

Child Labour : An Unseen Problem

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ABSTRACT

Child labour has been a serious problem for many decades and a major challenge for many developing countries. It has existed for centuries not only in the poor sections of developing countries but also in developed countries in the 20th century. Many countries have made various laws and taken serious steps to eliminate child labour, yet this problem is very widespread throughout the world. The reasons for the incidence of child labour in India are complex and deeply rooted in the society. Poverty seems to be the main reason. Child labour can be found in both urban and rural areas. But child labour is more prevalent in rural areas because poverty is more prevalent in rural areas. However, many poor rural families struggle for a better life in urban areas. Poverty forces families to put their children to work to increase family income and ensure survival. The purpose of this paper is to analyse child labour in India. The findings show that child labour was a serious evil for the developing country India. But now according to the 2011 census report, there has been a decline in the total number of working children in the country.

Key words: Child labour, factors, discrimination, poverty, unemployment etc.

INTRODUCTION

For many years, child labour has been one of the biggest obstacles to social development. Eliminating all forms of child labour is a challenge and a long-term goal in many countries. It is still considered a serious issue nowadays, especially in developing countries. Child labour refers to children who lose their childhood and start earning at the age of about 7-8 years to support the family financially and they are not able to get the basic facilities that a child should have. Recently the International Labour Organization (ILO-2013) estimates that around 215 million children aged five to fourteen work worldwide. They are often mistreated and working long hours in very poor conditions can affect their health physically, mentally and emotionally. These children do not have basic rights such as school or health care.

According to ILO (2013) the largest number of child workers are doing hazardous work, and the total number of child labour is increasing even though it is prohibited by law. These children are susceptible to diseases and suffer from long-term physical and mental illnesses. The main reason that motivates children to work is poverty. These children work for their survival and that of their families (Mepure, 2009). Some studies such as Desse and Pallej (2003) argue that the work children do is not always harmful or cruel. Some work may provide successful learning opportunities, such as babysitting or newspaper delivery work, etc.

International organizations have made great efforts to eliminate child labour around the world. Many countries have passed laws to prohibit child labour.

Although the country has made child labour a legal system, yet child labour is widespread throughout the world. Banning child labour is not an easy task for developing countries like India.

DEFINITION

The term child labour has been defined in several ways by different scholars.

Child labour refers to the employment of children in any work that deprives them of their childhood. Their regular school attendance is denied and ability to do anything which is dangerous or harmful mentally, physically, socially or morally.

Defining child labour is not as simple and straightforward as it seems since it encompasses three difficult-to-define concepts "child", "work" and "labour".

In the context of child labour, a working definition of "child" may be anyone below the general limit of fifteen years, or in special circumstances by a minimum age limit of fourteen years, as prescribed by the 1973 (No. 138) Act.

According to ILO (1983), "Child labour involves children being brought to adulthood at an early age, working long hours for low wages under conditions detrimental to their health and to their physical and mental development, sometimes separated from the family, often deprived of opportunities for meaningful education and training, etc."

According to Suda (2011), the term child labour refers to when children are engaged in any type of work that is hazardous and harmful to the children's health or work that interferes with their education.

According to Moi (2011) child labour refers to low wages, long hours, physical and dwarf exploitation.

According to Edmunds and Pavcnik (2005), child labour is seen as the abuse of child labour when children work in poor conditions and hazardous occupations. The term child labour is generally interpreted to mean "all cases in which children are exposed to harm at work whether or not the child is under 14 years of age" (UNICEF, 2005, p. 10)¹

The meaning and implications of child labour are highly dependent on the social, cultural and economic contexts as well as the mission, strategies and objectives of each operating organization (Post and Sakurai, 2001; Post, 2001a).

Trade unions, consumer groups and the International Labour Organization (ILO) often use "child labour" and "child workers" instead of "working children", implying that children should be kept out of the labour force at least until they reach the minimum working age.

In other words, the ILO's primary concern was to protect adult employment and wages, the idea that "children's economic independence should be curtailed in order to protect the economic well-being of adults" is explicitly reiterated in various forms of child labour legislation. In contrast, UNICEF and UNICEF-affiliated NGOs refer to "child labour" in accordance with Article 32 of the Convention

on the Rights of the Child, which includes child labour as any economic activity that hinders or impedes the child's full development or education. UNICEF continues this tradition, as these organizations often describe child labour as "working children" (www.unicef.org).

The ILO suggests that the term 'child labour' be defined as work that deprives children of their childhood, their potential and their dignity, and which is harmful to physical and mental development. It refers to work that is dangerous and harmful to children mentally, physically, socially or morally, or whose work schedule interferes with children's ability to attend regular school, or work that in any way affects their ability to concentrate during classes and clubs and makes them feel uneasy about work.

It hinders going to school or experiencing a healthy childhood.

TYPES OF CHILD LABOUR

Child labour is involved in the following types of work: -

Child Labour: Children engaged in paid or unpaid work in factories, workshops, establishments, mines and service sector such as domestic labour. The Ministry of Labour, Government of India uses the term 'child labour' only to refer to children engaged in 'hazardous' work.

The implication is that those who are not doing 'hazardous' work are not considered child labour and are said to be doing child work.

Street Children: Children living on the streets, such as shoeshine boys, rag pickers, newspaper sellers, beggars, etc. are called street children. Most children have some sort of home to go back to in the evening or night, while street children are completely alone and at the mercy of their employers. They live on footpaths, bus stations and railway stations.

Bonded children are children who have either been pawned by their parents for a small amount of money or who are working to pay off their father's inherited debt. Bonded children are the most difficult to help in many ways. If the master has bought them, it is difficult to save them. If the middle-class housewife has paid them off, they cannot escape. If the landlord in the village owns them, they will spend their lives in slavery until they get married and later, they can sell their own children too.

Working children: Children who are working as part of the family labour in agriculture and forest-based work. If the children are not pursuing their education they are working 12-14 hours a day with their parents at the expense of the children, then their situation is different from that of children working for other employers

In fact, children, especially girls, are expected by parents to shoulder a workload far out of proportion to their strength and abilities. This is the largest category of children not attending school and working full time, and it is here that we find the largest percentage of girls working at the expense of education.

Use of Children for Sexual Exploitation: Thousands of young girls and boys cater to the sexual desires of men from all social and economic backgrounds. There are many direct links between the commercial sexual exploitation of children and other forms of exploitative child labour. Factories, workshops, Street corners, railway stations, bus stops and homes where children work are common sites of sexual exploitation. Children are particularly powerless to resist abuse by perpetrators or

employers as middlemen. The physical and mental damage caused by commercial sexual exploitation makes it one of the most dangerous forms of child labour.

Migrant children: Millions of families are forced to leave their homes and villages for several months every year in search of livelihood. These migrations mean that families are forced to drop out of school, something that closes the only available opportunity to break the generational vicious cycle. Migrant children are compulsorily employed in workplaces. Many industrial and agro-industrial sectors such as brickmaking, salt-making, sugarcane harvesting, stone quarrying, construction, fisheries, plantations, rice mills, etc. run largely on migrant labour.

Children engaged in domestic activities: Apart from children working as domestic help (bonded or otherwise), there are a large number of children working as labourer (especially girls) who are working in their homes, and engaged in non-essential work and what is usually termed as "economic activity."

These children are engaged in household chores like looking after younger siblings, cooking, cleaning and so on. As seen in the case of women's work, such activities need to be recognised as 'work'. Further, if such children are not sent to school, they eventually join the labour force as one of the above categories of child labour.

REVIEW OF PREVIOUS LITERATURE

Craveper (1996) shows a clear trend from a cross-country sample that low-income families are more likely to send their children into the labour market, which is unusual among wealthier households.

Basu et al. (1999) have found that during the beginning of the industrial revolution children were forced to work in factories, around family farms, tending crops or preparing food. They worked in industries and their working conditions were very dangerous and often fatal. Industry at that time preferred children to work because children provided cheap labour and more flexible labour.

Bass (2004) has analyzed the frequency of child labour in developed as well as developing countries. In fact, child labour had almost completely disappeared from developed countries. However, at present child labour still continues due to rapid population growth, high rate of unemployment, inflation, poverty, malnutrition, poor leadership, corruption and low wages.

Serwada Luwaga (2005) describes that child labour is occurring all over the world, especially in low-income countries and these children are working in all sectors of the economy, such as agriculture, manufacturing, fishing, construction, domestic service, street venting, etc. Children are usually unregistered as employers and work in very poor and dangerous conditions without social protection.

Lavison and Murray (2005) point out that child labour involves many different types of work that involve risk and danger. These children are vulnerable to physical pain and injury, particularly as they pose a risk to health.

Fasih (2007) proved that child labour creates unskilled and uneducated labour which affects the country's development and economy.

Bilal Ahmad Bhat (2010) tried to analyse the importance of education in the context of child labour. He tried to find out the impact of child labour on school attendance of children. He suggested some measures to eliminate child labour with the help of education.

Bhat (2011) reports the first laws to ban child labour came in 1833 and 1844. It followed that banyas should not work, and all children should not work, the idea was to remove it. And the idea was to remove all children from labour that interfered with school. However, many children continued to engage in forms of child labour that were prohibited by law.

Akeel (2012) has analysed that when parents have worked in their childhood, their children will also work, passing it from generation to generation. Then once they grow up, they become uneducated and less skilled. Therefore, parental education plays an important role in children's education as it can increase the chances of their children getting a good education.

Das (2012) states that there is a lack of reliable statistics on child labour and many child labourers are underreported across the world due to the Un reporting of data on child labour.

Socio-economic factors related to child labour

There are some social and economic factors that cause child labour.

1. **Poverty is the root cause:** Various circumstances affect child labour. Studies have shown that the most notable cause is poverty (Bhat and Rather, 2009). Decisions about child labour and schooling are usually made by parents. If the family income is below the poverty line, parents think that children should also contribute to their family income. Basu (1998) used a theoretical model of child labour where he showed that parents send children to labour due to low income. As a result, poor parents cannot afford schooling for their children. Thus, mainly poor families are forced to send their children to labour instead of sending them to school.
2. **Family size:** In fact, large poor families usually have higher child participation than small families, which shows the size of the population, this shows the impact on child labour. Parents force their children to work because they are not able to manage the demands of larger household. There are also gender differences between household sizes. Everyone and not every age can work as labour. The proportion of children not working as labourers depends on the age and sex of the child, for example girls are more likely to be employed than boys. Boys are more likely to attend school.
3. **Family situation:** There are a growing number of children who have lost either one or both parents and who have family members affected by HIV AIDS. They are forced to work to support themselves and their siblings. Particularly in sub-Saharan Africa, the number of orphans is increasing, many of whom become street children and live in very difficult conditions (Vardenberg, 2007).
4. **Traditional or Cultural Factors:** Culture is another factor that pushes children into the labour market. Different cultures of many societies make children start working at a very young age which is related to traditions and cultural factors. They have recognized that children need to learn skills that will be good for their future. According to Touson (2009) in rural Guatemala, parents prefer to send their children to work because they see it as beneficial for them as they learn work skills.
5. **Corruption:** Wherever there is poverty, corruption is a major cause of resource misutilisation (Mon, 2005). According to the United Nations Development Programme (UNDP) (2012)

“corruption exacerbates poverty and inequality, undermines human development and stability and perpetuates conflict, violates human rights, and erodes the democratic functioning of countries”. Corruption can have a highly negative impact on the rights of the deprived by depriving them of basic services such as health care, education and basic amenities. Corruption can reduce the ability of children to escape poverty.

6. **Civil war:** Civil war is another factor contributing to child labour. War destroys the economy of the country, people become very poor, and all the resources go into the war. War burns all the good things that any country can have. It brings diseases, poverty, loss and many other terrible things. Again, no help will work as long as the war continues.

7. **Urban Migration:** Many rural families migrate to urban areas due to poverty pressures and urban pull factors. As a result, they are often forced to live and work on the streets as they do not have access to necessities such as food, shelter etc. and these children work as street vendors. Most street workers are vulnerable to violence and become susceptible to illegal activities such as theft, trafficking, IGs and prostitution (Yadav and Sengupta, 2009). These children live in urban poverty, many child labourers live in slum areas in unhealthy poor conditions and work in poor environments such as domestic work, or work in hotels and restaurants etc. (Servada-Luyaga, 2005). This means that the population in cities is increasing due to immigration and natural growth. Urban poverty is a multidimensional phenomenon. Urban poor in developing countries face many challenges in their daily lives. Many poor people live in great hardship due to unemployment, lack of housing, violence, and unhealthy environments. Poverty in cities has increased due to increasing urbanization. The urban poor live in slums. These areas are characterized by high unemployment, poor sanitation, inadequate access to clean drinking water, and inadequate housing.

8. **Globalization:** Globalization is another cause of child labour. Globalization has positive and negative effects. However, globalization can give developing countries the opportunity to increase their gross domestic product (GDP) per capita through new trade possibilities and increase their foreign direct investment (FDI) inflows. Globalization has also adversely affected child labour in developing countries. In recent years, many international companies have shifted their production overseas. These companies often hire children as cheap labourers because they are tolerant and follow orders given by their employers even though they are abused and exploited (Mepure, 2009). Mishra (2012) claims that in India, globalization has forced more children to work in hazardous occupations such as brick kilns, motor garages, hotels, shops, transportation, manual loading work, etc.

9. **Relationship between child labour, family income and education:** Lack of education or poor-quality education is another factor that contributes to the high incidence of child labour. Education is considered one of the main options to eliminate child labour. In practice family income affects the education of children and poor parents cannot afford to pay for the education of children, their children are unable to pay for their education and are forced to work.

10. **Opportunity cost of education:** The cost of education is another problem for poor families. It has contributed to child exploitation. Schools need to be affordable and accessible. Kodilis and Marko (2006) believe that schools available in developing countries can help increase school enrolment but may not reduce the incidence of child labour. Bhat (2010) argues that quality education can help keep children out of work, consequently it is important for a school to have a high proportion of trained teachers in classrooms. However, sending their children to school can be costly for many poor parents, as these families depend on the income of the children and cannot afford school fees, uniforms or other additional expenses. (Bhat-2010). This is a problem in

AREAS OF GENDER DISCRIMINATION IN CHILD LABOUR

Discrimination also exists among child workers themselves. Older children may discriminate against younger children, foreign or minority children, or children of a different race. The gender division of adult labour is also reflected in children's occupations.

Meaning of Gender Difference: While studying the issue of gender differences, it is important to note that the term “gender” is different from the term “sex”. “Sex” refers to biological differences between male and female that do not change. The way boys and girls are treated, and their expected behaviour is based on gender differences. The activities that boys and girls are expected to perform are called their gender roles. For example, a person is not born with the art of embroidery work and cooking but can learn how to do it, but in most cultures, it is found that girls are taught these activities rather than boys. “Gender” refers to the social differences and relationships between girls and boys in terms of learning the job. The process of socialization through which children learn how to behave is not gender-neutral but shapes the different roles and responsibilities of boys and girls based on their gender. As children grow up, they follow the behaviour of those around them such as parents, relatives, neighbours and teachers and reproduce the existing social differences between men and women. For example, a boy often acts in a way that is consistent with the behaviour of other boys and men around him.

Factors affecting gender differences: Gender is influenced by factors such as age, class/caste, race, ethnicity, location (rural or urban), culture, religion, socio-economic factors to determine what opportunities exist for young people and working conditions.

Reasons for Gender Differences in Child Labour: The existence of gender differences can be observed in child labour. Therefore, it is necessary to examine various factors related to it. Gender differences are usually caused by different cultural determinants, family background and tradition of work culture assigned to boys and girls.

Depending on the age of the child, there is discrimination in work between boys and girls. Boys are often employed in areas like automobiles, fishing and mining and construction etc, as this type of job is considered heavy work. Girls are pushed into doing domestic work and the textile industry generally employs women. This discrimination is based on biological factors which is baseless.

Participation of boys and girls in various fields (as per general observation)-

1. Girls are more involved in household chores than boys
2. Dabah/Restaurant Hotels More boys involved than girls
3. Making Agar Batti, Dhoop and Detergent have almost equal participation of boys and girls
4. Boys are more involved in Paan, Bodi and Cigarette than girls
5. Girls are more involved in spinning and weaving than boys

6. More boys are involved in construction than girls
7. Brick Cline, Tiles, Boys are more involved than girls.
4. Boys are more involved in jewellery making than girls
9. Boys are more involved in carpet making than girls
10. Boys are more involved in automobile, vehicle repair than girls

According to the census report, Uttar Pradesh, Andhra Pradesh, Madhya Pradesh, Bihar and Maharashtra are the top five states where the number of child labourers is more than other states. More than 300000 children are estimated to be working in India's carpet industry. Most of India's carpets are made in Uttar Pradesh where most of the workers are low caste Hindu boys. As per the previous records, child labourers were mostly working in agriculture, paan (betel leaf), bauri, construction, domestic work, spinning and weaving sector etc. The priority of the government is to eliminate child labour especially in hazardous occupations.

Indian law specifically defines 64 industries as hazardous and makes the employment of children in such hazardous industries a criminal offense. In 2001, an estimated 1 percent of all child workers in India, or about 120,000 children, were in hazardous work. Notably, the Constitution of India prohibits child labour in hazardous industries (but not in non-hazardous industries) as a fundamental right under Article 24. Additionally, various statutes and the Indian Penal Code, such as the Juvenile Justice (Care and Protection) of Children Act-2000, and the Child Labour (Prohibition and Abolition) Act-1986 provide a basis in law to identify, prosecute, and prevent child labour in India. India formulated a National Policy on Child Labour in 1987. This policy seeks to adopt a phased approach with a focus on rehabilitation of children working in hazardous occupations. It envisioned strict enforcement of Indian laws on child labour, coupled with development programmes to address the root causes of child labour such as poverty. In 1988, it initiated the National Child Labour Project (NCLP). This legal and development initiative continues, with current funding from the central government of Rs. 6 billion, targeted solely at eliminating child labour in India. The Ministry of Labour and Employment had implemented nearly 100 industry specific National Child Labour Projects to rehabilitate child labourers since 1988.

Under this scheme, children in the age group of 9-14 years are rescued from hazardous occupations and enrolled in NCLP special training centres, which include education, vocational training, mid-day meals, stipends, health care and others in bridge construction. A nationwide survey found that the prevalence of child labour has come down to nearly 4 million children (or less than 2 percent of children in the 5-14 age group). The reduction in the number of working children is an encouraging sign and suggests the effectiveness of schemes (directly or indirectly focusing on primary school enrolment under the Right of Children to Free and Compulsory Education Act 2009) implemented by the government, although other factors including social awareness and economic development are also playing a role. Many NGOs such as Bachpan Bachao Andolan, Child Fund, Care India, Talash Association, Built Rights and You, Global March Against Child Labour, RIDE India, Childline, etc. are working to eliminate child labour in India.

Even in 2022, the country of India is home to the largest number of children working illegally in various industrial industries. Agriculture is the largest sector in India where many children work at a young age to support their families. Many of these children are forced to work at a young age due to several family factors such as unemployment, large number of family members, poverty, and lack of education of parents. This is often the major reason for the high rate of child labour in India. A variety of Indian social scientists as well as non-governmental organizations (NGOs) have done extensive research on the numerical data of child labour found in India and have found that India contributes to about one-third of Asia's child labour and about a quarter of the world's child labour. Due to the large number of children being employed illegally, the Indian government initiated extensive actions to reduce the number of working children and focused on the importance of facilitating the proper growth and development of children. Due to increasing rules and legal restrictions on child labour, child labour has declined by about 55 percent since 2011. To stop child labour, it is first necessary to curb corruption so that all the schemes implemented by the government for child welfare can reach the real needy. Also, eliminating unemployment will also reduce child labour.

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