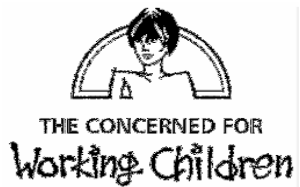


Child Labour Perspectives



Children are citizens today Children are citizens today Children are citizens today Children are citizens today

Contents

The NGO Overview:

2. ***Child Labour Legislation - Enabling or Crippling?*** by ***The Concerned For Working Children***
(A CWC open letter, 25th November 2006)

The NGO Perspective:

9. ***This Ban Nips the Childs Right to Survive*** by ***Nandana Reddy***
(from the Deccan Herald, 15th October 2006)
12. ***CRY Welcomes Child Labour Notification But Finds Gaps*** by ***Ingrid Srinath***
(CRY article, 7th August 2006)

The Working Child Perspective:

14. ***Raids Make it Difficult for Child Labourers***
(from the Hindu, November 2006)
15. ***At Age 10, Jobless and Locked Up***
(from the Mid-Day, 29th November 2006)

The Social Commentator Perspective:

16. ***Ban a Beginning or an End*** by ***Jeremy Seabrook***
(from www.thestatesman.net, 18th October 2006)

The Wider Global Perspective:

19. ***Huligamma and the Big Mac*** by ***Nandana Reddy***
(from www.infochangeindia.org, December 2006)

The Journalist Perspective:

32. ***Reporting on Child Labour*** by ***Ammu Joseph***
(from Indiatogether, 22nd October 2006)



Child Labour Legislation - Enabling or Crippling? - The Concerned For Working Children

“This strategy and plan of action needs to be reviewed and a new strategy practical and viable needs to be formulated with great urgency”

“The time is ripe to adopt a more enabling and empowering strategy that does not treat child workers as the problem, but include them as a part of the solution”

Child Labour Legislation ~ Enabling or Crippling; Empowering or Criminalising?

This piece is written on a matter of great concern and urgency. During the past month the media has been filled with coverage of the new (Oct 10th - 2006) GO adding domestic work, dabhas and resorts to the schedule of processes and industries banned under the Child Labour (Prohibition and Regulation) Act 1986.

The response has been varied. Some have welcomed the move and hailed it as a progressive step, while others have been more cautious in their comments and have raised questions regarding the subsequent welfare of the children rescued as a result of the raids. The experience of the past years has shown that in most cases the situation of these children has gone from ‘the frying pan into the fire’. Others are concerned about the ‘best interests of the child’ being violated by the ban approach. An increasing number of organisation and individuals, including journalists and political analysts have questioned the viability of the strategy and question and doubt that a ‘child labour free India’ will be reached by 2007 or in the near future.

It is clear that this top down, piece meal, scheme based, relief oriented strategy has failed to meet

its goals. Karnataka and several other states have asked for an extension of the time limit. Proceeding with the same plan would be suicidal as it is obviously flawed. If we do we are certain to find ourselves in the same embarrassing situation as we are now. This strategy and plan of action needs to be reviewed and a new strategy practical and viable needs to be formulated with great urgency.

So far the legislative approach towards child labour has been to ban industries and processes for children below the age of fourteen. This approach is implemented through consequent punitive action against employers and the criminalisation of the children who labour and the only way we have seen fit to implement this legislation is through compulsion. For all concerned, especially the child labourers themselves, this approach has been crippling rather than enabling; criminalising rather than empowering and marginalising rather than inclusive and participatory.

In 1978 when we (the Concerned for Working Children) raised a question in Parliament through George Fernandes that resulted in the Gurupadaswamy Report and again in 1985 when we presented the Draft Child Labour [Employment, Regulation, Training and Development] Bill; we persistently pleaded for a comprehensive, multi-pronged, bottom-up, decentralised and participa-



tory approach to addressing the problem of child labour that included working children themselves as actors in finding solutions. Unfortunately in the 90's the mood, then largely influenced by WTO and GATT and promoted by the ILO-IPEC programmes, was for quick knee jerk solutions that the past 25 years has unmistakably shown has not worked.

However, now the time is ripe to adopt a more enabling and empowering strategy that does not treat child workers as the problem, but include them as a part of the solution. Below are some of the central issues that have accounted for this failure and suggestions for an alternative Action Plan.

§ The Action Plans for addressing child labour are built on a certain erroneous premise. First of all they address the demand side of child labour and not the supply side. By grabbing the wrong end of the stick to begin with they concentrate on the demand for child labour by employers and on the prevention of the employment of children using punitive measures against employers. This has been implemented through raids or 'rescue and rehabilitation' strategy for removing children from employment and financing bridge schools for ex-child workers. This approach concentrates on the pull factor (the demand for child workers)

and not the push factor (the reasons why children enter the labour market).

As Manju, a child labourer from Kundapura described it, "it is like removing the scum from the top of a boiling pot, without doing anything about the fire underneath".

It would be far more practical to address the supply side of child labour as this would ensure that we focus on the systemic and basic causes that push children into the labour market. This would lead to more permanent and sustainable solutions. If children do not come to the labour market, the question of their being employed will not arise. Dealing with the supply side will entail a comprehensive approach that addresses the root causes of child labour in a given geographical area or feeder block. The receiving blocks (developed areas to which child labourers and their families migrate from less developed areas) also need to be identified and specially addresses.

§ The equation between child labour and education is not a Simple Equation. First and foremost it must be recognised that all work that children do in not bad; just as all schooling is not good for children. The present strategy of removing a child from work and putting her into an education institution has not worked because the economic and

“The Action Plans for addressing child labour are built on a certain erroneous premise...they address the demand side of child labour and not the supply side”

“It is like removing the scum from the top of a boiling pot, without doing anything about the fire underneath”
Manju, Member of Bhima Sangha



“Child labour is the symptom of a very complex disease. It is now abundantly clear that the present piece-meal, scheme-based, relief-oriented approach has little or no impact and practically no sustainability”

social problems that pushed this child into the labour market have not changed and remaining a driving force both for the family and the child. The root causes of neglect of the rural sector; inequality as a result of gender, caste, ethnicity, religion and class; the lack of opportunities to secure a sustainable livelihood and unemployment; and the pathetic absence of basic infrastructure, push over a 100 million children into labour.

Child labour is the symptom of a very complex disease. It is now abundantly clear that the present piece-meal, scheme-based, relief-oriented approach adopted by government and some NGOs has little or no impact and practically no sustainability. This is because this strategy fails to address the underlying causes of poverty and deprivation.

§ Formal Education is not a Magic Wand. There are many children who go to school because they work and combine both work and education. Still others choose to work as school does not provide them with either the skills or expertise to work on completion of school. Further, a lot of what happens in schools is far more harmful to children than much of the work they do. However, the critical issue is that the simple act of putting a child labourer in school does not solve the reasons s/he went to work in the first

place. Schools do not solve poverty, deprivation, unemployment and discrimination.

“While it is a global scandal that so many children still work in degrading and damaging industries, and that exploitative labour is one of the worst things that can happen to children, it does not follow that all the work of children is ignoble or unworthy; and it certainly should not lead to the universal conclusion that children are always better off in schools. The model of childhood as a work-free zone is essentially a concept from the Western world, in which childhood is a functionless period of life, distinguished only by increasingly inactive leisure.....”

Seabrook, The Sunday Statesman, September 2006

Education needs to serve several purposes. Education can serve as one aspect of the alternative for a child when s/he is released from labour only if the education so provided serves the needs and aspirations of these children. Teachers need to be sensitising and equipping to address the needs of ex-child workers who are entering school for the first time. Education also needs to serve children who work and flexi schools that combine schooling with vocational professional training and NOT Bridge schools need to be planned. Education needs to be a viable choice for children who are preparing for the world of work. Appropriate



teaching-learning methods need to be developed to respond to the real educational and skill requirements of children. Vocational training and formal basic education need to be combined in the curriculum.

§ The State Plan of Action envisages a Single Strategy for all forms of Child Labour. In order for it to be applied to all sectors it contains only the lowest common denominators. Such a strategy will be unable to deal with the complexity of the issues involved that are the root causes of child labour. Further, the issues confronting each sector of child labour are a distinctive mix of problems and require a complex blend of strategies that are appropriate for each sector and area.

A Multi-pronged Comprehensive Approach will address all facets of this very complex problem. The precise mix of issues and causes that need to be dealt with can be effectively tackled only if the planning process recognises the diversity of each sector; and geographic, socio-economic and political situation.

§ Compulsion works as long as the pressure is maintained. The main thrust of the present strategy is compulsion, pressure and punitive action. The problem with compulsion is that it is like a spring. It stays contained only as long as the

pressure is maintained and then bounces back and reverts to its old position and sometimes even worse than that.

“All compulsion is hateful to me. I would no more have the nation become educated by compulsion than I would have it become sober by such questionable means. But just as I would discourage drink by refusing to open drink shops and closing existing ones, so would I discourage illiteracy by removing obstacles in the path and opening free schools and making them responsive to the people's needs.”

MK Gandhi, Extract from Young India, 1924

§ Social Monitoring is a viable and sustainable alternative. Social Monitoring by children, their families and community together with local governments will enlist the whole population in the mission. This will also give the employers of children a means to contribute positively to the goal. There will be no ‘good’ and ‘bad’ guys in this strategy and ensure that everyone is pulling in the same direction. Further there will be no need to conceal or falsify statistics. Honesty, transparency and accountability can be the watch words and it will be easier to monitor the progress of the plan. People's and children's participation right from the stage of planning will create ownership and then they will play an active role

“Putting a child labourer in school does not solve the reasons s/he went to work in the first place. Schools do not solve poverty, deprivation, unemployment and discrimination”



in the monitoring processes. This will also ensure that children are not forced into situations that are worse and that children get long-term support from the community.

§ Now Child Workers are viewed as the problem. In truth they are victims of lopsided economic, social and political development and planning.

“Children are not commodities like narcotics that can be removed with a raid and then disposed of”

Reddy, Deccan Herald, October 2006

Child Workers need to be a part of the Solution. Children are not the problem – they need to be a part of the solution. A strategy that includes Child Workers as a part of the solution is more likely to succeed. Children know their situations better than any one else and most often they know what needs to be done to solve the problems they face. If they are included as active participants and agents of change to transform their own lives, they can bring tremendous energy, offer viable solutions and provide positive direction to the plans and implementation.

§ By Criminalising Child Labour, Child Workers are Victims twice over. The high profile “rescue” operations or raids that NGOs and gov-

ernment officials have been engaged in have proved very counter productive. With no tangible alternatives being offered, these rescued children most often meet a fate worse than the one they were in to begin with. Their families do not welcome such moves as it often means that their last straw of survival has been rudely snatched away. The ban approach only criminalises children and traps them between the abyss of poverty and starvation on the one hand and the harsh ministrations of over eager NGOs and the labour department on the other.

“The 477 children who were rescued during raids conducted on Monday last amid much publicity by foreign-funded NGO Pratham are now faced with an even more uncertain future. No one knows what to do with them. As a matter of fact, investigations by The Pioneer revealed that rather than concern for the rehabilitation of the children, utilisation of funds under an UN-funded scheme prompted the raids”

Mishra/Kumar, the Pioneer, November 2005

Empowering Children can convert Child Workers into Protagonists. All children, and more so children who work, are living thinking, feeling human beings who are capable of participating constructively and actively in the formulation of solutions. Their families love them no less than we do our



children and would enthusiastically participate in implementing solutions that they recognise as viable and sustainable, but most of all real. Working children and their families need to be empowered to become agents of their own change. Such a movement from below, with the right support and resources, can achieve much more than treating working children and their families are those who have transgressed the law.

§ In the process of implementing the present strategy both government and NGOs are in Violation of the Convention of the Rights of the Child. The raids or ‘rescue and rehabilitation’ method, besides being very traumatic for the children involved, also violates several sections of the Convention on the Rights of the Child. In order to provide one right to children (that of education) we cannot violate several other rights.

We must uphold the Convention of the Rights of the Child. We must keep the ‘best interest of children’ as the central principle of all strategies and interventions if we do not wish to harm the children we have set out to help. This can only be done by recognising children as active participants in the process.

§ As of now there is Centralised Monitoring

and Evaluation of Action Plans based only on quantitative data that is inaccurate and unreliable. Further, no reliable base line data is available to make comparisons and measure progress. Some gross generalisations are made and equally untenable conclusions drawn.

Decentralised Social Monitoring will enable local governments to have a much better grip on the progress of the action plan and effectively plan progress. Each Panchayat or Municipal Ward should begin by conducting a detailed survey of the child workers in the area. This survey should be planned and conducted by the working children themselves in partnership with local government authorities, other children and community. This data should serve as the base line for monitoring progress. This data can also be fed-into the state and national statistical grids for a broader understanding of the issue. In addition to local monitoring, Taluk or District level committees/bodies may be set up to periodically reviews the child labour status in a given Panchayat or Municipal Ward. These bodies can also declare areas ‘child labour free’ as and when the specified criteria are reached.

These suggestion are not made lightly. We, the Concerned for Working Children, have more than 30 years of field experience working with work-

“The ban approach only criminalises children and traps them between the abyss of poverty and starvation on the one hand and the harsh ministrations of over eager NGOs and the labour department on the other”



“We must keep the ‘best interest of children’ as the central principle of all strategies and interventions if we do not wish to harm the children we have set out to help”

ing children and their marginalised and deprived communities in five Districts of Karnataka and have worked as consultants in over 25 countries of the world. We have also proved that this approach works. In North Karnataka we have managed to reduce the numbers of child labourers from 4 digit figures down to two digits in a space of five years and in South Kanara down to 1 digit.

We gladly offer our expertise and experience to design and implement a doable plan. We would be happy to collaborate with government and other NGOs who have similar expertise to work on this at the earliest.

25th November 2006

A CWC Open Letter



DECCAN HERALD

The ban nips the child's right to survival

BY NANDANA REDDY

The new amendment to the Child Labour Act including the work of children below the age of 14 at residences and the hospitality industry to the list of banned occupations, is just a cosmetic move to appease the West and paint a clean image of India in the global market. More importantly, it is a very detrimental move for the children working in these sectors.

The high profile “rescue” operations or raids have begun. NGOs and government officials are hitting the headlines as the saviours of working children and thousands of children will be “liberated”. However, with no tangible alternatives being offered, what will be the fate of these children? Will their families welcome this move or will it mean that their last straw of survival has been rudely snatched away?

There is no question that children should be protected from work that is harmful to their growth and development and detrimental to their physical, emotional and moral safety. However, bans, as the past 20 years have more than adequately proved, are not the answer to the child labour

question. The number of child workers has grown since 1985 and India still has the dubious distinction of being home to the largest number of child workers in the world.

Children are not commodities like narcotics that can be removed with a raid and then disposed of. They are little human beings trying to survive in a very hostile world. Bans only attempt to shut off the demand for child workers, paying scant attention to the causes for the increasing supply of children to the labour market such as mounting poverty, decreasing employment opportunities, increasingly elusive sources of livelihood, diminishing returns from agriculture and years of drought and other natural disasters that leave families and whole communities — a large percentage of India's population — with no surplus to sustain them.

The ban approach only criminalises children and traps them between the abyss of poverty and starvation on the one hand and the harsh ministrations of over eager NGOs and the labour department trying to earn brownie points.

Children do not work because they enjoy doing

“Children do not work because they enjoy doing so, but because they and their families have no other choice”

“Bans only attempt to shut off the demand for child workers, paying scant attention to the causes for the increasing supply of children into the labour market”



“Children are not commodities like narcotics that can be removed with a raid and then disposed of.”

“What the children and families need most is a humane approach. An approach that does not snatch away their chances of survival, but provides real viable alternatives”

so, but because they and their families have no other choice. As we have seen in the past, “liberating” a working child without providing her and her family with alternatives that are better than their present predicament only pushes that child into even more invisible and harmful employment. According to an old Chinese proverb, “If you save a man’s life you’re responsible for him thereafter”. When it comes to child workers, we feel our duty ends with liberating the child from employment, in the process violating several rights of the child, including their right to survival.

An example of this is the highly publicised raid on embroidery units in Delhi where some 500 boys aged between five and 15 were rounded up by an NGO and government officials. These children were locked up in an empty shopping complex for a week and fed leathery chapattis and watery dal. While the NGO and officials “decide what to do with them”, neither the government nor the NGO which carried out the operation had any concrete plans for the future of these children.

What the children and their families need most is a humane approach. An approach that does not snatch away their chances at survival, but provides real viable alternatives that ensure that these families can protect, care for and provide for their children all that is needed for their healthy growth and

development.

Working children are not the problem. The root cause of their families’ poverty and marginalisation are the real villains and until the Centre is willing to face this reality and solve these issues, child labour will only increase with India’s eagerness to expand its global market.

Nevertheless, there are solutions to this very complex problem that are appropriate, viable and sustainable. The key to this is to tackle the supply side of the issue and

- 1) Break up the problem into manageable portions. Decentralise the design, planning and implementation of the initiative to the level of panchayats and municipalities and
- 2) Make the working children themselves a part of the solution.

In Karnataka working children sit together with gram panchayats and members of the community and draw up five year plans that include strategies for solving basic causes of child labour. As a result, we, The Concerned for Working Children, have seen a marked reduction in the numbers of children working. When we began work in north Karnataka seven years ago each panchayat had



child labour figures running into four (around 1,800) digits and now they are only in the two (around 20) digits range. In Dakshina Kannada this approach has rendered panchayats “child labour free”.

India needs to honestly evaluate the impact of its approach, especially on the children concerned and redesign interventions along with children and their families that keep their “best interests” as the primary focus and ensures that the solutions are child rights centered.

(The writer is director - development, The Concerned for Working Children, Bangalore.)

15th October 2006

“Working children are not the problem. The root cause of their families’ poverty and marginalisation are the real villains”





CRY Welcomes Child Labour Notification But Finds Gaps

By Ingrid Srinath

“Child labour in India can be eradicated only if its root causes are also addressed”

“Without strengthening both enforcement mechanisms and provisions for rehabilitation, this step has little meaning.”

CRY – Child Rights and You - welcomes the Ministry of Labour's recent notification but feels it's an insufficient response. Gaps exist. Cannot be effective without proper enforcement and rehabilitation provisions. For real change root causes have to be addressed.

We welcome the Ministry of Labour's recent notification banning children below 14 from working in residences and the hospitality sector, for after agriculture; these areas are the largest employers of child labour.

While necessary, this is an insufficient response. Child labour in India can be eradicated only if its root causes are also addressed – causes like the lack of a coherent education policy, insufficient schools, poverty, marginalization, migration etc - - situations that force children into work. Piecemeal efforts will not do.

Even within the notification's limited ambit, there are gaps:

The prohibition is restricted to servants at home,

hotels, dhabas and other recreation centres. It is not clear whether this applies to the household manufacturing sector, where a vast number of children are employed in similar working conditions.

The conviction rate for the already existing Child Labour (Prohibition & Regulation) Act, 1986 is abysmally low -- so low, that it is hardly a deterrent for employers. Without strengthening both enforcement mechanisms and provisions for rehabilitation, this step has little meaning.

The notification is premised on the belief that child labour needs to be prohibited in hazardous occupations only. This totally ignores children's right to safe and facilitating environment for development, including health, nutrition and education needs.

Combined with the failure to table and pass legislation enabling the fundamental right to education and the likelihood that this notification is no more than an attempt to pre-empt the anticipated Supreme Court move to prohibit all forms of child labour, it is hard to imagine that this move will achieve significant impact.



The National Sample Survey 2000, reported 16.4 million Indian children aged 5-14 years were 'engaged in economic activities and domestic or non-remunerative work'. Another 46 million children of school-going age are unaccounted for, neither enrolled in school nor officially working. Giving India at least one reason to be Number 1—home to the largest number of child labourers on the planet.

27 years of CRY's work with 2,500 marginalised communities across 20 states across India, has shown that the piece-meal, scheme-based, relief-oriented approach adopted by both governmental and NGOs has limited impact and practically no sustainability. This is because they fail to address the underlying causes of deprivation. Causes related to gender, caste, ethnicity, religion and class keep over 100 million Indian children hungry, unschooled and vulnerable to the worst forms of abuse and exploitation imaginable.

CRY's experience has shown that irreversible change is possible when children, parents, community groups and local government come together to identify, address and resolve the issues that constrain children.

(The author is the CEO of CRY and has worked extensively in the child rights field)

7th August 2006

CRY Press Release

“Irreversible change is possible when children, parents, community groups and local government come together to identify, address and resolve the issues that constrain children.”



‘Raids make it difficult for child labourers’

Government told to be sensitive to needs of working children

“Raids only worsen the situation for the child as they are forced to work in worse conditions and in secrecy”

Bangalore: "We want access to education, but we do not want to be separated from our families," said the children who had gathered at the State-level convention of the Bhima Sangha Working Children Committee organised in collaboration with the Concerned for Working Children, a child rights organisation, here on Sunday.

Children from the committee voiced their protest against the raids and rescue efforts initiated by the Government to help child labourers, and said, "Raids only worsen the situation for the child as they are forced to work in worse conditions and in secrecy."

They handed over a memorandum of their demands to the Director of Women and Child Welfare, Monappa, and said that the Government should be more sensitive to the needs of working children.

Poverty, the root cause

"Many of these children are working because the conditions at home are bad and the parents are not able to make ends meet, and not because they

want to work. After raids, the rescued children are put in a children's home or a school and no efforts are made to find out what they are going through," said Manjunath, a 17-year-old, who is working as a carpenter and is a member of Bhima Sangha.

Rajeshwari, State Committee President, who is a rag picker and is studying in the 8th standard, said the Government and officials concerned should allow children to give their view and make them part of discussions before formulating a policy or rule that affected the children.

In the memorandum, child labourers have demanded that the Government ensure that children rescued through raids were followed up and their families given benefits. They urged the Government to deal with the issue of child labour sensitively as children who were taken out of their work and put in schools, could get worried thinking of their families.

A Makkala Panchayat should be established in Bangalore, they said.

20/11/06





At age 10, jobless and locked up

Kiran (10) lost his job at a garage after the child labour ban came into effect. Now, his mother has stopped him from going out. She fears he will fall into the wrong company.

Ten-year-old Kiran Martin enjoyed his job as an assistant to an automobile mechanic. But after a raid by the police, he was thrown out of his job. He is unable to find a new job, and his mother keeps him locked up at home.

Kiran has lost his father. His mother, who works as a domestic help, is the breadwinner. “The money my mother gets is not enough. So I have to work,” said Kiran.

He was earning Rs. 10 a day, and feels he was helping his mother in his own way. “But now, it is very difficult to make ends meet,” he said.

“Mummy has to pay rent and the electricity bill, and repay her debts too,” he said. “At the garage, I could at least have learnt the trade of a mechanic.”

He recalls that during Ramzan, the police raided

the garage. “I escaped,” he said. “The next day, my employer told me not to come again.”

“My mother says I will mix with other kids in the slum and get into bad activities. So she locks me up,” he said.

Kiran doesn’t go to school as his mother can’t afford it. “Even in government schools, teachers ask for money,” he said.

Kiran is worried how the family will celebrate Christmas. “I think Mummy will again take a loan and buy clothes for me. The interest will be high. I don’t know how she will repay her loans.”

“If we don’t work, we cannot eat. In many families, the older children work, so that their siblings don’t have to work. But I don’t have any elder brothers or sisters,” he said.

29th November 2006

**“If we don’t work,
we cannot eat”**

**“If the government doesn’t
want us to work, they
should ensure better paid
jobs for our parents. If our
parents get enough money,
we will not have to work”**



The Statesman

Ban a Beginning or an End?

By Jeremy Seabrook

The extension of the ban by the Indian government on child labour in domestic work, in hotels and roadside dhabas has been widely welcomed. The consensus is that the proper place for children is in school, where they will be instructed in subjects that will fit them for dignified labour and full citizenship. Much of the rhetoric has been around “stolen childhoods” through exploitation and employment in dangerous and hazardous occupations. Relief from domestic labour is particularly important, since many girls are regularly abused by employers, both as chastisement and also sexually.

If only everything were as clear cut as professional humanitarians and improvers of the world would have us believe! While it is a global scandal that so many children still work in degrading and damaging industries, and that exploitative labour is one of the worst things that can happen to children, it does not follow that all the work of children is ignoble or unworthy; and it certainly should not lead to the universal conclusion that children are always better off in schools. Indeed, no one familiar with the state of schools in the

slums and in “remote” rural areas of India, would wish any child to be enfolded within their bleak, crumbling walls, nor yet exposed to the desultory, absent or uninformed pedagogy to be had in most of them.

The pious belief in education and the conviction that work is a curse upon childhood are both erroneous generalisations. While it is vital for children to have time for play, there is nothing more dispiriting for the imagination and the heart to spend the rest of the time in the mental drudgery of rote learning, of assimilating facts, of preparing to spill out everything stored in the brain one examination afternoon and then to forget it forever afterwards.

This is in itself a form of abusive labour; one increasingly detached even from the economic utility in the name of which it is carried out. For “education” in the minds of those appalled by the very idea of working children, has little to do with the development of independence, critical thinking and an inquiring engagement with the world around them.

It is rather, a form of “training”, much as that imposed upon circus animals, calculated to adapt them to economic purposes which few can predict,



especially in a time of rapid technological and social change.

This is, perhaps, why India is burdened with so many graduates without employment, so many millions of unemployed and underemployed, with more than 90 per cent of its people compelled to make their own work in an expanding and unforgiving “informal” sector.

It is regularly lamented by child-philanthropists and their rhetoric of “rescue” that a majority of working children are employed in the service of their own families, whether working in fields and farms, looking after livestock or domestically, gathering fuel and firewood and tending younger children. They speak as though parents had children simply to furnish themselves with the unpaid labour their offspring can provide.

Now there is nothing wrong with children acquiring skills and abilities through practice rather than sitting in the regimented uniformity of deficient schoolrooms listening to listless and uninvolved teachers.

The model of childhood as a work-free zone is essentially a concept from the Western world, in which childhood is a functionless period of life, distinguished only by increasingly inactive lei-

sure (to which we owe both the growth of obesity and the arrival of the couch-potato) and the ritual of passing examinations. This is, in itself, a travesty of childhood.

The vast quantities of material goods which the average Western child acquires during her or his dismal apprenticeship in the mysterious arts of consumption, fail to stimulate more than a fraction of the whole personality. Even “play” is commoditised: we may wonder what happens to children’s play, when children themselves become the playthings of a global market.

To release poor, young captives from labour, to prepare them for entry into the labyrinths of consumerism is a paltry form of liberation. Chains of iron are changed for chains of gold, but both equally chafe and abrade the living flesh.

It is one thing, as the International Labour Organization has recognised, to take children out of hazardous and health-destroying occupations - including brick-breaking, quarrying, mining and construction, gem-polishing, carpet-making, textile factories, glass, plastics and rubber factories, metal workshops and forges; but it is quite another to deprive families of the slender but critical income children can provide when they are living on the edge of survival.

“It is one thing to take children out of hazardous and health destroying occupations...but it is quite another to deprive families of the slender but critical income children can provide.”



“Child labour is a far more complex and difficult phenomenon than campaigners suggest...it does not follow that initiation into a useful social function necessarily militates against the best interests of children”

Even the provision of meals for school-going children will not feed their parents or those below school age; what may appear to be a derisory few rupees to comfortably-situated doers of good to others, may mean the difference to poor families between an empty belly and a meagre sufficient. There are two questions to be asked of the rescuers of children. The first is who is going to guarantee a living income for the adults who must care for them, and the second is, what function do they propose for children quarantined in the purposeless isolation of an “education” which bears only the most slender relationship to human purposes.

Education is beset both by sentimental myths and a calculating mendacity. Under the guise of preserving children from exploitation, promises are made that education will provide them with a place in the global economy. “Education” does not necessarily produce fulfilling and rewarding labour. It simply raises expectations which, for millions of young people, remain unfulfilled; and the consequent disillusionment, bitterness and anger will have to be dealt with sooner or later.

Such promises only buy social peace for the moment; future damage in the form of crime, violence and political mischief will be taken care of by others, who are not the present saviours of

children.

Child labour is a far more complex and difficult phenomenon than campaigners suggest. While play and significant learning are as necessary for children as nourishment and love, it does not follow that initiation into a useful social function at the same time necessarily militates against the best interests of children.

It depends upon the work they do. The confusion comes when education is interpreted too narrowly: intelligence purposefully applied is not the same thing as the sorry version of the educated turned out of places of learning all over the world; and it may be that even the least instructed ~ indigenous and tribal peoples whose minds are stocked with such a wealth of understanding of their environment ~ have something to teach the knowing ignorance of the highly educated.

(The author lives in Britain. He has written plays for the stage, TV and radio, made TV documentaries, published more than 30 books and contributed to leading journals around the world)

18th September 2006



Huligamma and the Big Mac

By Nandana Reddy

Amid the cacophony of blaring horns, the smog emitted from the exhausts of hundreds of vehicles and the hoarding screaming the advantages of the new wave of Globalisation, little Huligamma doges her way through the traffic at a major intersection in one of India's teeming cities.

Nothing much has changed for her. She has worked for as long as she can remember. Aged 11, she has never dared to dream and even if she does, it is not an extravagant dream, just to become a teacher someday. But this dream seems to be becoming more and more elusive.

Yes, actually things have changed. When she first came to the city from her village and began rag picking, she used to sort through the piles of garbage in mute companionship with cows. She would collect the paper, tins, magazines and cloth while the cow munched on the banana leaves and scraps of food. She sold these to wholesalers who in turn recycled them and made a few rupees. Now

all she finds is Styrofoam cups, bubble wrap, plastic and discarded mousses, keyboards and CDs. Very little resale value for these.

In August 2005 there was an interesting battle in Chennai, India between Coca-Cola and the photographer Sharad Haksar. He has been using a billboard for three years to focus on social issues affecting India through photographs. The one displayed in August 2005 showed a line of empty water pots waiting to be filled at a hand pump with a Coca-Cola logo in the background. It was a commentary on the water shortages that country was experiencing. Coca-Cola India sent a copyright infringement notice to photographer Sharad Haksar. Haskar responded by saying that he had not infringed any law and was only exercising his freedom of expression.

Activists have been claiming that water shortages due to depleting ground water usually accompany the arrival of a Coca-Cola or Pepsi bottling factory in the area. These allegations have been vociferously denied by the companies and now, a year later, many institutions and even States have banned Coca Cola claiming that the level of pesticides found in these soft drinks are far above the



“Trade does not necessarily promote economic growth. Even if trade boosts the economy, trade’s benefits either do not trickle down to most citizens or are offset by the costs.”

permissible limits.

Huligamma extracts a half eaten big Mac from the dustbin outside Burger King. She munches on it as she gazes at a hoarding advertising ‘Power Lunches’ for busy Executives at a Five Star Hotel. A steaming plate of food stares back at her as she chews on the dry bread. So different from the occasional packet of curd rice or chapatti and subzi that she used to find. This dry and tasteless meat sandwiched between white flavourless bread is difficult to swallow and will barely satisfy her hunger.

Though economists promoting liberalisation and ‘free trade’ suggest that trade improves living standards, it is a controversial proposition that is widely debated in developmental circles. Experience has shown that trade does not necessarily promote economic growth. Even if trade boosts the economy, trade’s benefits either do not trickle down to most citizens or are offset by the costs. These potential costs may include environmental degradation, increased exposure to disease, decreased public spending due to lower ability to tax capital, increased exposure to international financial crises, and increased demand for low-skill labour and child labour; and subsequent reduced returns to human capital acquisition.

Back in her village Huligamma’s 13 year old sister spends 12 hours a day spraying fertiliser on crops. She works as a daily wage labourer in the farms of a multinational agro corporation that has a chain of stores selling vegetables, fruit and other agro products. She is paid Rs.15 per day of which the contractor takes a cut.

Her brother aged 14 years works as an unskilled labourer in the iron ore mines, digging for ore and loading trucks. It is back breaking work in very extreme conditions. The temperature is 45 degrees in summer, there is no water in that drought prone region and the ore dust causes chronic respiratory ailments. He is paid Rs. 30 per day and also pays his contractor a cut, but together they are able to feed themselves and their grandmother and put a little aside for the days when there is no work.

An often asked question is whether a countries’ openness to the international economy affects investments in children’s health and education. This question goes to the core of the debate on globalization. Children’s health and education are important ends in their own right (Sen 1999). Health and education are two of the important means of



achieving long-term economic sustainability and experience has shown that trade is unlikely to be a long-lasting propeller of overall development, especially if it only spurs economic growth but substantially harms health and education through reduced public spending and the removal of safety nets. Trade also influences the degree to which governments are willing and able to fund public health and education. More generally, in open economies governments have a hard time taxing capital; in fact, they may end up largely subsidising capital at the expense of investments in children.

To draw from Adam Smith, policies such as Structural Adjustments have contributed to “the greatest peacetime transfer of wealth from the periphery to the imperial centre in history”. And this has been achieved without much media or public attention.

The IMF and World Bank prescription to developing nations at the behest of the rich and powerful countries is that developing nation should open up to allow more imports and export more of their commodities. This is precisely what contributes to poverty and dependency.

Mainstream economists and politicians have long been criticized for concentrating on economic

growth in ways that ignores humanity and the environmental costs. Perhaps one of the harshest ironies is how food and farm products flow from areas of hunger and need, to areas where money and demand is concentrated. Farm workers, and women especially, are amongst the worlds most hungry.

Though their family was not considered poor, they were small farmers; education was never an option for Huligamma and her siblings beyond the 4th standard. Living in a drought prone area Huligamma at the age of 10 years had to walk 6 kms to collect two pots of drinking water for the family every day. Her brother and sister would take the goats in search of grazing land. As pastures are scarce in this district, it would be several days before they returned only to pack another bundle of dry rotis and set out again. Her mother and father worked in the fields.

After four years of continuous drought, her family could no longer service their debt and her father committed suicide. Huligamma left her village with her mother, two younger siblings and came to the city to find a way to survive; leaving behind her old grandmother, elder sister and brother to manage the little land they had left.

“One of the harshest ironies is how food and farm products flow from areas of hunger and need.”

“As countries are diverting resources away from social provision s to repay debt, those most affected are the poor, especially women and children.”



The Progress of Nations, 1999 report by UNICEF, suggests that debt is killing children. It states that as countries are diverting resources away from social provisions to repay debt, those most affected are the poor, especially women and children. The UNICEF State of the World's Children 2000 report claims that in 1960 the income gap between the richest one-fifth of the world's population and the poorest was 30-1. In 1997 it was 74-1.

“Trade, not aid” is regarded as an important part of development promoted by some nations. But in the context of international obligations, it is also criticized by many as an excuse for rich countries to cut back aid that has been agreed and promised at the United Nations.

A coalition of Indian organisations spearheaded by HAQ is campaigning for trade justice - not free trade - with the rules weighted to benefit poor people and the environment. They are “calling on world leaders to change the rules that govern international trade so that poor countries have the freedom to help and support their vulnerable farmers and industries.”

The HAQ report further claims that though the direct impact of free trade on children may not be apparent the experiences of other countries of the

processes of globalisation and liberalisation on children definitely indicate that there is a strong case for making a closer examination of this linkage.

Huligamma Remembers how her father together with other farmers, some years ago, had dumped their tomatoes on the highway as the selling price had dropped 90 pisa per kilogram. Her father was a proud man who never believed in taking handouts. He would save money before each festival to buy the clothes and rations. What a joy that was, to dress up and go with the family to the Sante (weekly market) and choose the fresh fruit and vegetables that would go into making the sweets and festive meal. And buying flowers and bangles and new clothes! What different days those were.

Huligamma also remembers how her father was told about the new economy. ‘Buy now and pay later’. He finally fell into the trap and took a loan not knowing that his profession was not sustainable. She thinks of the new TVs and cars and scooters that are displayed outside factories offering fantastic schemes. A car for just a down payment of Rs. 999! She wonders how sustainable these city jobs are.



The UNICEF in The State of the World's Children 2006 titled the 'Excluded and Invisible' is a passionate plea for Nation States to focus on "Creating a world fit for children" they say that though it "may seem impossibly far away, but achieving it is as simple as this: We must do everything in our power to keep our commitments to children. These commitments are clear and unambiguous. What is now required is the understanding that a commitment is a pledge with both moral and practical obligations. In a moral sense, a commitment signifies a relationship of duty. In practical terms, a commitment binds those making it to a course of action."

It seems that the UNICEF report is trying to desperately counter the effects of corporate globalisation and without stating as such, they make an emotional plea playing on Nations sense of humanity and moral values.

This report also claims that "At the extremes, children can become invisible, in effect disappearing from view within their families, communities and societies and to governments, donors, civil society, the media, the private sector and even other children. For millions of children, the main cause of their invisibility is violations of their right to protection."

Child labour is banned, and children are periodically rounded up and removed from their work situations. However, the alternatives offered to them are neither viable nor sustainable. The most detrimental aspect of this strategy is that children working in the banned sectors have no protection what so ever and are considered as infringers of the law themselves. This criminalisation of child labour has forced them into more and more hidden forms of work and rendered them invisible.

In November 2005 the Daily Pioneer, New Delhi reported a drive against child labour in which over 500 minors working in inhuman conditions with 50 embroidery units in East Delhi were rescued on as a result of simultaneous raids on several establishments.

The next day the same paper published an investigative report on the same issue. They described the intervention as "*children rescued from a cage and incarcerated in a pigeonhole*". The report claims that the "*477 children who were rescued amid much publicity..... now faced (with) an even more uncertain future. (Investigations by The Pioneer revealed that rather than concern for the rehabilitation of the children, utilisation of funds under an UN-funded scheme prompted the raids. Neither the Government, nor the NGO, which carried-out the operation has an answer*

“Child Labour is banned... the most detrimental aspect of this strategy is that children working in the banned sectors have no protection what so ever and are considered as infringers of the law themselves.



“India’s secondary school enrolment figures... 58% [for] boys and 47% [for] girls. Of these children... the attendance is only 45% and 36% respectively. This indicates that more than half of India’s young people between the age of 14 and 18 are not in schools and presumably must be engaged in some form of economic activity.”

about their future. This would mean sending the children back to the same homes they had fled to escape hunger and disease.

“It was revealed that the raids were carried out to facilitate utilisation of funds received by the Labour Department from the International Labour Organisation, a UN body, for carrying out programmes to eradicate child labour. Sources in the Delhi Government said that such raids are planned with a lot of media hype and positive media reports are submitted to ILO to embellish the application for the release of more funds”.

A Delhi Government official is claimed to have said that *“there is no provision for rehabilitation of children rescued under the Child Labour Act. The NGO’s and the Delhi Government’s claim that they would help rehabilitate children is hogwash. The Labour Department has coordinated (a politically correct usage for contract) with the NGO only to the extent of rescuing and deporting these children from Delhi”.*

The cooption of NGOs to do Government work or act as extensions is part of the liberalisation process. The fate of those few independent NGOs who have managed to retain a sense of political activism despite the growing influence of neo-liberal policies is well summed up by Dom Helda

Camara: *“When I give food to the poor, they call me a saint. When I ask why the poor have no food, they call me a communist.”*

The UNICEF Report goes on to say; “Statistical analyses of key MDG indicators related to child health and education show a widening gap between children growing up in countries with the lowest level of development, ----- and their peers in the rest of the developing world. These factors not only jeopardize these children’s chances of benefiting from the Millennium agenda, they also increase the risk that they will miss out on their childhood and face continued exclusion in adulthood.”

According to the latest UNICEF statistics the enrolment figures for primary school in Indian are 111% for boys and 104% girls. However, the secondary school enrolment figures drop dramatically to 58% boys and 47% girls. Of these children who enrol in secondary school the attendance is only 45% and 36% respectively. This indicates that more than half of India’s young people between the age of 14 and 18 are not in schools and presumably must be engaged in some form of economic activity. Under educated, unskilled and therefore underpaid, these young people will join the ranks of frustrated, underemployed excluded adult population.



In India there has been a lowering of standards in education, basic health, nutrition and shelter as a result of reduced public expenditure on the social sector. The policies, programmes and development initiatives framed by the Government of India based on the dictates of the World Bank and ADB increasingly deprive communities and families of resources on which they have traditionally depended. Loss of control over and access to land and forest resources; fuel, fodder and water; privatisation of social sector benefits such as education, health and provision of water are clearly taking their toll on millions of children.

The symptoms of this negative fallout are visible. Children deprived of even basic social benefits and livelihood securities for their families are forced to migrate to urban centres in the hope of finding a means for survival. We have seen a dramatic increase in the numbers of street children both girls and boys in urban centres, more and more children are being trafficked within and across borders and there are mounting numbers of children engaged in part or full-time labour.

Children are practically half the world's population and in many poor countries children and more than 50% of the population. Therefore what happens to children affects all of humanity.

While Huligamma picks rags and begs, her younger brother, 6 years and sister 8 years jump through loops and turns summersaults to amuse the bored Multi National Executives as they wait at the traffic lights. Their tiny bodies have been trained at an early age to do these tricks and when they are older they will have to graduate to rag picking and begging like Huligamma.

Her mother works as a daily labourer when she can get work on a construction site. She is pregnant and doesn't know who the father is. She has been violated so often she has lost track. This is a 'service' she performs in return for the beat policemen to ignore her presence on the street and she bears this torment with gritted teeth.

The recent ILO Global Report released on 4 May 2006 "An end to Child Labour – Within Reach" makes tall claims and sweeping statements. One hopes that there is some truth in its content as there is no one who would not welcome an end to the tragic consequences of children labouring. However, their claims remain on the boundary between rhetoric and wishful thinking.

The report claims that child labour has been reduced globally by 11%. Statistics in this area

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“The symptoms of this negative fallout are visible. Children... are forced to migrate to urban centres in the hope of finding a means for survival.”



have always been doubtful and dubious. Examining the ILO sites on child labour statistics there is a lengthy and complicated document called 'Statistical Information and Monitoring Programme on Child Labour [SIMPOC]' (updated March 2006). The statistics that this document contains are all called *estimates* and though the methodology for arriving at conclusions are elaborate and detailed, in the latest update many countries that are said to have high populations of child labour, such as India, do not even find a mention.

Yet, if one gives the ILO the benefit of doubt, the 11% reduction claim is impressive. However, if one reads carefully and between the lines, this claim has been made only for children working in the intolerable forms. This would mean that for example that for every 1000 children working as child prostitutes in Thailand, now there are only 8900. Lucky for the 110 that got away, though one wonders where they are now and how they are faring. Or have they just grown up and crossed the age of 18 and are now counted as adult prostitutes? If this is the progress shown by the ILO in the decade since the Convention 183 has been in force; when will the 'end be within reach' for the remaining 8900 child prostitutes and how?

It is unfortunate that the ILO, the last surviving body to be formed as a result of the Versailles

Treaty, has gone the way of other UN agencies. As the doctrine of 'free trade' increased in momentum, most UN agencies have been slowly and surely dismantled and rendered increasingly powerless.

With the setting up of the IPEC or International Programme for the Elimination of Child Labour the ILO, that was thus far a regulatory body and protector of workers rights, became an implementing agency as well. This programme is largely funded by the USA and therefore controlled and directed by them to serve their trade agendas. The IPEC is also the only growth area within the ILO and the programme keeps the organisation afloat, and all other sections of the ILO have been reduced to mere tokenism.

The ILO was set up to be a tripartite body consisting of representatives of Governments, Workers and Employers. However, when it came to discussions on child labour, the ILO refused to recognise the right of working children to represent themselves; and this was not from want of trying on the part of working children's movements all over the world.

Instead the ILO chose to recognise some select privileged first world children to be their ambassadors to end child labour and turned a deaf ear



to the solutions offered by working children themselves. Excluding them from the debate and criminalising their means of livelihood without offering any viable alternatives, the ILO now resorts to issuing Red Cards to child Workers around the world and kicks this off with a football match in the presence of Football stars who “kicked the ball” against child labour, in a match with children from the Geneva International School and the Signal de Bernex Football Club, two sets of very privileged human beings who will never experience or understand the complexity of their lives, the ensnarement of poverty and the pain of working children who know that they have no choices.

Footballers are shown the red card for misdemeanours they have committed, but working children were shown this card by the privileged for no fault of their own. They work because of the political and socio-economic conditions that prevail and which the world that is zealously engaged in ‘Globalising’ our planet on corporate lines is too busy to find solutions.

To quote Palagunmi Sainath in, Everybody Loves a Good Drought; *“Development is the strategy of evasion. When you can’t give people land reform, give them hybrid cows. When you can’t send children to school, try non-formal*

education. When you can’t provide basic health to people, talk of health insurance. Can’t give them jobs? Not to worry, just redefine the words “employment opportunities”. And one may add ‘if you don’t want to really solve the causes of child labour – just ban it and hope it will go away’.

Interestingly the Millennium Development Goals did not include the elimination of Child Labour, but made a strong call for *“fair globalisation”* and *“full and productive employment and decent work for all, including for women and young people”* and combined this with a central objective of *“poverty reduction strategies”*. The MDG went further to resolve to *“ensure full respect for the fundamental principles and rights to work”*.

With the inclusion of Social Clauses in GATT, the world trade organisations donned the mantle of the ombudsperson of human rights. This is like the local money lender becoming the protector of human rights.

The irony is that while MNC are demanding more deregulation of industry and the lowering of labour standards to give them more freedom to be ‘efficient’; they are also clamouring for increased regulation of child labour laws to reduce competition from domestic industries. Neither is accept-

“The ILO... turned a deaf ear to the solutions offered by working children themselves. Excluding them from the debate and criminalising their means of livelihood without offering any viable alternatives.”



able. On the one hand deregulation can lead to corporations being able to undermine basic social and human rights; while on the other overbearing regulations with regard to child labour give too much power to a few that leads to unfairness in trade and basic human rights.

To quote Ha-Joon Chang in *Kicking Away The Ladder*: ‘How did the rich countries really become rich?’

“The short answer to this question is that the developed countries did not get to where they are now through the policies and the institutions that they recommend to developing countries today. Most of them actively used ‘bad’ trade and industrial policies, such as infant industry protection and export subsidies—practices that these days are frowned upon, if not actively banned, by the WTO. Until they were quite developed (that is, until the late nineteenth to early twentieth century), they had very few of the institutions deemed essential by developing countries today, including such ‘basic’ institution as central banks and limited liability companies.

“If this is the case, aren’t the developed countries, under the guise of recommending ‘good’ policies and institutions, actually making it difficult for the developing countries to use policies and institu-

tions they themselves had used in order to develop economically in earlier times?

“It is a very common clever device that when anyone has attained the summit of greatness, he kicks away the ladder by which he has climbed up, in order to deprive others of the means of climbing up after him. In this lies the secret of the cosmopolitical doctrine of Adam Smith, and of the cosmopolitical tendencies of his great contemporary William Pitt, and of all his successors in the British Government administrations.”

Huligamma remembers a time in her village when they had news of the ‘golden road’ or ‘Golden Quadrilateral’ that was being built some four kilometres away. The family decided to go on a picnic to see this marvel. They packed their rotis and chutney and went to view it. They ate their lunch on the divider. Huligamma stared into the distance. It seemed like a mammoth black serpent had uncoiled itself slithering over villages, fields hills, lakes and forests.

At dusk as they were returning home in their bullock cart they passed rows and rows of women were defecating along the road. Villages here had no toilets and no water and no sanitation. Women had to wait until dark



to relieve themselves and the road was the safest place. Huligamma thought back to what she had seen that day, the golden road, and wondered at the incredible creation. How it had subdued nature and human-kind! If Mother India was capable of this why had she not bothered with the numerous problems her community suffered? Was Mother India too busy, or too tired? Had she no affection for them?

The Chief Economist for the World Bank, Larry Summers, (and later U.S. Treasury Secretary, under the Clinton Administration), who was an ardent supporter of Structural Adjustment Policies wrote a leaked internal memo in 1992 that exposed the extent to which international policies have an impact on countries around the world:

“Just between you and me, shouldn’t the World Bank be encouraging more migration of dirty industries to the LDCs [less developed countries]?... The economic logic behind dumping a load of toxic waste in the lowest wage country is impeccable, and we should face up to that... Under-populated countries in Africa are vastly under-polluted; their air quality is probably vastly inefficiently low compared to Los Angeles or Mexico City... The concern over an agent that causes a one in a million change in the odds of

prostate cancer is obviously going to be much higher in a country where people survive to get prostate cancer than in a country where under-five mortality is 200 per thousand.”

This is in an era where there is immense wealth in increasingly fewer hands. “20% of the world’s people in the highest-income countries account for 86% of total private consumption expenditures — the poorest 20% a minuscule 1.3%” according to the 1998 United Nations Human Development Report.

Huligamma coughs and tries to cover her mouth against the exhaust fumes. She often has a bad cough, but this time it does not seem to be going away. She suddenly tenses; she had heard the corporation van approaching with a convoy. This signals the periodic round up by the labour department in cooperation with the municipality and police. She grabs her brother and sister and rushes for a gap in the wall of an old house where a multi-storeyed office complex is being constructed. She ducks behind some rubble. Just in time! They have managed to escape! What a relief! If not they would have been taken to the beggars colony and would have had to buy themselves out by paying Rs. 200 each. She did not have that kind of money.

“Child labour is not an easy issue to resolve; while it seems noble to immediately withdraw investments and cooperation with firms and factories that employ child labour it may do more harm than good.”



“Depriving them [working children] of this income has led to some children seeking different, lower paid work, and even prostitution in some cases. Other ways with schemes to help children would likely be needed so that this labour can be phased out. A gradual phase out is said to be a more preferable solution.”

Canadian Government Website

The Canadian Government website says that “Child labour is not an easy issue to resolve; while it seems noble to immediately withdraw investments and cooperation with firms and factories that employ child labour it may do more harm than good. Many of these children are from very poor families and work to pay for their family and/or their education. Depriving them of this income has led to some children seeking different, lower paid work, and even prostitution in some cases. Other ways with schemes to help children would likely be needed so that this labour can be phased out. A gradual phase out is said to be a more preferable solution”.

Shyamal Majumdar in a piece titled ‘Child labour ban: If wishes were horses...’ in the Business Standard of August 2006 reflects on a recent piece of child labour legislation banning children from working as domestic servants or at hotels, tea shops, restaurants and resorts. This ban is just an extension of the existing Child Labour Act of 1986.

The report asks; “Will the ban work? The answer is quite obvious, going by the track record so far. “If wishes were horses, law could change men’s minds,” says a former official in the Maharashtra labour department. That legislation can have only a negligible impact is apparent from the fact that

child labour is nothing but a by-product of grinding poverty. These children are holding out a slim lifeline to impoverished families, or are just trying to keep themselves from starvation

“The dilemma is similar to that of the ban on dance bars in Mumbai on the grounds that it would put an end to the exploitation of these women. What happened to those 70,000-odd bar girls after the ban? Some became prostitutes, some went back home only to be ostracised and some committed suicide.

“As long as alternative sources of income are not found for families whose children work in the banned sectors, the law would continue be flouted.”

Huligamma’s dream of becoming a teacher is fast fading away. She stares at the new ad for jeans, a bare chested man with his hand inside the waist band of his faded and frayed jeans. She looks down at herself, torn and faded skirt and loose fitting blouse, two sizes too big. She wonders how she fits in. Are these two sides of the same world? Will they ever become one?

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for jeans, a bare chested man with his hand inside the waist band of his faded and frayed jeans. She looks down at herself, torn and faded skirt and loose fitting blouse, two sizes too big. She wonders how she fits in. Are these two sides of the same world? Will they ever become one?

She watches her little brother and sister sharing a banana, each one making sure the other has had an equal share. Why didn't others do the same? They who had so little were so giving? What future did her siblings have, she wondered? What would become of them? They had no options and no choices. Each day was a struggle for survival and things were changing so fast.

She and her siblings, like millions of other children around the world, will live on the fringes of society, never really counted, never considered an economic or social asset, never becoming one of the mindless consumers that are central to the new age economy. She will remain one of the 'Excluded and Invisible', a mere embarrassing statistic to be hidden amid the folds of political rhetoric.

¹ The Daily Pioneer, Staff Reporter/ New Delhi Wednesday, Nov 23, 2005 - 500 Child Labourers Rescued In Raids

² The Daily Pioneer, Sidharth Mishra / Rajesh Kumar / New Delhi Wednesday, Nov 24, 2005 Lure of UN funds drives NGO to 'rescue' kids - PIONEER INVESTIGATION

³ State of the World's Children 2006 - UNICEF

⁴ Palagunmi Sainath, Everybody Loves a Good Drought; Stories from India's Poorest Districts, (Penguin Books, 1996), p.421

⁵ Ha-Joon Chang in Kicking Away The Ladder, (London: Anthem Press, 2002), pp.4-5. (Emphasis is Chang's)

⁶ Lawrence Summers, Let them eat pollution, The Economist, February 8, 1992. Quoted from Vandana Shiva, Stolen Harvest, (South End Press, 2000) p.6.

⁷ Shyamal Majumdar / Business Standard/Mumbai August 10, 2006/ Child labour ban: If wishes were horses...

(The writer is Director Development, The Concerned for Working Children. This article was commissioned by inforchangeindia.org. It has appeared on their website since December 2006)

“As long as alternative sources of income are not found for families whose children work in the banned sectors, the law would continue be flouted.”

Shyamal Majumdar





Reporting On Child Labour

By Ammu Joseph

Only a systematic review of past policies and efforts can shed light on why child labour continues unabated in the country. Without such analysis, it will be impossible to call the official bluff, and we will continue to witness grandstanding that relies on the short attention span of the media and the public, writes Ammu Joseph.

22 October 2006 - Few of the reports that appeared in the press in the two-week survey period told readers anything they did not already know: that child labour is rampant in diverse sectors in the city, the state and the nation. There is, of course, some value to stating the obvious again and again, especially since child labour remains a grim reality that needs to be seriously and urgently tackled at least now. However, there is so much else that needs to be brought to public attention and placed before officialdom for explanation and action.

For example, in order to properly evaluate official statements of intent it is necessary to find out what happened to the many initiatives and schemes launched with much fanfare in the past.

Whatever happened to the National Child Labour Policy framed in 1987 and the National Child Labour Projects set up under it? What impact has the well-funded International Programme for the Elimination of Child Labour, initiated by the International Labour Organisation (ILO) and introduced in India in the early 1990s, had on the situation?

What about former Prime Minister Narasimha Rao's announcement on Independence Day in 1994 that child labour would be abolished in hazardous occupations by 2000 (the deadline was later shifted to 2005, which has also gone by)? Two million children were supposed to have been withdrawn from such work and put in special schools where they would be provided with education, vocational training, monthly stipends, nutrition and health-checks. What is the current status of the high-powered National Authority for the Elimination of Child Labour, set up the same year, which was supposed to serve as an umbrella organisation coordinating efforts towards the "progressive elimination" of child labour? When last heard of, it had not met for two years between 1997 and 1999.



In any case, only a systematic analysis of what went right or wrong with various governmental efforts over the years can provide a clear idea of what it would take to at least implement the new 'ban,' if not to eradicate child labour. The very fact that most state governments are still talking in the future tense about putting in place a plan to deal with children working as domestic help and in hotels, eateries, etc. - clearly having done nothing even over the past two months - suggests that the official attitude continues to be that "this, too, shall pass."

The bad news of children continuing to be exploited, ill-treated and deprived of their childhood will continue as long as the root causes of child labour are not highlighted and effectively addressed.

Grand pronouncements that obviously rely on public ignorance and/or forgetfulness can be countered only with facts and figures that can be used to call the official bluff and pressurise the authorities to take at least minimal action towards doing their duty, at least by children. For example, the media are well placed to investigate what funds, facilities and personnel are being made available for the purpose of implementing the new 'ban.' In 1996 the paucity of inspectors, as well as the inadequate infrastructure and fa-

cilities - not to mention poor pay - with which the few available had to function, were cited as impediments that prevented these officials from doing their jobs effectively and honestly. Has the situation changed dramatically over the past decade?

If government-run institutions are to be used to house, if not rehabilitate, rescued children, what condition are they in and how are the children already lodged there faring? What is the state of the government-run schools to which these children will reportedly be admitted, how effective and relevant is the education being imparted in them, and what steps (short of incarceration) will be taken to prevent drop-out?

Can a few non-governmental organisations (NGOs) and their establishments and programmes be expected to handle the influx of the large number of children likely to be freed if the law is properly implemented? According to press reports, official figures put the number of children employed as domestic labour at 185,000 and in dhabas and restaurants at 70,000 (a total of 2,55,000) while NGOs estimate that around 20 million children are employed in the two newly banned sectors.

Considering that NGOs are obviously seen even

“The bad news of children continuing to be exploited will continue as long as the root causes of child labour are not highlighted and effectively addressed”



“What is the state of the government run schools to which these children will be admitted, how effective and relevant is the education being imparted in them?”

by the government as critical to the effort to combat child labour, media reports dealt sparingly with their assessment of the situation and the way forward. Some NGO representatives were quoted in reports, of course, but mainly in the print version of the ubiquitous sound-bytes that have, unfortunately, become an enduring legacy of 24-hour news television in this country. And several others, who may have put forward a different view, were not quoted at all.

Also conspicuous by their absence were follow-up reports looking into the current status of children rescued over the years from a variety of workplaces, including hotels in Bangalore. A journalist who tracked down children rescued from quarries near Delhi in the 1980s by visiting their homes in Bihar's villages had found that most of them were back at work in and around the capital. The case of the approximately 50,000 children suddenly thrown out of garment factories in Bangladesh in 1994 is well-known, with UNICEF and the ILO later finding many of them at work in even more hazardous occupations and exploitative conditions than before.

In 1992, after a fire in a Bangalore hotel claimed the lives of three child workers and exposed the deplorable conditions in the sector, some working children who traveled to villages in Karnataka

and Tamilnadu to talk to former employees of the hotel (which had closed down after the fire), found that some of them had already returned to the city to work in other, similar establishments. The report of the children's team, presented to the state government at the time, included demands and recommendations meant to ameliorate the condition of hotel workers, including children (since child labour in hotels was not banned then). Was any action ever taken on that painstakingly compiled report?

Missing links

Another weakness of the coverage, including comment, was its disregard of the fact that there are different schools of thought among individuals and groups actively working against child labour about the most effective way to pursue the goal of eradication. Apart from the fact that professionalism requires the media to present diverse (informed) points of view, it is surely not in the best interests of the child to ignore what is essentially a divergence in analysis and strategy -- rather than in objectives or even principles - within the ranks of people who are really on the same side as far as the end result is concerned: the safeguarding of children's rights and welfare.

It is nearly a decade since international organisations such as UNICEF recognised differences of



opinion on how best to proceed in the struggle against child labour. Its 1997 report on *The State of the World's Children*, which focused on the subject, explicitly stated that "coherent programmes to combat hazardous and exploitative child labour will have to draw from the expertise and experience of both camps. Any comprehensive attack on hazardous child labour must advance on several fronts."

The UNICEF report also suggested that the struggle against child labour had to necessarily mobilise a wide range of protagonists: governments and local communities, NGOs and spiritual leaders, employers and trade unions and, most importantly, child labourers themselves and their families. Similarly, the Agenda for Action adopted at an International Conference on Child Labour, jointly organised by the Government of Norway, UNICEF and the ILO in Oslo the same year, clearly stated that preventive measures are the most cost-effective means of eliminating child labour. The document also stressed the role of social mobilisation in the movement against child labour.

Yet there has been little or no coverage in the media of efforts that involve working children, their families and communities, as well as Panchayat Raj institutions, in finding ways to

reduce and eventually eradicate child labour, mainly by addressing the reasons why children enter the work force in the first place. Instead the focus has been almost exclusively on the ban, rescue and rehabilitation option.

The coverage also failed to connect the dots between the many political, economic, social and cultural factors that combine to create phenomena such as child labour and need to be taken into account in any serious effort to tackle the problem in a sustainable manner.

The P word

Take poverty, which is often discounted as a contributing factor, with various reasons being advanced to prove that it has little to do with the issue. Yet a number of micro studies (including four commissioned by the Government of Karnataka in 1995) as well as macro agreements, not to mention child workers' own testimonies, have established the unmistakable links. And poverty in this context clearly goes beyond low income to encompass different forms of deprivation which limit people's access to resources of various kinds and inhibit their ability to participate fully in economic, political, social and cultural life.

According to UNICEF's 2006 report on *The State of the World's Children*, "Poor children are more



“The many complex factors that precipitate and perpetuate the unholy trinity of poverty, illiteracy and child labour must be acknowledged and understood if these inextricably linked problems are to be effectively and conclusively addressed.”

likely to be engaged in labour, which could mean missing out on an education and, as a result, on the opportunity to generate a decent income that would allow them to escape poverty in the future.”

To go back to the two documents mentioned above, the Oslo document acknowledged that "Child labour is both a consequence and a cause of poverty." According to UNICEF's 1997 report, "Poverty begets child labour begets lack of education begets poverty." In other words, while poverty creates the conditions for child labour, child labour condemns most working children to an unschooled and unskilled life, which further ensnares them, as well as future generations, in continuing poverty and illiteracy.

Acknowledging the vicious circle formed by poverty, lack of education and child labour does not necessarily mean accepting the current reality as inevitable and permanent. As the 1997 UNICEF report pointed out, "Poverty is not an eternal verity," but is sustained or diminished by political and economic policies and opportunities. It is clear that the many complex factors that precipitate and perpetuate the unholy trinity of poverty, illiteracy and child labour - including caste, creed, gender and geographical location - must be acknowledged and understood if these inextrica-

bly linked problems are to be effectively and conclusively addressed.

For instance, the 1997 UNICEF report pointed out that "The parents of child labourers are often unemployed or underemployed, desperate for secure employment and income." Under the circumstances, surely the ongoing struggle for the rights of the vast majority (an estimated 92 per cent) of workers in the country, who belong to the unorganised sector of labour - where the laws of the land barely apply and where there is little or no security of employment or income - is an important part of the fight against child labour?

Similarly, the effort to establish a decent level of minimum wages for adult labour is surely an essential step towards the eradication of child labour. In the same way, the successful implementation of the landmark National Rural Employment Guarantee Act, passed last year, is likely to be critical to the elimination of child labour. But these connections are rarely made in the media and, in fact, some individuals and organisations who proclaim their opposition to child labour are not so keen to secure the rights of adult workers.

Common sense also suggests that it is necessary to inquire into the links between child labour and the stories that do make the headlines every now and



then, such as disasters (floods and droughts, earthquakes and cyclones, the tsunami) and conflicts (caste, communal, ethnic, territorial). Suicides by farmers - a persistent and perceptible trend that has sporadically caught media attention from at least the late 1990s onwards - continue to make news, but not the question of what happens to their children. And, of course, few seem concerned about the fate of children who belong to rural families displaced by dams and other 'infrastructural' projects, 'defence' establishments, and industrial, agricultural and real estate developments of various kinds - including fancy housing estates, corporate farms, information technology parks, special economic zones, and the like.

It could be that none of these children end up as child labourers. However, the chances are strong that many do. People working in the field report a perceptible increase in the numbers of street children - both girls and boys - in cities and towns in recent years. According to them, more and more children are being trafficked within and across borders both within the country and outside, and there are mounting numbers of children engaged in part or full-time labour. They find that these children typically belong to families who are deprived of livelihood security and even the most basic of social benefits, and are

thereby forced to migrate to urban centres in the hope of finding some means of survival.

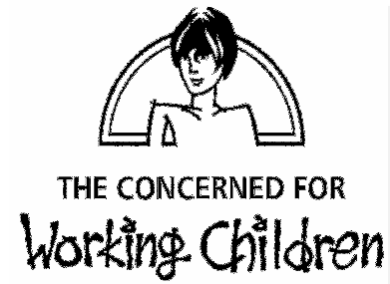
So, while it is good news that some children are currently being rescued from homes and hotels to be provided with welcome opportunities for education and recreation, it is clear that the bad news of children continuing to be exploited, ill-treated and deprived of their childhood will continue as long as the root causes of child labour are not highlighted and effectively addressed. The media could play a valuable role in the effort to eliminate child labour by keeping the spotlight on the problem and investigating the many reasons that have kept it from being solved, ranging from political unconcern and official apathy through social realities to economic policies that perpetuate, if not exacerbate, poverty and inequity.

(The author is a renowned media activist who has written on several development issues with special relevance to women and children)

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Indiatogether





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