

Child Labour-Issues and Concerns

Dr. Manjyot Kaur

*Assistant Professor in History,
G. H. G. Institute of Law for Women,
Sidhwan Khurd, Ludhiana
manjyotsidhu@gmail.com*

Abstract

Child labor has been a pervasive problem throughout the world' and especially in developing countries, because it affects the children both mentally and physically and it also destroys the future of the children. Africa and Asia together account for over 90% of total child employment. Child labor is especially prevalent in rural areas where the capacity to enforce minimum age requirements for schooling and work is lacking. Children work for variety of reasons, the most important being poverty and the induced pressure upon them to escape this plight. Though children are not well paid, they still serve as major contributors to the family income in developing countries. Schooling problems also contribute to it, whether it be the inaccessibility of schools or lack of quality education which spurs parents to enter their children in more profitable pursuits. Traditional factors such as rigid cultural and social roles in certain countries further limit educational attainment and increase in it. There are many laws enacted to prohibit it but are ineffective. According to 2017 statics India is one of the leading countries in Asia which has a whopping 33 million children employed in various forms of labor.

Working children are the objects of extreme exploitation in terms of toiling for long hours for minimal pay. Their work conditions are especially severe, often not providing the stimulation for proper physical and mental development. Many of these children endure lives of pure deprivation. However, there are problems with the intuitive solution of immediately abolishing child labor to prevent such abuse. First, there is no international agreement defining child labor, making it hard to isolate cases of abuse, let alone abolish them. Second, many children may have to work in order to attend school so abolishing child labor may only hinder their education. Any plan of abolishment depends on schooling. The state could help by making it worthwhile for a child to attend school, whether it be by providing students with nutritional supplements or increasing the quality and usefulness of obtaining an education. There must be an economic change in the condition of a struggling family to free a child from the responsibility of working. Family subsidies can help provide this support.

Definitions of Child Labor:

In simple words it can be described as follows-

- (i). Children who are engaged in work unsuitable for their capacities as children or in work that may jeopardize their health, education or moral development and whose age is below 14 years. Children who practice and engage in economic activities, on a part or full-time basis.
- (ii). The practice deprives children of their childhood and is harmful to their physical and mental development and
- (iii). Child laborers constitute a group of working children who are either too young to work or are engaged in hazardous activities- that is, work that is potentially harmful to their physical, social, psychological or educational development, UNICEF (2013).

India and World Scenario:

The global estimates indicate that 152 million children – 64 million girls and 88 million boys – are in child labor globally, accounting for almost one in ten of all children worldwide. 71% of children in child labor work in the agricultural sector and 69% perform unpaid work within their own family unit.

Nearly half of those entire in child labor – 73 million children in absolute terms safety, and moral development.

– are in hazardous work that directly endangers their health,

Children in employment, a broader measure comprising both child labor and employment of children above the legal working age, number 218 million.

Children in forced labor, the worst form of child labor that is estimated using a separate methodology, number 4.3 million. ILO (2017).

According to Global childhood report 2019; 4.4 million fewer child deaths per year, 49 million fewer stunted children, 115 million fewer children out of school, 94 million fewer child laborers, 11 million fewer married girls, 3 million fewer teen births per year, 12,000 fewer child homicides per year.

According to census 2011, there were 255 million economically active children in the age group of 5-14 years. In India, the extent of child labor is not as large as in Turkey, Thailand, Bangladesh, Brazil, Pakistan, Indonesia, Mexico, and Egypt.

It is estimated around 5.2 percent of the total labor force in India as against 27.3% in Turkey, 20.7% in Thailand, 19.5% in Bangladesh, 18.8 % in Brazil, 16.6 % in Pakistan, 12.4 % in Indonesia, 11.5% in Mexico and 8.2 % in Egypt. However, in Sri Lanka, child labor accounts for only 4.4 % of the total labor force. Even the workforce participation rate of children in the age group 10-14 years in India (10.4%) is less than Bangladesh (33.3 %), Nepal (22 %) and Pakistan (11.6 %), but greater than Indonesia (8%) and Sri Lanka (1.8%).

One in every eleven children in India works to earn a living, India's 2011 census revealed that more than 10.2 million 14 years- 5.6 million boys and 4.5 million girls are working to earn a living. Eight million children were working in rural areas, and 2 million in urban areas. Although in rural areas settings the number of child workers reduced from 11 million to 8 million between the 2001 and 2011 census, over the same period, the number of children working urban settings rose from 1.3 million to 2 million “economically active” children in the age group of five to

Forms of Child Labor:

The worst forms of child labor are slavery and similar issues such as the trafficking of children, debt bondage, serfdom, children in armed conflict. Slavery is where one person is owned by and made to work for another person without having any say over what happened to them. In factories like carpet-making, lock-making, brassware, export-oriented garment units, gem polishing export industry, leather units and, diamond industry, etc. prostitution, child pornography, etc. and also in terrorist activities.

- In Shops and small scale vendors
- In Household
- In farms
- In mines (Labour)
- Near furnaces, welding, hazardous materials
- Children engaged in illegal activities smuggling,
- Begging (more common in India) ILO (2017).

Causes of Child Labor:

1. The curse of poverty: The main reason for child labor in India is poverty. Most of the country's population suffers from poverty. Due to poverty, parents cannot afford the studies of their children and make them earn their wages from a tender age. In fact, they are well aware of the grief of losing their loved ones to poverty many times. They send their small children to work in factories, homes, and shops. They are made to work to increase the income of their poor families at the earliest. These decisions are taken only for the purpose of eking out a living for their family. But such decisions shatter children's physical and mental state as they lose their childhood at an early age.
2. Lack of educational resources: Even after 72 years of our country's independence, there are instances where children are deprived of their fundamental right to education. There are thousands of villages in our country where there are no proper facilities for education. And if there is any, it is miles away. Such administrative laxity is also responsible for child labor in India. The worst sufferers are the poor families for whom getting their children educated is a dream. Sometimes the lack of affordable school for the education of poor children leaves them illiterate and helpless. Children are forced to live without studying. And sometimes such compulsions push them into the trap of child labor in India.
3. Social and economic backwardness: Social and economic backwardness is also the main reason for child labor in India. Socially backward parents do not send their children to receive an education. Consequently, their children are trapped in child labor. Due to illiteracy, many times parents are not aware of various information and schemes for child education. Lack of education, illiteracy and consequently the lack of awareness of their rights among them have encouraged child labor. Also, uneducated parents do not know about the impact of child labor on their children. The conditions of poverty and unemployment give rural families a compulsive basis for engaging children in various

tasks. In fact, feudal, zamindari system and its existing remnants continue to perpetuate the problem of child labor in India.

4. **Addiction, disease or disability:** In many families, due to alcohol addiction, disease or disability, there is no earning, and the child's wages are the sole means of family's sustenance. Population growth is also increasing unemployment, which has an adverse impact on child labor prevention. So, parents, instead of sending their children to school, are willing to send them to work to increase family income.
5. **The lure of cheap labor:** In the greed of cheap labor, some shopkeepers, companies and factory owners employ children so that they have to pay less to them and it amounts to employing cheap labor. Shopkeepers and small businessmen make children work as much as they do to the elder ones but pay half the wages. In the case of child labor, there is less chance for theft, greed or misappropriation of money too. With the development of globalization, privatization, and consumerist culture, the need for cheap labor and its linkage with the economic needs of poor families have encouraged child labor in India.
6. **Family tradition:** It is a shocking but bitter truth that in our society it is very easy to give child labor the name of tradition or custom in many families. The cultural and traditional family values play their role in increasing the problem of child labor in India at the voluntary level. Many families believe that a good life is not their destiny, and the age-old tradition of labor is the only source of their earning and livelihood. Small businessmen also waste the lives of their children in the greediness of perpetuating their family trade with lower production costs. Some families also believe that working from childhood onwards will make their children more diligent and worldly-wise in terms of future life. They believe that early employment will give rise to their for them to plan their life ahead.
7. **Discrimination between boys and girls:** We have been conditioned into believing that girls are weaker and there is no equality between the two genders. Even today, we find many examples of such kind. Considering girls weaker than the boys the society deprives them from school and education. In laborer families, girls are found to be engaged in labor with parents instead of getting education.

Various Laws against Child Labor:

1. The child labor prohibition Act 1986 bans the employment of children below the age of 14 in many professions, such as domestic labor, and in the hospitality trade for example in roadside dhabas (restaurants), restaurants, hotels, motels, and spas. It does not ban child labor in agriculture.
2. The Right to Education Act 2009 ensures all children 6-14 years have the right to free and compulsory education.
3. The Indian Constitution ensures the right of all children 6-14 years to free and compulsory education; prohibits forced labor; prohibits the employment of children

below 14 years in hazardous occupations; and promotes policies protecting children from exploitation.

4. Whoever employs a child or permits a child to work is punishable with imprisonment from three months to one year or with fine no less than INR 10,000–20,000 rupees or with both.
5. The Juvenile Justice (Care and Protection of Children) Act 2000 defines a child as being below 18 years of age. Under the Convention on the Rights of the Child (CRC), ratified by India in 1992, all children have the right to be protected from work that is dangerous, or that might harm children's health or education.

Solutions to Stop Child Labor:

- **Laws:** Bringing in laws that makes it illegal for children to work until they reach a certain age makes it much easier to combat a culture of child labor. They also provide a framework and a set of prerogatives which mean that anyone who wants to challenge child labor has the official backing of the government.
- **Reduce poverty:** Poverty is a key reason for the existence of child labor. When a family lives in poverty, they may very often end up sending their children out to work at a young age – even if everyone else in the family is working as well, when wages are very low, additional child labor may be needed to support the whole family.
- **Education:** Studies show time and time again that providing free and good quality education to all children around the world helps to reduce the incidence of child labor.
- **Ethical consumerism:** By spending their money wisely or in advisedly, consumers can help to halt or can (often inadvertently) support child labor.
- **Look after your employees:** If you run a company, make sure to set a good example in terms of how you treat your employees. Do not just adhere to the minimum legal requirements for fair labor, but go beyond them, ensuring that everyone who works for you is taken great care of.
- **Be alert, and ready to act:** Keep your eyes open and if you see any examples of child labor occurring do not be afraid to report them. If you have spare time, you could also train to work on a helpline, giving advice and support to children dealing with a variety of problems – including child labor.
- **Donate to charities:** Donate your money to charities that help children to escape the trap of child labor. Donate, too, to charities that work to end poverty and lack of education more generally because these are two factors that contribute especially heavily to conditions in which child labor can flourish.

References:

- B. Suresh Lal, :Child Labour in India: an investigation in socioeconomic and health conditions of tribes, Proceedings of The IRES International Conference, Cape Town, South Africa, 24th-25th March 2019, <https://www.researchgate.net/publication/331562507>
- B. Suresh Lal, (2015): Socio-Economic and Health Issues of Banjaras in the Era of Globalization: A Study in Telangana Tribal Villages, International Journal of Physical and Social Sciences (IJPSS), Vol-5, Issue-6, June, ISSN: 2249-5894, pp 195-211. <https://www.researchgate.net/publication/277534999>
- Census of India, (2011); Census Report 201, Government of India.
- Lal B.Suresh, (2006a): Health Status and Health Practices among the Tribal's: A Case Study in AP, Journal of Social Anthropology, vol-3, No.2 Dec, Serials, New Delhi. P.no.233-239,
- Lal B. Suresh & B. Bichu, (2016): Child Labour in India: Issues and Challenges, in Public Health Environment and Social Issues in India (et al.) B. Suresh Lal, Serials Publication, New Delhi.
- Lal B. Suresh, (2015a): Child Marriage in India: Factors and Problems, International Journal of Science and Research (IJSR), Volume-4, Issue-4, April.
- Save the Children, (2018): The Many Faces of Exclusion: End of Childhood Report 2018, USA. www.savethechildren.org
- Savethe Children, (2019): Changing Lives in our Lifetime: Global Childhood Report-2019, USA. www.savethechildren.org
- United Nations Children's Fund (UNICEF), (2013):
- Impact of Unpaid Household Services on the Measurement of Child Labour, Statistics and Monitoring Section, Division of Policy and Strategy, October.
- Faraaz Siddiqi and Harry Anthony Patrinos, Child labour: issues, causes and interventions, [Researchgate.net](https://www.researchgate.net)
- Kabinsha, Child Labor in India- legalserviceindia.com