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The Institute of Current World Affairs
4 West Wheelock Street
Hanover, New Hampshire 03755

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Pramila Jayapal is an Institute Fellow spending two years living amid and writing about societal issues in widely diverse regions of India.

Child Labor: Shades of Gray

VARANASI, U.P. India

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By Pramila Jayapal

In India, gray is ever-present. Sometimes it intrudes into life like a firecracker that has just exploded in front of you, and other times like a quiet thief who has stolen into your house. Issues that once seemed so black-and-white suddenly take on hues of gray. Child labor is just such an issue.

Everywhere in India, one sees children working: looking after tea shops and provision stalls, rowing boats down the Ganges, cleaning houses and serving food, working in the fields with their parents. What one doesn't see is equally striking: children working in glass-making factories, weaving carpets, and rolling *beedis* (cigarettes). The staggering fact is that 50 percent of Indian children between the ages of 6 and 14 work.¹

Since being in India, I have seen Western standards often incorrectly imposed on an Indian context; how, while the human tendency is to try to fit all issues into our pre-existing notions of right and wrong, there is little recognition of the fact that our definitions of these terms are shaped by culture and society. In this context, I began to reconsider my original adamant views that child labor was wrong, that it was an issue that had no "other side." This exercise was mostly on an intellectual level until the issue of child labor burst into my own life like a firecracker. I realized then that we start the process of truly understanding issues only when they enter our own reality.

Meera and Ritu

We recently moved into a house in a middle-class neighborhood. Our next-door neighbor, Dr. Garg, is a retired professor from the Benaras Hindu University who has spent time teaching in America and has several children currently living in the States. We asked him if he knew of anyone who could help us clean the house and wash clothes. "Yes, I will bring them," he said.

True to his word, he knocked on our door a few days later. Behind him, standing shyly, were Meera and Ritu. They came in and sat next to the wall, perched on their haunches. Meera is taller—about 5 feet—with dark skin and almond-shaped eyes. Ritu is a few inches shorter, her face rounder and fairer. Both girls wear a *sindhoor*, the vermilion streak on the center part of the hair that indicates a married woman.

"I have brought the girls for you to see," Dr. Garg said. "Meera used to work for us, and she is very sweet." Meera and Ritu smiled, averting their eyes from me. My husband and I sat silently for several moments. "How old are you?" I

1. Myron Weiner, *The Child and the State in India* (Delhi: Oxford University Press, 1991), pp. 1, 10-11. Based on a study done by Operations Research Group in 1985, which estimated that 44 million children in the 5-15 age group are in the labor force. This study looked at children who were working full-time, either paid or unpaid. The study was undertaken in an effort to get more accurate data than that reported in a 1983 government study, which showed only 17.4 million children under 15 in the labor force.



Ritu and Meera

asked the girls. They looked at each other in surprise. "Bhabi-ji, we don't know!" Although still surprising to me, it is not uncommon for people here not to know their ages. I guessed that Ritu was about 12 and Meera about 14, although Ritu is Meera's aunt and therefore "senior" to her.

"They are only children," I said to Dr. Garg, who was watching us curiously.

"Yes, but they are already married. They will do good work," he said, nodding his head for emphasis.

"That is not the point. They are too young to work. Isn't this child labor?" I asked, turning to Dr. Garg.

His puzzled look changed to a smile. "Forget America! This is India. These girls have to eat. They are poor; they must work, and they will do good work for you."

Meera and Ritu nodded eagerly. "Yes, Bhabi-ji, we will do good work. We are married already. We must work now."

Here is their reality. Meera is the oldest of seven children. Her father brings in Rs. 900/month (US\$25),

which must feed all nine of his family plus Ritu and her mother. Meera has been working for six or seven years, and brings in almost as much as her father, working as part-time maid in three different households. Meera and Ritu are typical of many girl children in Uttar Pradesh State (U.P.), who are promised in marriage by the age of 10, sometimes earlier. They go to their husband-to-be for one night and their first wedding, denoted by the *sindhoor*. After this they return to their families until they reach puberty, 3-4 years later. During this interim period, they will alternate spending three months with the husband's family, and three months at their own house. Marriage confers an ironic status to a girl: she has grown up, and now must take on more responsibilities, whether at her house or at her mother-in-law's. Work is just one of these responsibilities.

The idea of hiring children threw us into tumultuous discussions about ethics, morality and reality. Although not against the law, hiring them seemed incompatible with our notions of right and wrong. We did not want to belong to the category of (in the biting words of anti-child-labor activist Neera Burra) "socially minded people who salve their conscience by employing children ostensibly to save them from starvation and look upon it as a social service!"² On the

2. Neera Burra, "Pay Less, Get More Work," *Hindustan Times Sunday Magazine*, January 19, 1986.

other hand, *not* hiring Meera and Ritu, in spite of the undeniable harsh realities of their lives, came dangerously close to inappropriately applying external standards to local issues. We also knew that if we did not hire Meera and Ritu, they would find work elsewhere, possibly with someone who paid them less and worked them more.

We agonized over our decision, trying to fit it into something that would be acceptable to our sense of ethics. One of our first attempts was our decision to hire Meera and Ritu *if* we could pay for them to attend school for a few hours a day. Dr. Garg laughed when we told him our idea. "They won't go, but you can ask them," he said.

He was right; they refused. "I want to go, but how can I now?" Meera said. "I would be so much older than the other children. And I don't have time. I must work. I have six younger brothers and sisters at home. My mother has to stay with them. I have to bring home money or we won't eat." She was resolute, and I realized how naive I had been.

We changed our minds several times, each time seeing a gap between an "intellectually informed" deci-

sion we had made over dinner not to compromise our ethics, and the realities of the consequences that our decision would have on these two girls' lives. When we had made what we thought was our final decision not to hire them, not to perpetuate this system of child labor, I called Meera out to the front step the next day to explain why.

We sat next to each other, and yet were as distant as the earth from the moon in our understanding of the words being uttered. I could see that my sentences were wisps of air that floated in front of her, butterflies that fluttered away before they could be caught. She was puzzled. "How can we eat if I do not work? We must earn." I tried to explain to Meera about why children should be going to school, not working; I even told her that there are laws in other countries that make it illegal for children to work in any occupation. She listened, but couldn't comprehend. As she talked about her family and her life, I found myself again questioning whether it was right to send them away hungry, while we ate good food and patted ourselves on the back for not perpetuating child labor.

I went home after that conversation and cried. My tears were for Ritu and Meera and their situation, for



Tara (left) and her youngest baby; Ritu and Meera in the back; and four of Meera's brothers and sisters

my inability to have "the answer," for all the shades of gray that were clouding my previously clear picture of right and wrong. They are too young to work, but too poor not to. If Meera and Ritu did not work, what rights would they gain? They are too poor to go to school, even to buy books or uniforms. More importantly, their family cannot spare them from earning a salary.

In a recent visit to their house, I spoke with Tara, Meera's mother and Ritu's older sister. Herself only 30 or so, Tara has seven children, the youngest still a baby. Tara knows little about family planning (she wants to get an "operation" but doesn't know where to go), so can hardly teach the girls about it. She told me that she had sent both Meera and Rajiv, two years younger, to school for some years. Both had to leave after a few years, Meera because they needed her to work and help with the children, and Rajiv because they did not have enough money to pay the school fees (about Rs. 30).

As breadwinners in the family, Meera and Ritu probably have more chance of seeing a doctor now, because if they are sick, they cannot work; and if they cannot work, they cannot earn money for the family. In some ironic way, there is more incentive for the family to keep them in good health. Finally, there is their right to be treated with dignity and respect. I have learned, through my time here, that a woman's biggest liability is that that she is "unproductive." Sons, they say here, will earn and look after the family in old age. What will the daughters do? Arguably, Meera and Ritu will gain more respect from their families by contributing their earnings and assuming the vital role of income-generators.

In that moment when my tears were spent and my mind was clear, my husband and I decided that we would hire them. They have been coming to us now for six weeks. We still do not know if we are doing the "right" thing. What we do know is that not hiring Meera and Ritu will not change their lives for the better. Contrary to Burra's words, it seemed that it would be *not* hiring them which would serve as the "salve to our conscience," allowing us to feel that we had upheld our principles in not contributing to child labor. With no alternative for Meera and Ritu, it seemed unfair to punish them with our morals.

What choices do Meera and Ritu have? What about Tara and her husband? How are they to survive? Most importantly, how can they be told not to send their children to work, when no other alternatives are provided? Society has placed limits around them and other poor people, condemning the parents for sending children out to work and children for working, but it

offers no alternative to change their realities. It occurred to me once again that the gulf that separates necessity from choice yawns wide.

On an individual, micro level, I stand by our decision to hire the girls. However, on a macro level, I see more clearly than ever the vicious circle that will continue with the next generation if Meera and Ritu are not provided opportunities and incentives to learn, to improve their lives, and to want something better for their children. Being faced with Meera and Ritu's lack of choices has given me an invaluable context within which to appreciate the complexity of the broader debate over child labor in India.

The Child Labor Debate in India

Approximately 44 million Indian children between the ages of six and 14 work.³ In certain industries, like carpet weaving, up to 75 percent of the labor force is estimated to be children.⁴ These children, working sometimes for 10 percent of the wages paid to adults for similar work, are often subjected to long hours and oppressive working conditions, in addition to being denied access to education. In the last decade, exposure has been given to these realities largely by international human rights organizations, advocates like Swami Agnivesh and Kailash Satyarti, and writers like Neera Burra and Myron Weiner. Against a mainstream position that vacillates between denial and rationalization, these advocates are trying to expose the cruel hardships of an unjust social and economic system that has become thoroughly institutionalized.

The Indian government's efforts to address the question of child labor have amounted to little more than tokenism. It took three years for the Indian government to ratify the Rights of the Child Convention, making it one of the last countries to do so. According to Agnivesh, "This shows clearly that we were reluctant to accede to it and it was international pressure which forced us to do so."⁵ Agnivesh believes that the ratification of the Convention was merely "window dressing." It can certainly seem this way. A recent colloquium on child labor opened with a statement by the Union Minister for Information and Broadcasting calling for "genuine efforts to prevent exploitation of children and to promote their well-being," and for more importance to be given to "family values,"⁶ but conspicuously staying away from calls for specific action on child labor.

Why are the government and large numbers of the general public "soft" on child labor? Why has child labor emerged as a human rights issue, as opposed to a social or economic one? Is compulsory education an

3. Weiner, p. 10.

4. Neera Burra, *Born to Work: Child Labour in India* (Delhi: Oxford University Press, 1995), p. xxii.

5. Ratification of Convention Mere Window-Dressing"; An interview with Swami Agnivesh as reported in *Mainstream*, Oct. 2, 1993.

6. Highlight Child Rights, Media Told," *The Hindu*, Feb. 15, 1996.



A little girl sells vegetables

appropriate alternative to child labor in the Indian context, and if not, what is?

On the surface, the ethical dimensions of child labor and their associated answers are obvious. Given Utopian conditions, children would not be working. They would be enjoying their childhoods, playing, going to school, eating nourishing food, preparing their bodies and minds for a fulfilling career. But this is not Utopia for children — far from it. As is the norm with social issues in India, the dimensions of the issue are far more complex than they seem. Ethics and morality become clouded with the sediment of poverty and unemployment, while concepts of “rights” are juxta-

posed against those of “responsibilities.”

The position of activists advocating a complete child-labor ban is that employers should be prohibited from employing child labor, and parents, no matter how poor, should be required to keep their children in school until a specified age. (The legislation that exists now is largely regulatory rather than prohibitory.) On one level, advocates for an immediate unconditional ban on child labor have not made the transition from the Utopian ideal to the practical realities of life for Indian children and families. Nor do they differentiate between labor that is exploitative or labor that is acceptable. On another level, unless these advocates



A small boy looks after a provision shop



Young boys are often seen rowing boats. This one is just getting paid for his work by the customers.

scream long, loud and for the most extreme stands, it is certain that this issue would receive even less attention than it does now.

However, the majority of Indian policy makers, as well as a large number of social activists, feel that such wide-sweeping bans on child labor are not appropriate for India. Some of these people have a self-interest (either economic or social) in keeping child labor alive; others genuinely believe that a ban on child labor will only worsen the situation of these children and their families.

The first category of people argues that children are being taught skills that they would not get from traditional education. Carpet weavers, for example, say that carpet weaving is a skill that is passed from father to child (even though recent studies show that this is less and less the case), and that children's hands are the only ones that can make the small knots required for fine carpets. This group also often argues, though not as openly, that we should not tinker with the existing social order too much or we may invite chaos.

The second group of individuals believes, from a slightly different vantage point, that a ban on child la-

bor would hurt only the very children in question. What will be the alternatives for the child and his/her family? For the most part, this group subscribes to the same view as Father George, director of the Madras School of Social Work, who believes that until the chronic poverty of families who are forced to send their children to work is relieved, and parents have enough income to support their family, child labor will be "a necessary evil."⁷ Furthermore, these individuals argue that banning child labor will have to be backed up with enforcement, a seeming impossibility currently. They question whether the recommendation of making primary education compulsory (often looked on as the policy tool by which child labor can be eradicated), in the form that education exists today, is even an asset to children. With high unemployment rates for even college graduates, this group is increasingly convinced that education is no panacea for poverty.

Both groups seem to agree — although one group with more self-interest than the other — that a ban on child labor may be fine for developed countries, but cannot be applied in an Indian context. This view, as well as some of the complex underlying resistance to prohibiting child labor, was evident in an interview I had with a Master Weaver.

7. Weiner, p. 47.

Owners of Looms, Contractors of Work

M.A. Ansari is a modern-day "Master Weaver" in the sari weaving industry. He comes from the Muslim Ansari community, which accounts for 90 percent of weavers in the carpet and sari industries. The Master Weavers are generally the owners of looms and the contractors of work. They take orders and then either contract the orders out to various individual weavers, or produce them on their own looms. Mr. Ansari is a 26-year old Ph.D. candidate at a leading university in Benaras, actively involved in the Congress Party, and dreams one day to be part of the Prime Minister's Central Planning Committee. He is an 11th-generation owner of sari looms, owning three power looms and one hand loom, that are operated both by children and adults. He is quick to differentiate between the kinds of workers who work in the sari industry ("the children of Master Weavers who are being passed on a skill and are being treated well") and those in the carpet industry ("poor migrants from Bihar and other neighboring places who are exploited"), but most of his views are a toned-down version of many of the carpet-business owners.

"International human rights people from developed countries say that we must have child labor laws," Ansari said. "This is fine for developed countries, where people are educated and they have family planning programs. Here in India, we don't have such things. People here think of children just in terms of economics and earnings. More children means more people to work."

Ansari and many of his colleagues believe that the ban on Indian carpets by certain countries, and the call for "child-labor-free" certified carpets is all part of an international conspiracy. "Developed countries have a hold on us [developing countries] through their loans and subsidy programs. Because I can read and know about economics, I can understand these things. This is all part of them trying to bring us down."

However, Ansari (unlike many others) was frank about the motivation for hiring children. He openly admitted that the incentive for hiring children is purely economic. "It is not true that adults cannot do the same work. It is just that children are cheaper." According to him, children are paid about Rs. 100-150/month versus an adult weaver, who is paid per-sari and can earn about Rs. 2,000/month.

"Practically," Ansari continued, "we must look first at whether we can eat and drink. What will families do who cannot eat? They must send their children to work."

What about education? I asked him. Does he think education should be made compulsory? He immediately gave me the "politically correct" answer: "Of course, education is a must." Then he paused and cautiously qualified his answer: "But what will we do with all the educated people? We have only a fraction of the

population literate, and already crores [tens of millions] of people are unemployed. What will we do if all these other people get educated?"

If child labor is eliminated, then perhaps more adults will get more jobs and unemployment will go down, I suggested. He laughed. "No, it is not possible. We will not be able to hire adults, because then the prices of our saris and carpets will go up and we will not be competitive. If we are going to stop child labor here in India, it must stop in Pakistan, Burma, Bhutan and all other carpet manufacturing countries also. Otherwise, we will not be competitive."

He leaned forward to put forth his ultimate argument: "We must accept God's gift that is given to us."

I was confused. "What is God's gift?" I asked him.

"God has made it so that some must work and some must be educated. It is God's gift if you are born into a family that has too many children and must send you to work. We must accept it. Education is for some, and labor is for others. You can't force education on the labor people. It is a natural thing." He leaned back, warming to his theme and told me a story about a messenger of God who asks God to make everyone equal. God complies, and chaos ensues. The roof of one man's house breaks, and he goes to the former roof-repairer, who has now been made an equal. The roof-repairer snubs him, and says, "My roof too has collapsed. Why don't you fix mine?"

Ansari launched into another rapid-fire speech about equality not being possible. "That is why socialism has collapsed in all these countries," he said. "The social structure must remain."

India's Compulsory-Education Nonpolicy

In many other countries, compulsory primary education has been used as a policy tool to implement anti-child labor legislation. Why has India not done so? The existing National Constitution has "enabling legislation" — in other words, it says that a state *may*, if it wishes, make education compulsory — but not "requiring legislation." Although a majority of states have compulsory-education legislation, the legislation is quite recent for several and is yet to be enforced (e.g. in Uttar Pradesh). The central government has not made education compulsory or states' enforcement of it a priority. Is there an underlying reason for India's "politics of doing nothing," as Weiner terms it?

Ansari was willing to voice the underlying belief that many have but feel it is not "proper" to say: that people are born into a class with a specific *karma*, and tampering with it is beyond the role of society or state. This attitude could explain the reluctance of those in power to change a system that provides them with benefits, that preserves the incentives for keeping education away from the masses.

Outlays for education in India come both from the Central Government and from State Governments. As a result, the total amount spent on education varies widely from state to state, and depends upon the individual state's commitment to education. The Central Government itself has hardly set a shining example for states: the **only** developing country in the world that spends a lower percentage of its central government expenditures on education than India is Pakistan: India spends 2.2 percent of its total central government expenditures on education versus Pakistan's 1.1 percent.⁸

In addition, a disproportionate percentage of India's already small education budget is spent on university education for the elite. This proportion has actually *increased* from nine percent in 1951 to 16 percent in 1985, while spending for primary education has *decreased* from 56 percent to 36 percent in the same years.⁹ Interestingly, the decline came in spite of calls made by the Kothari Commission in the mid-1960s for a goal of universal literacy by 1985. Although there was a small increase in spending on primary education in the late 1960s and early 1970s, it never reached anything close to the original 56 percent proportion it held in the first five years after Independence.

Most distressing of all is the seeming conclusion of the Indian government that literacy for the masses is no longer a realistic, or necessary, goal. Unable to reach the goals set by the Kothari Commission in the 1960s, the 1986 National Policy on Education instead decided to question that goal of universal education itself. In spite of acknowledging that the number of illiterates in India would grow to 500 million by the year 2000 and would hinder development in the 21st century, the NEP document recommended that the government "once and for all" after "careful consideration" decide whether "removal of illiteracy is ... an essential precondition for the meaningful participation of the masses in the process of political decision making and national reconstruction" in India.¹⁰

The 1995 World Development Report cites strong traditions of caste and social structure in India as a reason for inequalities between ethnic and social groups.

"Every seventh person in India — about two percent of the world's population — is a member of a scheduled caste. These lowest-caste individuals are born into families whose traditional occupations — scavenging, tanning leather, working in agriculture — yield little return to education or skill acquisition. Tradition also used to dictate that these families could not change their occupations ... This extreme labor market inflexibility provided few incentives for members of the lower castes to educate themselves."¹¹

Both the state and individuals seemingly feed into this system of oppression, keeping certain groups from gaining an education and progressing. The ideas of carrying out one's duty (*dharma*) and of having a certain "lot" in life that has been determined by actions in the past life (*karma*), hold strong in Indian society. People will tell stories like Ansari's, or quote from texts like the Bhagavad Gita, where Lord Krishna tells Arjuna that there is nothing worse than not performing one's *dharma*. Ansari's comments about "accepting God's gift" show how ideas of social hierarchy can lead to apathy or even resistance to changing that social structure.

Practical Implications

Even if the social and cultural barriers to mass education were removed, serious resource and enforcement considerations would remain, beyond question. First, education has to compete with every other social issue in the bag for its share of available resources. Public schools (which are not accessible to all rural inhabitants) in India suffer from disrepair and lack of attention or commitment. For compulsory education to be successful, schools would need to be overhauled and new ones built, teachers would need to be trained and educational materials made available. All this would take money — lots of it. According to some estimates, if compulsory education had been in existence in 1990, the budgetary requirements would have been Rs. 32 billion, an amount several times greater than the 1990 education budget.¹²

Second, free primary public education is a myth. Several individuals have told us that it is cheap to go through university education; it is getting through primary education that is difficult in terms of costs. Many village women have said that they pay between Rs. 1,000-Rs. 3,000 annually per child, *at a minimum*, for uniforms, books and other school supplies — a small fortune for a family whose annual earnings may be anywhere between Rs. 6,000-12,000.

Third, even if education were to be made compulsory and "free," how would poor families replace their children's income? Unless there were accompanying economic incentives, like subsidies to poor families, that made it economically viable for parents to send their children to school, parents would encourage children to leave school and children would feel a matching responsibility to do so. (As it is, 36 percent of children drop out of school by Class 5, while 50 percent drop out by Class 8.¹³) There is little aid for poor families, and certainly nothing like the welfare system in the U.S. or other countries. A 1985 book, *Child Labour: The Twice Exploited*, points out that "If the choice for the

8. 1995 World Development Report (World Bank: Washington, D.C., 1995).

9. Weiner, p. 95-96.

10. Weiner, p. 100.

11. WDR, p. 45

12. Weiner, p. 96.

13. Tilak, p. 280.

child is between school attendance and starvation, as it is the case for most of the working children, 'get them into the schools' becomes an empty slogan."¹⁴

Fourth, there is the issue of enforcement. If education were compulsory, who would enforce it? Currently, Government enforcement officials are the arms and legs of the state machinery, a machinery oiled to make things difficult — not easy — for people. The dearth of officers, combined with a sad but often true disinterest in enforcing the law unless there is monetary gain in it for them, makes it unlikely that they will end up being the implementers of compulsory education policy. Even with existing child-labor legislation, enforcement is proving a problem. The fines that exist for employers who are caught do not help—they average a mere Rs. 200 (\$7) per crime.

Finally, there is the critical question of education's worth. A dialogue about how to address the cultural, resource and implementation issues of compulsory education as a tool to eliminating child labor is predicated on the assumption that primary education is worthwhile. This is not, by any means, an uncontested view. There is a pervasive feeling that the primary education provided in the public school system is flawed, that it is largely irrelevant for the masses of urban children following a family trade or rural children who live in an agricultural society. Many parents feel that the traditional education system only alienates children from the land, and provides them with no certain alternative. The disillusionment people feel with the education system becomes even greater as unemployment rates of college graduates soar. Examples like Kerala's — where child labor has been essentially eliminated, literacy is high, but so are unemployment rates and suicides — only serve to add fuel to the fire.

It is eminently clear that the answer to child labor is far more complex than just legislating compulsory education. Traditional ideas of social hierarchy and consequent implications for acceptance of education for the masses by those in power, economic disincentives that keep parents from sending their children to school, resource constraints to make education high quality and accessible, enforcement limitations, and even doubt as to what type of education would be valuable—all these

factors create an obstacle path to successful prohibition of child labor through compulsory education.

The Role of the State in the Child Labor Debate

In India, child labor is being raised as a human-rights issue rather than as an economic or social issue, largely by foreign advocates rather than domestic policy makers. While in the beginning, domestic advocates felt that foreign governments and human-rights organizations were helping the cause, many now feel that foreign intervention has come dangerously close to a protectionist attitude. The bitterness toward foreign intervention, which is accused of being only in the form of immediate economic sanctions without corresponding assistance to work toward long-term change, is strongly expressed in the "Ten-Point Plan to Combat Child Labour," developed by Agnivesh's Bandhua Mukti Morcha (see box, page 10). BMM recognizes that the ultimate motivation for elimination of child labor must come from within, and must be accompanied by measures that address the roots of the problem.

Other countries that have successfully implemented some combination of anti-child-labor and compulsory-education legislation have rarely done it on the basis of human rights alone. For some countries, considerations of national power and religious control pushed governments to take action. Germany, for example, wanted to protect children from excessive hard labor that would "make them unfit to defend their country in an hour of danger" and to ensure a sufficient number of workers who were not "chained" to factories would be available for work in other sectors. In England and America, churches, which saw education and religion as closely intertwined, pushed for compulsory education for children, which led to an elimination of child labor. In America, anti-child-labor legislation was also helped by the major trade-union federation of America, which was concerned that child workers were displacing adults in the labor force. In Japan, education (which later led to child-labor prohibition) was used as a tool to "make the masses more moral and obedient" and eventually viewed as a necessity to achieve the overriding goal of competing with the West.¹⁵

The fact that, in India, child labor is being discussed only as a human-rights issue (pushed by outside

*NOTE: There is still much debate over whether families who send their children out to work are driven primarily by economic reasons. A 1979 International Labour Organization study found that 64% of families had working children because of economic reasons — because parents need assistance in household economic activity (33%), because of poverty (23%), or because they needed to earn their own living (8%). However, a recent (and much smaller) study of child labor in the Benaras sari industry revealed that although "the stock reply of the parents was that they could not afford to give education to their children due to financial difficulties," this was not the whole truth. The study found that only 45% of children interviewed were working because of poverty or economic reasons, while 43% of children worked because their parents wanted them to work. This study concludes that a primary reason for children working is the mindset of the parents that formal education will do no good, and that learning a trade is better than going to school. [Prof. R.K. Misra, "Preliminary Report on the Child Labour in the Saree Industry of Varanasi," BHU, Varanasi, 1995.]

14. B.N. Joyal, Sudarshan Kumari, L.M. Chandola, *Child Labour: The Twice Exploited* (Gandhian Institute of Studies, Varanasi), p. 161.

15. Weiner, pp. 129-149.

Excerpts From Bandhua Mukti Morcha's Ten-Point Plan to Combat Child Labour

...The proposed social clauses by the World Trade Organization clearly stand for protectionism. We of the BMM who have been fighting against the scourge of bonded labour and child labour in our country for more than 15 years are now facing a dilemma. For a while, we were happy basking in the solidarity expressed by some Western Human Rights NGOs. We enjoyed their partnership in building an international campaign. But soon we realised that we were being led up the garden path.

The powerful Western governments hijacked this issue and without any commitment to change the social and economic structure in countries like India, they started introducing legislation seeking a ban on products made by child labour...

We regard the move of these Western countries as a clear case of motivated selective use of human rights regime. These very powerful Western countries have been resisting the UN mandate to give 0.7% of their GDP as Official Development Assistance to the Third World countries for the last 20 years...

In our humble opinion while India should lead the Third World countries in the fight against neo-colonialism and neo-protectionism, we the human rights activities and other NGOs and political parties and trade unions, religious and social leaders should close our ranks and wage a time-targeted war against the abominable practice of bonded labour and child labour in India. We suggest:

Combating Child Labour System Through Education

1. We recognise and welcome the World Summit on Social Development's call for the elimination of child labour and for setting of time targets for such elimination.
2. We draw attention to the special plight of children who are bonded labourers. We call for immediate measures to liberate these children from slavery; children who are being denied their fundamental right to education...
3. We urge the Government of India to commit itself to eliminate all such labour by children aged up to six years by 1966, of all children aged up to eight years by 1997, of all children aged up to ten years by 1998, of all children aged up to twelve by 1999 and up to fourteen by the year 2000.
4. ...We call for immediate provision of education and social services as a national priority. We urge the government to commit itself to universalisation of free and compulsory elementary education for all children up to the age of 14 with training in productive skills...Successive governments since 1950 have been found criminally callous and negligent in carrying out [the constitutional mandate enshrined in Articles 21, 39 and 45].
5. Any pretence of non-formal education for two hours or so has the danger of only legitimising the child labour system. We should, instead, integrate the skills a child is learning as part of family labour or otherwise alongside his or her full time schooling into the formal education system...For effective implementation, a task force of committed NGOs and bureaucrats should be constituted in all States.
6. In order to attract all child labour to such schools and to guard against drop-outs, a Food for Education Scheme should be launched with at least one kg. of rice or wheat to every child for every day of schooling...

Combating Bonded Labour System Through National Minimum Wage.

1. Our country should have a statutory National Minimum Wage (a living wage) equal at least to the first-day wage of the lowest paid government employee...
2. State governments must guarantee all citizens employment at the National Minimum Wage for at least 200 days in a year on productive infrastructure building projects.
3. While computing the cost of production of farm produce such as wheat, paddy, sugarcane, cotton, etc. the government should calculate National Minimum Wage as the basis for all human labour...
4. All means of mass communication...should disseminate all aspects of NMW in all languages and dialects on a regular basis and entertainingly through folk art and music. This will empower the voiceless and unorganised labour to galvanise and unionise themselves and fight for a rightful place in society.

From: *Mainstream*, July 1, 1995, p. 23-24.

बचपन बचाओ आन्दोलन

क्या ? क्यों ? कैसे ?



The cover of a pamphlet to raise awareness about child labor.

players and lonely domestic advocates who do not wield political power) weakens the prospects for success for significant action on the issue. Trade unions are not key movers in pushing for change; some say because the trade-union members have children working themselves, and others because trade-union membership in India is weak, with less than 10 percent of

the labor force participating in unions.¹⁶ There is also no cause for worry on the government's part that there will be insufficient numbers of recruits for the military. Finally, mass control through education has never been an aim of an Indian political party or religious group (though perhaps the Bharatiya Janata Party — the extremist Hindu party — would be interested in such

16. World Development Report, p. 84.

an idea). In fact, as previously mentioned, compulsory education for all could be *against* the interests of key officials in positions of power who believe in maintaining long-standing divisions of class, caste and social order that promote inequality between rich and poor. In India, the goal appears to be control of the masses — in an antithetical approach to that of the Church in England or the Communist Party in China — through the absence, rather than provision, of education.

The gap in the state's commitment, combined with foreign funds available through international human rights organizations that want to raise awareness of the child labor issue, have created a recent flood of newly-formed NGOs in the last decade. Their results?

According to Priyanka Upadhyaya, a Professor of Political Science at Benaras Hindu University and a member of the University's Human Rights Cell, which organized a forum on child labor last year, "If the purpose of NGOs is to generate awareness, then they have not been entirely unsuccessful. But NGOs usually take on this issue in the form of emotional melodrama; the real question is how will that spread further?"

Anju Sharan, another BHU Professor, adds that many NGOs are just "shams" that have been formed to take advantage of the availability of foreign funds. Some, she says, are genuinely committed, but even then they have been able to accomplish only a little. Swami Agnivesh, whose NGO is one of the most successful, himself concurred in an interview with *Mainstream* magazine that the role of NGOs is limited.

NGO successes have been further marred by reports that "rehabilitated" children put into underfunded schools left after a short period of time to return to work. Other reports say that the government-funded carpet-production centers that were created for displaced carpet-industry child labor are actually managed by Master Weavers (the ones who used to hire the child labor) under the shell of a non-profit organization. The training centers are not monitored by the government, and thus end up being simply another exploitative situation, this time subsidized by the government.

Professor Upadhyaya believes that for real change to occur, child labor must find its way into the political agenda of a dominant party. However, Upadhyaya sees little hope for this, primarily because children do not constitute a vote bank. He distinguishes the child-labor plank from that of women's issues, which in the past decade has made its way into the central platform of every political party. Since women constitute a significant political constituency, women's activists were able to use this as a lever to interest politicians and policy makers. The child labor issue, in contrast, is conspicuously missing from all party planks.

Even those laws that do exist to regulate child labor

are not being enforced. Upadhyaya believes this is due to a fundamental problem of the relationship between society and state. State mediation is essential to enact laws, he argues, but "the Indian state has become increasingly weak in its influence over grass roots people, and therefore increasingly repressive." People's distrust of the state is largely due to the societal corrosion of values that has led to the state being viewed as corrupt, manipulative and intimidating. In banning child labor, then, first the state would have to be made strong in a positive, enforcement sense. If not, a ban could be easily manipulated to create more problems for those it is trying to serve.

Child Labour: The Twice Exploited concurs:

"Given the structural conditions for the persistent existence — indeed rise — of child labour, any legislative action to forcefully ban child labour is bound to fail. At best, it will be a sentimental sop to the occasionally outraged liberal conscience but it does not matter much for the travails of the 'unfortunate, future citizens.' In real terms, it may only aggravate the problem of bureaucratic corruption and harassment of the victims of the system through the enforcement."¹⁷

The Search for Alternatives

The debate about child labor ultimately is boiled down by most people to the fundamental question of whether child labor is a cause of poverty, or poverty a cause of child labor. Those who believe the former use it to insist that there should be a complete ban on child labor, and that education should be compulsory. Those who believe the latter argue that one must tackle the root of the problem — poverty — before addressing the "symptoms," of which child labor is one.

To me, it appears both questions omit the critical issue of whether child labor continues because of a lack of commitment on the part of policy makers and other powerful individuals to change the practice. Equally important, on the causes of child labor, both sides try to paint the issue in black and white without recognizing shades of gray. We cannot wait for poverty to end before addressing child labor, but at the same time, it is repressive and punitive to ban child labor without providing alternatives to children and their families, without improving the quality and accessibility of education.

A ban on child labor would probably cause some small groups of people to refrain from hiring children because it would be illegal. In other words, to some degree, legislation would remove some of the gray for people like me who are making a subjective decision (either in the best interests of the child, or in personal interest) about whether or not to hire a child. For those who continue to exploit children in spite of existing legislation (which remains unenforced), the only thing a ban might do is show them that there is some commitment from the government toward ending child labor. With-

17. Joyal, Kumari, Chandola, p. 160.

out enforcement, however, this effect lasts for only a short time before becoming a laughing matter.

At the same time, a complete ban on child labor is sure to fail if there is no simultaneous provision of economic incentives for children *not* to work or no attempts to change the mindset of parents towards the value of education. A ban without these accompanying elements would ultimately end up being a largely elitist, moralistic position that hurts those that it is trying to help.

International calls for a child-labor ban have certainly served an important — but clearly limited — purpose. As the 1995 World Development Report stated, “The role of national legislation and international conventions banning child labor have symbolic value as an expression of societal desire to eradicate this practice. But they cannot deliver results unless accompanied by measures to shift the balance of incentives away from child labor and toward education.”¹⁸

To the extent that products have international markets, international activists may succeed in creating an economic threat that pushes the Indian government to action. However, their effect is limited to just these markets, and it is doubtful that the economic impact of such bans would be sufficient to create a sweeping overhaul of existing policies towards child labor.

The government must be committed to eradicating child labor in a sustainable manner. To this end, it should recommit itself to the *goal* of universal education, and then back up this commitment with increased resources to improve the quality and accessibility of education. If the state disowns the vision of a minimum education for all its people, who else can take it on? Because it is more likely that uneducated parents (or those involved in a traditional trade) may not see the value of education, it becomes incumbent on the government to try to improve education, make it more suitable to the lives of the poor, and gain the confidence of people that education in the right form is ultimately an asset for their children. At the same time, the poverty that forces parents to send children to work must be addressed.

There are precedents that have worked for bringing

together a ban on child labor and compulsory education. Indonesia, for example, established a type of welfare system, where along with free compulsory education, families were given subsidies from the government to lift their incomes to a basic standard of living. The idea of providing each displaced child with a “replacement income,” as has been done by BMM and other NGOs in India, is also viable although the amount of the income needs to be increased to provide sufficient incentive for families and children to stay out of child labor. Strengthening trade unions that could fight for minimum-wage increases and enforcement could also help to ensure that adults who are working earn more.

Ironically, it may be that finally technology and mechanization is one major factor in shifting the balance of incentives away from child labor. Although I have argued in past articles that technology sometimes changes societies in ways that are not for the better, if it becomes cheaper and more efficient than current child workers, it may eventually replace those workers. (Many believe that instituting anti-child-labor legislation actually contributes to speeding up modernization, as businesses are forced to find ways to reduce production costs through mechanization.) This is happening to some extent with power looms over handlooms in the sari and carpet industry, but again, it is a double-edged sword that may ultimately put greater numbers of people out of work.

Change is dependent on those in power becoming committed to the abolition of child labor, and resolution of the contradictions between the rights of a child to meaningful participation in society, and the responsibilities of the individual to his/her own well-being and that of the family. Is this realistic? Given India’s social and structural traditions, its rampant poverty and its lack of political investment in the child-labor issue, the path to this commitment seems painfully long. In the meantime, people like Meera and Ritu are likely to continue the cycle by keeping their own children uneducated and sending them to work.

I have no answers, only more questions that highlight all the shades of gray. □

18. World Development Report, p. 72-3.



Current Fellows & Their Activities

Hisham Ahmed. Born blind in the Palestinian Dheisheh Refugee Camp near Bethlehem, Hisham finished his A-levels with the fifth highest score out of 13,000 students throughout Israel. He received a B.A. in political science on a scholarship from Illinois State University and his M.A. and Ph.D. from the University of California in Santa Barbara. Back in East Jerusalem and still blind, Hisham plans to gather oral histories from a broad selection of Palestinians to produce a "Portrait of Palestine" at this crucial point in Middle Eastern history. [MIDEAST/N. AFRICA]

Adam Albion. A former research associate at the Institute for EastWest Studies at Prague in the Czech Republic, Adam is spending two years studying and writing about Turkey's regional role and growing importance as an actor in the Balkans, the Middle East and the former Soviet bloc. A Harvard graduate (1988; History), Adam has completed the first year of a two-year M. Litt. degree in Russian/East European history and languages at Oxford University. [EUROPE/RUSSIA]

Cynthia Caron. With a Masters degree in Forest Science from the Yale School of Forestry and Environment, Cynthia is spending two years in South Asia as ICWA's first John Miller Musser Memorial Forest & Society Fellow. She is studying and writing about the impact of forest-preservation projects on the lives (and land-tenure) of indigenous peoples and local farmers who live on their fringes. Her fellowship includes stays in Bhutan, India and Sri Lanka. [SOUTH ASIA/Forest & Society]

William F. Foote. Formerly a financial analyst with Lehman Brothers' Emerging Markets Group, Willy Foote is examining the economic substructure of Mexico and the impact of free-market reforms on Mexico's people, society and politics. Willy holds a Bachelor's degree from Yale University (history), a Master's from the London School of Economics (Development Economics; Latin America) and studied Basque history in San Sebastian, Spain. He carried out intensive Spanish-language studies in Guatemala in 1990 and then worked as a copy editor and Reporter for the Buenos Aires Herald from 1990 to 1992. [THE AMERICAS]

Sharon Griffin. A feature writer and contributing columnist on African affairs at the *San Diego Union-Tribune*, Sharon is spending two years in southern Africa studying Zulu and the Kwa-Zulu kingdom and writing about the role of nongovernmental organizations as fulfillment centers for national needs in developing countries where governments are still feeling their way toward effective administration. She plans to travel and live in Namibia and Zimbabwe as well as South Africa. [sub-SAHARA]

John Harris. A would-be lawyer with an undergraduate degree in History from the University of Chicago, John reverted to international studies after a year of internship in the product-liability department of a Chicago law firm and took two years of postgraduate Russian at the University of Washington in Seattle. Based in Moscow during his fellowship, John is studying and writing about Russia's nascent political parties as they begin the difficult transition from identities based on the personalities of their leaders to positions based on national and international issues. [EUROPE/RUSSIA]

Pramila Jayapal. Born in India, Pramila left when she was four and went through primary and secondary education in Indonesia. She graduated from Georgetown University in 1986 and won an M.B.A. from the Kellogg School of Management in Evanston, Illinois in 1990. She has worked as a corporate analyst for PaineWebber and an accounts manager for the world's leading producer of cardiac defibrillators, but most recently managed a \$7 million developing-country revolving-loan fund for the Program for Appropriate Technology in Health (PATH) in Seattle. Pramila is spending two years in India tracing her roots and studying social issues involving religion, the status of women, population and AIDS. [SOUTH ASIA]

Teresa C. Yates. A former member of the American Civil Liberties Union's national task force on the workplace, Teresa is spending two years in South Africa observing and reporting on the efforts of the Mandela government to reform the national land-tenure system. A Vassar graduate with a *juris doctor* from the University of Cincinnati College of Law, Teresa had an internship at the Centre for Applied Legal Studies in Johannesburg in 1991 and 1992, studying the feasibility of including social and economic rights in the new South African constitution. While with the ACLU, she also conducted a Seminar on Women in the Law at Fordham Law School in New York. [sub-SAHARA]