹⁶ Dionysia Zografos, Geographical Indications and Socio-Economic Development, IQsensato Working Paper No. 3 (2008).

¹⁷ P. Ghosh, Geographical Indications: A Corner Stone in Poverty Alleviation and Empowerment in the Indian Himalayan Region, 39 Nat'l Acad. Sci. Letters 307 (2016).

¹⁸ Kasturi Das, Prospects and Challenges of Geographical Indications in India, 13 J. World Intell. Prop. 148 (2010).

¹⁹ C. Garcia et al., Geographical Indications and Biodiversity in the Western Ghats, India: Can Labeling Benefit Producers and the Environment?, 27 Mountain Res. & Dev. 206 (2007).

this mirror uses a special alloy that is known only to the members of the Vishwakarma clan.²⁰ This is a tradition that is passed on from one generation to another among a few members of this exclusive club.

Currently, only a few skilled craftsmen are carrying on this tradition, and this is in accordance with certain rules that govern the entry of members and the quality of output. These rules have a dual effect: they ensure that the tradition is genuine and that it is not revealed to outsiders, and that they restrict the scale on which this tradition can be developed.

3.2. Cultural Identity and Hereditary Transmission

The data indicates that Aranmula Kannadi is more than a market good; it is a symbol that is rich in cultural and ritualistic significance. The artisans emphasize that the craft is an integral part of who they are as a community. The tradition is passed down through generations of families, and outsiders do not join in.

This exclusivity ensures that the tradition does not lose its essence, but it does make it difficult to pass it down to the next generation because it is based on family lineage, and the children may choose different career paths.

3.3. Migration and Generational Sustainability

There is a small degree of migration among the Aranmula Kannadi makers.

However, the individuals who were interviewed report a trend where younger or more distantly related relatives are seeking employment outside the field because of two main issues:

- (A) the physical demands of the metal polishing work and
- (B) the perception that other industries offer more job security or higher wages.

While the registration with the GI has increased the profile and esteem associated with the craft, the artisans report that this has not necessarily been reflected in a trend where the craft is

²⁰ R. Kumar, Aranmula Kanadi: A Mirror of Kerala's Cultural Legacy and Sustainable Artistry, Preprints.org (2025).

still dependent on a shrinking group of hereditary practitioners.

3.4. Replica Products and Enforcement Deficiencies

Artisans are very apprehensive about the proliferation of imitation goods, especially on the internet. These imitation goods are offered at much lower rates and do not follow any traditional methods of production. According to them, imitation goods undermine consumer confidence and take away from the overall authenticity of the craft. Even though there is protection in the form of GI protection, implementing it is a tedious and expensive process.²¹ The onus of detecting infringement and pushing for legal action against counterfeiters largely falls on the artisans. Help from GI authorities is minimal. This puts the onus on the producers themselves.

3.5. Market Structure and Intermediary Dependence

Aranmula Kannadi items are being sold through direct selling and through the involvement of middlemen. Although the artisans sell the items directly, a larger proportion of the sales are through government-supported mechanisms, including government-supported traders like Kairali Handicrafts.

Typically, the involvement of the middleman includes:

1. Fixing the price of the product
2. Engaging in bulk buying
3. Earning a commission for the products being sold

The artisans also confess that the involvement of the middleman means a larger share of the profits for the middleman. Still, the artisans do not seem to be keen about the direct selling of the products, mainly because the involvement of government-supported middlemen ensures a degree of economic security.

This, in essence, means that the artisans are compromising the control of the price of the product for the security of the market. Although the involvement of the middleman ensures a degree of security for the business, it also increases the dependence of the artisans and reduces

²¹ *Traditional Knowledge as Intellectual Property*, AMLEGALS (Nov. 1, 2021),

the scope of rising above the current scope of value addition.

3.6. Territoriality and Producer Rights

With regard to territorial issues, the artisans took a complex position. They said that the issue of losing the right to use the GI tag should not be taken for granted. Instead, it should be considered. Even though the respondents do not experience immediate difficulties regarding territorial regulations, there is a concern.

This concern is related to the idea that the GI system protects the product more than the maker. It reveals a systemic imbalance in the GI system. This imbalance is related to protecting the integrity of indication and authenticity rather than providing support to the makers.

3.7. Overall Assessment

The Aranmula Kannadi case study indicates that while it is true that a Geographical Indication certification can have a two-edged effect, it is undeniable that on the positive side, it does increase the level of awareness, prestige, and marketability of a product.

However, it does not necessarily address the underlying, structural issues that plague a particular craft, such as:

1. The dearth of generations that carry on a particular tradition.
2. The absence of effective measures to prevent knockoffs and counterfeit versions of a product.
3. The market situation, in which middlemen play a major role.
4. The fact that enforcement of a particular tradition is left to the producers themselves.

Currently, the tradition does make economic and, to a certain extent, symbolic sense, but it does not necessarily guarantee long-term viability. This case study proves that it is not enough to simply have a territorial certification in order to ensure a fair distribution of benefits and long-term viability in traditional crafts.

4. CASE STUDY II: CHENDAMANGALAM HANDLOOM

4.1. Institutional and Organisational Framework

Unlike the Aranmula Kannadi, the Chendamangalam Handloom craft can be differentiated as having a distinctly organized model. For decades, the craft of weaving has been continued through a cooperative model of society. Contrary to the restrictions imposed by hereditary factors, the process of admission to the practice of Chendamangalam Handloom is based on skills demonstrated, and the process of engagement commences through formal training programs conducted by the handloom society.²²

The process of setting up production standards, quality control, and the granting of licenses to artisans for the production of GI products is an inclusive process for the protection of the craft, thereby allowing anyone to learn the craft. Having a clear model of governance and collective production, the craft of Chendamangalam Handloom can be considered a cooperative craft economy.

4.2. Migration, Attrition, and Occupational Sustainability

Despite this, the figures show an uncomfortable reality which is that the trained workers still end up leaving the craft. In some cases, there may be several people in a household who have been trained in the weaving craft. However, retaining people in the weaving craft for the long haul remains an exception rather than the rule.

According to artisans, the main reasons for people leaving the craft include:

1. The meager pay for the craft compared to other lines of work
2. The physical and time demands of the craft
3. Lack of social acceptance and underappreciation of the craft

This shows an inherent contradiction in the Geographical Indications system. While formal training and stipends may exist for artisans, this alone does not guarantee a long-term career in the craft without fair pay and good working conditions.²³ This demonstrates that training people in a craft alone may not guarantee the longevity of the craft over time if the pay for the craft

²² Bhavpreet Soni, *Challenges in Protecting Traditional Craftsmanship and Indigenous Designs Through Intellectual Property Investigate*, SonisVision (Feb. 18, 2025),

²³ Dev S. Gangjee, *Relocating the Law of Geographical Indications* 85–87 (2012).

remains poor.

4.3. Impact of GI Registration on Market Recognition and Income.

It's evident that the artisans are aware of the GI status of the Chendamangalam Handloom. From the interviews, it's clear that the GI registration has helped increase publicity, brand development, and the overall increase in the scope of the market. Also, the government support, such as the seasonal rebates given during the Onam festival, has increased the sales and the overall awareness among the consumers.

It's clear that the GI system, with the licensed seal, has helped increase the overall brand value for the Chendamangalam Handloom, providing it with a stronger regional identity.

Despite the increase in the overall visibility and the sales of the products, the artisans claim that the overall remuneration for the artisans has not increased. This indicates that the overall economic benefits of the stronger brand image of the products are not being equitably distributed among the artisans.

It's evident that the overall winner of the GI registration for the Handlooms of Chendamangalam is the brand image of the products, not the remuneration for the artisans. This indicates that the overall GI system has a product-focused approach.

4.4. Replica Products and Market Perception

Now, the internet offers machine-made copies and affordable imitations of Chendamangalam handloom products. These copies are generally made on power looms or through synthetic materials, sold at relatively much lower rates.

Unlike the Aranmula Kannadi issue, the artisans do not consider the machine-made copies as an urgent threat to their very survival. This might be due to the following reasons: internal quality standards, the use of authorized GI marks and seals, and the consumer's perception of the GI tag as a symbol of quality and good craftsmanship.

Even though the presence of machine-made copies indicates the failure to police the internet,

the current institutional quality standards are acting as a protective shield. However, the presence of machine-made copies indicates the failure to police the internet.

4.5. Intermediary Structures and Pricing Autonomy

The sales of chendamangalam handloom products involve cooperative efforts, government initiatives, and some direct selling. The seasonal sales of these products during festivals show an increase in demand. During this time, the government fixes the price to keep it affordable for people.

This ensures the sale of products and turnover, but at the cost of the artisans' ability to fix their own prices. The power remains with the intermediaries and the government. This ensures the artisans earn meager profits.

There was no major complaint from the artisans regarding the middlemen, as they saw the benefits of selling through the government. This stability, however, was not the solution to the main issue of limited opportunities for earning more.

4.6. Territoriality and Skill-Based Identity

With respect to territoriality, the responders took a clear and principled stance. They do not agree with the notion that GI rights should lapse if artisans move out of the specified zone. They stressed their right to make the Chendamangalam handloom is not based on immobility but on their skills. They do not agree that mobility should lead to a lack of professional identity and legitimacy.

While there was no immediate legal concern for the responders related to territoriality, their concern was related to a broader issue. They were of the opinion that the GI regime was protecting the territorial identity of the product at the cost of the mobility rights and security of the artisans. This resonates with the argument that India's GI regime is territorially specific but fails to account for labor mobility.

4.7. Overall Assessment

This can be clearly evidenced through the Chendamangalam Handloom case, where it was

found that even if a society-based institution was established, the artisans' living standards under the GI regime did not improve significantly. Although the GI regime has helped improve the perception of the artisans' products, the impact of the GI regime has not translated into the artisans' earnings and security of employment.

Even if migration does not occur, the formal training and licensing have failed, indicating that the artisans' earnings are not high enough for them to stay. Although the impact of the pirated products has reduced because of the effective internal quality checks, the issue of enforcement of the GI regime has not been addressed for online sales.

From the above case, it can be clearly evidenced that the GI regime has helped improve the artisans' group identity, but the issue of profit distribution among the artisans has not been addressed effectively, and the GI regime has failed to improve the artisans' earnings and security of employment.

5. COMPARATIVE ANALYSIS

An examination of the dynamics of Aranmula Kannadi and Chendamangalam Handloom reveals not only unique community-based dynamics but also common, underlying patterns in India's Geographical Indications regime. Despite the fact that the nature of their organization differs, with one being hereditary and the other skill-based, there are similarities in their socio-economic conditions.

5.1. Awareness and Symbolic Recognition

For both groups, the awareness of GI registration was also pretty high. For the artisans, the understanding of the GI tag, i.e., what it is for and its relation to the product's authenticity and regional identity, was also high. The GI tag has certainly crystallized the product's symbolic value and has increased the product's visibility in the domestic market.

However, the impact of the GI registration, even if the awareness of the GI tag was similar, differed more in degree than kind for the two groups. For the Aranmula Kannadi artisans, the impact of the GI tag was more pronounced, especially regarding the income of the artisans, because of the high value product and the small-scale nature of the product. For the

Chendamangalam handloom artisans, the impact of the GI tag was more pronounced regarding the market recognition of the product and the sales of the product, but the income of the artisans did not increase proportionately. For both groups, the increase of the product's reputation did not translate into a fair increase of the artisans' income.

5.2. Migration and Occupational Sustainability

This pattern of migration shows the inherent vulnerability of livelihoods that are dependent on GI-based production. In the case of Aranmula Kannadi, the migration is incremental and selective, as the younger members of the family are attracted to new employment options that are considered to be less labor-intensive and more remunerative. The hereditary nature of the enterprise restricts skill transmission while restricting the scope of recruits.

In the case of the handloom industry in Chendamangalam, the rate of migration and quitting the enterprise is greater, even with training and stipends. This indicates the limitations of the sharing of skills in ensuring the long-term involvement of families in the enterprise, even with greater remuneration. In both cases, the GI concept fails to influence the critical factors for migration low incomes, taxing nature of the enterprise, and limited prospects for upward mobility.

5.3. Replica Markets and Enforcement Accessibility

The threat of imitation goods also brings about another area of differentiation between the two communities. For the Aranmula Kannadi artisans, the market was diluted very easily by the threat of imitation goods, especially online. It was felt that the enforcement was very weak, very costly, and mostly left up to the artisans themselves. For the Chendamangalam handloom artisans, the threat of replica goods was felt to be moderate, however. This was because they had a closed ecosystem of quality assurance and also because of the general awareness of genuine GI marks among consumers, which helped them protect their reputation. Yet, the threat of machine-made imitations of these goods also exists online, indicating the larger gaps in the way the enforcement of the regulations actually happens.

For both sets of artisans, the support for enforcement also appears to be low, and the actual job of enforcement seems to be left up to the artisans themselves, indicating a very 'producer-

driven' model, which makes it difficult for more people to access the market.

5.4. Intermediary Dependence and Market Structures.

Both crafts, to a greater or lesser extent, depend on middlemen and government-sponsored marketing channels. Aranmula Kannadi heavily depends on middlemen, who are influenced by government agencies in the matter of procurement and pricing. The artisans understand that middlemen appropriate a larger proportion of the profit, but they agree to it in the interest of bulk orders and market stability.

Chendamangalam handloom demonstrates a milder degree of dependence, again through government-sponsored seasonal sales programs. This ensures market stability but does little to improve the artisans' earnings.

In both cases, artisans prefer a stable income to market control, revealing an inherent contradiction in the distribution of value in the market chain.

5.5. Territoriality and Producer-Centric Rights

If we look at the concept of territoriality, we can observe the nuances of change in people's understanding of things, even though the larger picture remains the same. While the producers of Kannadi in Aranmula support the case-by-case approach to rights based on migration, the artisans in the case of Chendamangalam handloom weaving emphasize the importance of skill-based rights and focus on capabilities rather than location.

However, if we look at the larger picture, what remains common between the two groups of people is their understanding of the larger issue: the GI regime is more concerned with maintaining the product rather than the producer. While territorial rights have been effective in maintaining the integrity of the image/product, they have been found to be wanting in issues of the mobility of artisans, their financial security, and their involvement in governance.

5.6. Generational Outlook and Long-Term Viability

Both communities have a somber attitude about what the future holds for their crafts. While they feel a strong cultural connection to their crafts and see them as an integral part of their

heritage and identity, economic instability and a lack of youth involvement threaten the continuation of their crafts to future generations.

A dominant, overarching trend is apparent after comparing these two communities:

1. GI awareness is high.
2. Cultural identity remains deeply rooted.
3. Product branding has become more robust.
4. Economic instability remains.
5. Use of intermediaries remains substantial.
6. Access to enforcement remains limited.
7. Loss of skills to future generations remains.

5.7. Structural Implication

The analysis shows the fundamental challenge with India's GI approach: the strengths of the branding and authenticity checks contrast with weaknesses in fair share and empowerment.

With Aranmula Kannadi and Chendamangalam Handloom products: the GI registration adds significant symbolic value and enables the products to be differentiated in the market; however, it does not address the fundamental issues with the share received by artisans or the enforcement processes or the engagement with the younger generation.

Thus, the evidence supports the main argument presented in the piece: the geographical indication approach adopted by India robustly supports the concept of articulating place-specific identity; however, it is wanting with regard to the share given to artisans. It seems to favor product prominence over the artisans' well-being. Unless the issues with fair share, enforcement, and the engagement with the younger generation are addressed through the GI approach, the increased brand prestige may not translate into the economic stability of the artisan communities.

SI No.	Aspect	Aranmula Kannadi	Chendamangalam Handloom
1.	GI Awareness	High	High
2.	Income Impact	Significant	Limited
3.	Migration	Moderate	High
4.	Replica Threat	Moderate	Severe
5.	Intermediary Dependence	High	Moderate
6.	Future Outlook	Pessimistic	Pessimistic

6. STRUCTURAL LIMITATIONS OF INDIA'S GEOGRAPHICAL INDICATIONS FRAMEWORK

Empirical evidence obtained from the Aranmula Kannadi and Chendamangalam Handloom cases indicates that there are inherent structural issues in the Geographical Indications of Goods (Registration and Protection) Act, 1999. While the act is theoretically correct and in conformity with Articles 22 to 24 of the TRIPS, the framework of the act is more geared towards geographical certification and marketing, rather than sharing and protecting artisans. Three major limitations of the act have been identified.

6.1. Product-Centric Protection and the Absence of Distributive Mechanisms

The Indian GI system essentially serves to protect the indication itself, ensuring that the geographical indication is genuine and that the geographical name is accurately reflected in the specs while also ensuring that the consumer is not deceived and that the reputation associated with the place is also protected.²⁴ The Indian GI Act fails to ensure that the economic benefits associated with GI registration are equitably distributed among the producers. There is no mention of any minimum pay or any system that ensures the equitable distribution of wealth in the supply chain.

The case studies also show that although GI registration results in increased market standing for the product or the brand, this increased reputation does not necessarily result in increased wages for the artisans.²⁵ For example, in the handloom industry in Chendamangalam, although

²⁴ Dev S. Gangjee, Relocating the Law of Geographical Indications 85–87 (2012).

²⁵ Justin Hughes, Champagne, Feta, and Bourbon: The Spirited Debate About Geographical Indications, 58

sales were higher, wages were not increased in proportion. Similarly, in Aranmula Kannadi, although the reputation and the niche market were associated with GI registration, the income levels were stable and dependent on intermediaries. The system essentially points to a product-centric model in which the law has ensured that the product indication is genuine and that the reputation associated with the product is also genuine. However, the living conditions of the people who actually produce the products have not been addressed in this system.

6.2. Producer-Driven Enforcement and Institutional Inaccessibility

The second major obstacle in enforcement is how it is constructed. While the GI Act has provisions for civil remedies in infringement and misuse, the onus on initiating enforcement largely rests on the producers or the users themselves.

Empirical evidence from real-world situations indicates that artisans face real difficulties in using enforcement tools such as:

1. Lack of clarity in the procedure to initiate complaints
2. Financial burden in seeking redress through the courts
3. Bureaucratic difficulties
4. GI authorities not playing a proactive role in enforcement

In the Aranmula Kannadi case, the artisans were aware that Kannadi was being misused on digital platforms. However, they were not keen on initiating enforcement action due to the costs involved. Even in situations where formal enforcement tools are in place, enforcement is often reactive rather than proactive. The producer-centric model in enforcement is flawed in that artisans, in a financially precarious position themselves, have to bear the burden in seeking redress for a collective indication.

6.3. Territorial Rigidity and the Challenge of Artisan Mobility

The third snag is embedded in the act's intransigent adherence to place. The formulation in GI's definition in Section 2(1)(e), which deals with the product's attributes and reputation in a manner that is fundamentally earned from its place of origin, conforms to international

Hastings L.J. 299, 303–06 (2006).

standards.²⁶

However, this assumes that the product's production is not transferred to any other geographical location. But studies have shown that the identification of artisans is not based on their place of residence. For example, in the case of Chendamangalam handloom, the artisans emphasized that their claim to GI was based on their expertise and training alone and not on their place of residence within a particular boundary. For Aranmula Kannadi, the respondents were keen to have a contextual understanding of the rights that accompany the GI tag and move along with the artisans.

The inflexibility in adhering to place does not conform to the current standards of labor migration. When artisans migrate in search of better opportunities, the question that crops up is: Do they have the right to continue to produce the GI product? There is no clear assimilation of this factor in the GI tag that could have ensured fair play in this regard.²⁷ The inflexibility in adhering to place reveals that there is a certain tension in the GI system that protects the product's geographical integrity without considering the socio-economic migration of the producers and their identities.

6.4. Doctrinal Imbalance: Certification Over Community

Overall, these structural elements show that there is a larger disconnect in India's GI system. The system shows its strengths in areas such as: maintaining integrity with indication; supporting product branding; and preventing misrepresentation in formal markets.²⁸ On the other hand, the system shows its weaknesses in areas such as: ensuring equitable sharing of economic benefits; offering accessible support for enforcement; protecting the mobility rights of artisans; and ensuring sustainability for the next generation.

The emphasis on territorial certification and brand reputation building fails to capture the essence of safeguarding the interests of the communities and ensuring distributive justice. While the GI system in India improves market identities, it fails to ensure that the

²⁶ Maria Teresa Artese & Isabella Gagliardi, *Framework for UNESCO Intangible Cultural Heritage*, 11 *Archiving Conf.* (2014)

²⁷ Julius Mwachungu, *Challenges of Safeguarding the Intangible Cultural Heritage of Elements Listed in the Urgent Safeguarding and Representative Lists of the 2003 ICH Convention* (Univ. of Nairobi, Inst. for Dev. Studies, Jan. 10, 2013).

²⁸ *Aranmula Kannadi: Sustaining Livelihoods in Kerala*, THE BORGEM PROJECT (Mar. 30, 2025),

developmental and cultural objectives are translated into improving the lives of artisans in any meaningful manner.²⁹ The evidence supports the argument presented in this article: India's GI system is good in territorial aspects but fails to have structural elements to protect producers.

7. CONCLUSION

Socio-legal examination of the case of Aranmula Kannadi and Chendamangalam Handloom provides an empirical assessment of the effectiveness of India's Geographical Indications regime. The findings suggest that the GI regime was successful in providing product promotion, market prestige, and symbolic cultural recognition. However, it was not successful in providing distributive justice and socio-economic security.

Common structural elements have been found in the case of both communities. Firstly, GI registration provides an improvement in product identity and brand promotion in the national market. Secondly, the benefits of product promotion and increased sales have not been equitably distributed among the producers. Thirdly, the enforcement of the GI regime remains procedurally inaccessible. Fourthly, the rigidity of territoriality fails to accommodate the fluid nature of artisans' movements. Lastly, the continuity of the next generation of artisans remains uncertain due to poor remuneration and labor conditions.

Thus, the findings of this socio-legal examination of the GI regime support the main arguments of this article. The main arguments of this article are:

India's GI regime may be legally effective in providing product identity protection. However, the regime remains structurally ineffective in providing producer dignity and community sustainability. Moreover, the regime remains biased towards territorial certification and fails to provide community-based protection. This results in a normative imbalance between authenticity and justice.

7.1 Suggestions

To address the structural issues of India's GI regime, the following reform-oriented suggestions

²⁹ Dipika Nadkarni, *Ambivalent Artifacts: A Critical Examination of Indian Handicrafts as Colonial Souvenirs* (Ph.D. dissertation, Johann Wolfgang Goethe Univ., 2025).

have been made:

(1) Statutory Benefit-Sharing and Remuneration Safeguards

The focus of the existing GI Act remains on the integrity of the indication without requiring the inclusion of provisions for equitable distribution of economic benefits among the producers. For the purpose of legislative reform, provisions may be included to require the implementation of transparent systems of sharing benefits within the communities of GI registration. Some of the requirements may include:

- The requirement for reporting structures of price systems in supply chains;
- The requirement for the implementation of minimum remuneration standards for registered producers;
- The requirement for the monitoring of cooperative systems to avoid the concentration of benefits among intermediaries and institutions.³⁰

The inclusion of provisions for distributive benefits may align the developmental purpose of Geographical Indications with actual results.

(2) Institutionalised Enforcement Support

The current system requires individual artisans to monitor and initiate litigation, which is not only economically burdensome but also involves procedural hurdles. Establishing geographical indication enforcement centers at the state or regional level and providing financial support for the same has the potential to yield several results: monitoring digital platforms for the misappropriation of geographical indications; offering legal support to geographical indication users; and enabling grievance redressal through streamlined administrative systems.³¹ This would be a transformative move for geographical indication from a reactive concept to a public good.

³⁰ Jürgen Poesche et al., Decentralized Production: The Need for Social Norms-Based Intellectual Property?, 16 Int'l J. Innovation & Tech. Mgmt. 1950021 (2019).

³¹ K.C. Anandraj & S. Aravind, South Indian Perspectives on Trends in Geographical Indications: A Bibliometric Insights From 2018–2023, 6 Int'l J. Multidisciplinary Res. & Growth Eval. 1153 (2025).

(3) Mobility-Sensitive and Skill-Based Recognition

The assumption of the static territorial attachment, as established by the legislation, does not capture the reality of the dynamics of labor mobility. A modified approach would highlight the distinction between the geographical identity of the product and the skill-based identity of the artisan.³² Licensed artisans who acquire certified skills should not lose the right to produce GI products on the basis of migration, as long as the quality of the products is maintained.

(4) Regulation of Intermediary Structures

Empirical evidence suggests that there is a strong tendency to rely on intermediaries and government-backed agencies to access the market. While this helps stability, it simultaneously hampers freedom of choice and fair value capture.

Suggestions for change should focus on:

1. transparency provisions around commission arrangements,
2. transparency provisions around price determination methods, and
3. participation in the decision-making process of cooperatives and societies.³³

Such a regulatory mechanism will help to eliminate exploitative inequalities while ensuring stability.

(5) Youth Retention and Social Protection Measures

However, the viability of Geographical Indicated (GI) crafts over the long term is dependent on generational continuity. Yet, the low level of youth engagement is a reflection of the structural economic disincentives at work.

Potential policy interventions include:

³² Patricia Covarrubia, *Geographical Indications of Traditional Handicrafts: A Cultural Element in a Predominantly Economic Activity*, 50 *IIC – Int'l Rev. Intell. Prop. & Competition L.* (2019).

³³ Dipika Nadkarni, *Ambivalent Artifacts: A Critical Examination of Indian Handicrafts as Colonial Souvenirs* (Ph.D. dissertation, Johann Wolfgang Goethe Univ., 2025).

1. the provision of incentives such as subsidies or performance-linked incentives for young artisans;
2. the establishment of pension and insurance systems for GI artisans; and
3. the provision of labor regulation which acknowledges the value of artisanal work as a form of employment.³⁴

The results of this research indicate that the Indian system of Geographical Indications operates effectively in the form of a model for territorial branding and authenticity certification.³⁵ Yet, in the absence of a shift in institutional emphasis to the welfare of artisans, the system is likely to promote symbolic empowerment without providing any substantive empowerment. Moving from a territory-based model to one that considers the needs of the people involves the addition of distributive justice, enforcement access, and mobility to the system of Geographical Indications. Only then can Geographical Indications effectively fulfill their dual mandate of conserving heritage while ensuring the sustainable livelihoods of communities that embody heritage.

³⁴ Jayarajan K. & Dhanya Punnoli, *Resilience to Natural Hazards Among the Navara Rice Farming Communities in Palakkad, Kerala*, in *Climate Change, Community Response and Resilience* 241 (Vol. 6, Developments in Weather & Climate Sci., 2023).

³⁵ Xinzhe Song, *Scrutinizing the Expanding Scope of Geographical Indication Protection: A Critical Analysis of the Justifications for the Anti-Evocation Measures*, 23 *World Trade Rev.* 1 (2023).