

# Child Labor/Slavery as an Industry

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**Abstract**—To poets, writers, and artists childhood emblemizes feelings analogous with happiness, euphoria, innocence, joviality, merriment, chastity and what not. Children are generally set side by side with brightness of sun, restlessness of waves of ocean, freshness of a flower, but parallel to this bright world, lays a world full of children shackled into the conundrum called Child Labor. Child Labor is categorized as a heinous crime towards humanity, whereby children are employed in agriculture, factories, shops, companies, domestic helpers, industries, business, etc. especially in illegal and exploitative circumstances. Despite the fact that it is aforesaid as to be illegal by countries and welfare organizations, its caliginous penumbra is still looming large over the society, stunting its growth and fabricating a bleak, desolated, and austere future of innocent children, stripped off of all basic amenities and exposed to abomination and barbarity of a darker society. Getting down to brass tacks, children generally opt for this practice, in order to cast aside their and their family's impoverished conditions. Informal economies, unemployment, poverty, lack of awareness and dismal education facilities have widely advanced this issue. Various initiatives against Child Labor has been taken by the government and non- governmental organization in the form of committees, laws, project such as "The Mines Act of 1952", "The Gurupadswamy Committee formed in 1979", "The Child and Adolescent Labor Act of 1986", "A National Policy on Child Labor formulated in 1987", and many NGOs like "Bachpan Bachao Andolan, Child Fund, CARE India, Child Rights and You etc. have been introduced and are been working to eradicate this social, ethical and moral issue but have they reaped a solution? According to UN report India has the world's largest youth population but coexistent to this fact is the reality of these underprivileged kids in straitened circumstances struggling to make ends meet. Isn't the future of a child responsibility of the whole society? Is it ethically correct to allow these innocent souls to succumb to their circumstances? Can there be a positive side to this dark issue? What are some myths or misunderstandings associated with child labor? Which age group is most affected? Aren't these child laborers stand exposed to psychological suffering? Can there be a permanent solution to this problem? What contribution can a citizen provide in tackling this issue? This study would focus on making emphatic and intemperate appetite for unravelment of this conundrum by deriving appropriate standards by conducting a survey at Kamla Nagar Market, so that this problem could be viewed in depth, and moreover contemplating upon the issue from all aspect social, ethical and moral. Child Labor is devouring our society and there is an urgent need to ponder upon this issue to pave the way for advancement of a bright future.

**Keywords:** Child labor, The Mines Act (1952), The Gurupadswamy Committee (1979), The Child and Adolescent Labor Act (1986), A National Policy on Child Labor (1987), Bachpan Bachao Andolan,

Child Fund, CARE India, Child Rights and You, Interaction Labor Organization, Psychological Suffering, Hazardous Occupations, Kamla Nagar Market.

## 1. BACKGROUND

Child labor has been in existence since late 17<sup>th</sup> or early 18<sup>th</sup> century. Factories began to establish everywhere, first in England and then in United States and a new source of labor to run the machines were discovered by the factory owners i.e. children, hence giving rise to child labor. Moreover, to hire a child as a laborer was more cheaper than hiring an adult, which in turn accelerated the major problem of child labor by the mid of 18<sup>th</sup> century. Factory work was hard and required a child to work 12-18 hours a day, 6 days a week, to earn a nominal amount of money. And the workplaces were often dark, dingy, damp and dirty. Apart from factories, child laborers were also hired to work in coalmines, underground which affected their health very badly. Not only was this, but the treatment, those children received even worst. Church and labor groups, teachers, and many other people were outraged by such cruelty.

Britain was first to pass laws regarding child labor. From 1802-1878, a series of laws gradually shortened the working hours, improved the conditions, and rose the age at which children could work. Other European countries adopted similar laws. However, in United States it took many years to outlaw child labor. Many efforts were made to pass a national child labor law. Then in 1938, Congress passed the Fair Standards Act. It fixed minimum ages for work during school hours, certain jobs and for dangerous work. But some kinds of work are not regulated. Children of migrant workers, for instance, have no legal protection. Starting in 1999, over 160 countries approved an International Labor Organization (ILO) agreement to end the worst forms of child labor. ILO is a part of United Nations and the agreement came into effect in the year 2000. The ILO also runs the world's largest program to help countries eliminate child labor.

## 2. INTRODUCTION

Child labor is the practice of having children engages in economic activity, on part or full time basis. The practice snatches away their childhood, and is baleful to their physical

and mental development. Poverty, lack of good schools and growth of informal economy are considered as some of the important causes of child labor in India. UNICEF estimates that India with its larger population has the highest number of laborers in the world less than 14 years of age, while sub-Saharan African countries have the highest percentage of children who are deployed as child labor. UNICEF defines child labor distinctly. A child, suggests UNICEF, is involved in child labor activities if between 5 and 11 years of age, he or she did at least one hour of economic activity or at least 28 hours of domestic work in a week, and in case of children between 12 and 14 years of age, he or she did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week. UNICEF in another report suggests, "Children's work needs to be seen as happening along a continuum, with destructive or exploitative work at one end and beneficial work – promoting or enhancing children's development without interfering with their schooling, recreation and rest – at the other. And between these two poles are vast areas of work that need not negatively affect a child's development." [Reference: UNICEF].

### 3. CHILD LABOR VS. CHILD WORK

Undoubtedly, child labor is one of the major social evil, which needs to be eradicated from our nation, not only from our nation but its eradication on a global level is equally important. But as we go further, it is necessary here to articulate the difference between two similar but not the same concepts i.e. 'child labor and child work'. Mainly we have a misconception regarding child labor that any kind of work in which a child is involved is child labor. But this is certainly not the case; child labor should be distinguished from child work even laws make such a distinction.

The term 'child labor' is often defined, as work that deprives children of their childhood, their dignity, which hinders their mental, physical, social, psychological and moral development, it moreover deprives of their opportunity to attend the school, and if not then it requires to manage both school studies along with excessively long and heavy working hours that is in violation of country's laws regarding minimum age, working hours and kind of work. Often it takes extreme forms like child slavery, debt bondage, child trafficking etc.

On the other hand 'child work' means a positive participation of children in an economic activity, which is not harmful to their mental or physical health. It is a beneficial work, which strengthens the child overall development, make them more aware and responsible citizen, develop their creative working skills and doesn't hinder with their normal activities like going to school, resting or leisure activities. Child work can be helping one's parents around the home, assisting in a family business or earning pocket money outside school hours or during holidays. It's works for the welfare of both, the children and their families, and however helps to prepare children to be productive members of society during their

adult life, as experience always helps in becoming a good person.

### 4. CAUSES

Child labor lingers albeit strict laws and standards to eliminate it eke out an existence. The formidable majority of the worst forms of child labor involve hazardous work that need urgent action towards it in order to grapple with the situation, in which many little souls are succumbing their childhood. There are many causes leading to proliferation of this draconian issue.

- **Socio-economic disparity:** The condition or fact of being unequal, as in age, rank or degree in respect to social and economic factors play a major role in advancing the issue.
- **Poverty:** The intensified poverty and the need for hunger, clothing and shelter intends to metastasize and plays ones thought in such a way that discernment whether their steps would be right or wrong goes evanesces.
- **Government's lack of responsibility:** Although there are rules, laws and various steps are being taken in order to cater this issue but when it comes to execution/implementation, government's passiveness and lack of phlegm and determination becomes evident.
- **Illiteracy:** In 2006, approximately 45% of children were not in school, limiting future opportunities for the children and their communities. Illiterate parents and guardians fail to realize that only by educating their child they can bring about a change.
- **Unemployment:** If guardians fail to get a job, they force their children to induce into child labor because in most cases it is being observed that factory owners and other petty shop owners prefer child as they can mould a child into whichever framework they want as children fail to go against them and hence no problem would be created as such for owners.
- **Orphans:** Orphans or children without any one who could look after them, nurture them, and provide them with love, care and basic facilities find themselves engulfed into a conundrum which forces them to ultimately opt for working.

There are many more other factors also such as urbanization, over population, lack of free facilities, violation of existing laws etc that intensifies this issue.

### 5. LEGAL AND CONSTITUTIONAL SCENARIO

**5.1 In India there are many Laws enacted to protect the rights of children, they are as follows:**

- The Factories Act, 1948.
- The Mines Act, 1952.

- The Bonded Labor System (Abolition) Act, 1976.
- The Child Labor Act, 1986.

**5.2 Constitutional provisions:**

- **Article-21(A):** Provision of free and compulsory education of children of the age of six to fourteen years (86th Constitutional Amendment Act, 2002).
- **Article-23:** Prohibition of traffic in human beings and forced labor.
- **Article 24:** strictly prohibits children to work in hazardous environment.
- **Article 39:** declares the duty of the State to provide the children a free education and facilities to develop in a healthy manner and in conditions of freedom and dignity.
- **Article-45:** Provision of early childhood care and education for children until the age of six years (86th Constitutional Amendment Act-2002)
- **Article-51-A(k) :** Fundamental duties of parent or guardian to provide opportunities for education of children between the age of six and fourteen years.

**5.3 Government initiative to eradicate child labor**

Many states including Haryana have constituted the child labor rehabilitation–cum-welfare funds at district level and separate labor cells are also being formed to address this issue. National child labor projects have been implemented by the central government in states from 1988, to provide non-formal education and pre-vocational skills. From 2001, “Sarve Shiksha Abhiyan” has been launched to educate poor and employed children in all states. Ministry of women and child development has been providing non-formal education and vocational training. Establishment of “Anganwadies” was also a big step and great initiative by the government for the welfare of children and for their physical, mental and educational development.

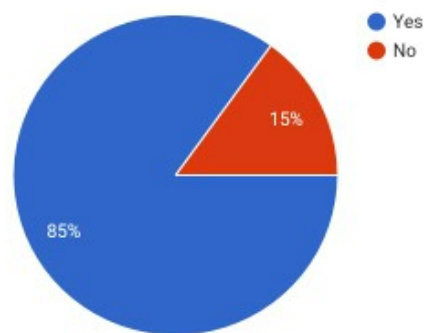
Besides, a plethora of laws, constitutional provisions and government initiatives, the incidence of child labor continues to remain high in our country, particularly in rural and tribal areas. The problem is that the Indian laws regarding child labor are violated and child labor is common in Indian industry.

**6. DATA ANALYSIS ON THE BASIS OF A SURVEY**

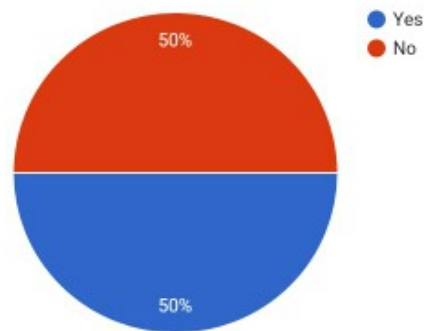
This study have also conducted a survey in this direction by interacting with few child laborers roaming around in busy streets of Kamla Nagar, what was noticed specifically was that it seemed that they generally enjoyed their work, which consist of selling small stationary items or begging around or just working as helpers at different shops but when survey was conducted, it was found that there were some circumstantial

reasons that enforced them to take up such jobs. The most astonishing point, which came across through survey, was that 85% of them used to go school also and after school hours they used to do their occupational work. When asked about whether they love to work or not, 50% of them responded affirmatively, but only 15% of them said that they want to continue with this sort of work that they are doing. 70% of them said that they often feel humiliated while working as child laborers. And 30% of them had single parent, which largely compelled them to work to yield earnings and parental pressure also constituted as a reason behind taking up such job at an early age for 30% of them. When asked did someone does such survey and asked such question before also, then they answer yes and no 50/50 but when questioned further that any action was taken regarding this issue, then 95% reply no. The worst part of the story was that 95% of these children were not even ready to positively respond to our questionnaire.

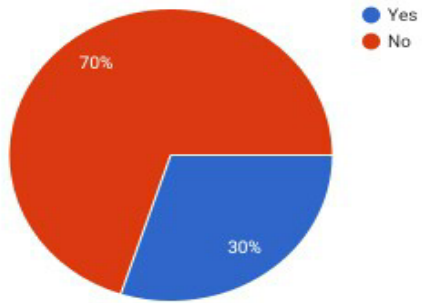
**Do you go to school? (20 responses)**



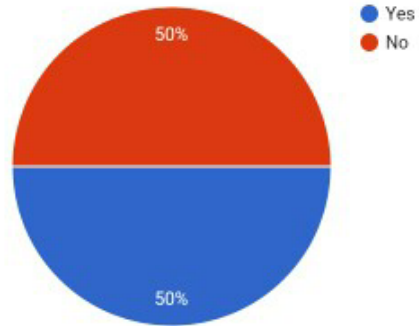
**Do you love your job? (20 responses)**



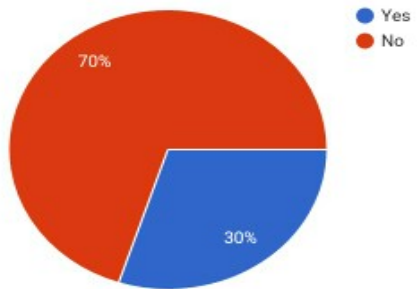
**Did your parents pressurize you to take up this work?**  
(20 responses)



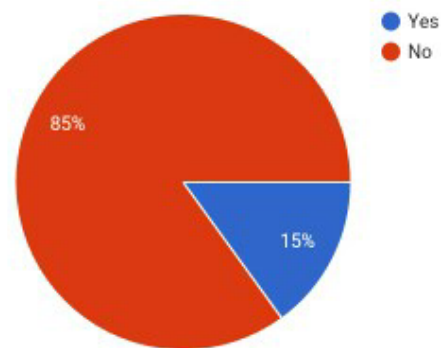
**Did someone talk about it, before us?**  
(20 responses)



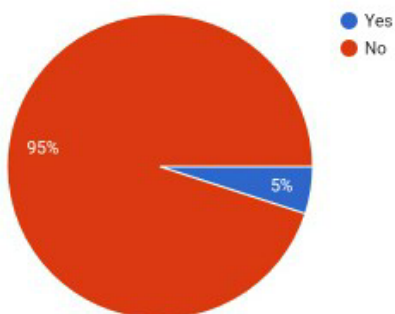
**Do you have a single parent?**  
(20 responses)



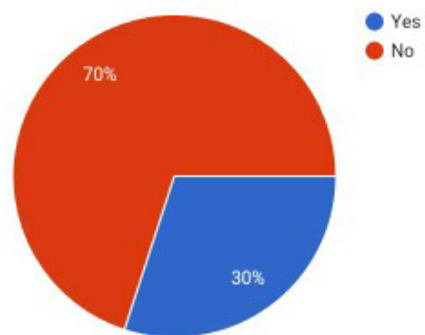
**Do you want to continue with this work?**  
(20 responses)



**Was any action taken regarding the issue?**  
(20 responses)



**Do you feel humiliated?** (20 responses)



## 7. WHAT CAN WE SUCCOR?

It is obvious that most of the cases of child labor we witness around us every day are not where these children are forced to take up such task, except for any possible family coercion. Even if they are being forced to take up such task, it is very difficult to get information from anyone, including children themselves, perhaps because they are mentally hardened to an extent due to their early exposure to what we call the harsh realities of life or because their employers are scaring them. In Delhi we mainly see a number of children working at local dhabas, small restaurants, as rag pickers, fruit sellers, vegetable sellers, beggars and in a number of make-shift jobs but the moment we try to make a conversation with them, we are met with an hostile reactions and it becomes very difficult to make any progress whatsoever in that direction. No matter what we think about the level of poverty or circumstances which forced children to take up such risky jobs at an early age or how much we denounce this trend as long as we are living within the relatively safe cocoons of our existence, can we really say why our children should enjoy all the resources, safety and comforts when countless others are denied their childhood or much less, even a safe existence or right to life? For instance, when we go to a restaurant/ dhaba, when we see a child cleaning a table. What do we do? Crib about government, laws and then continue eating. Just imagine what would happen if all customers leave the restaurant after seeing the child. Yes right! Change should start from us! If we feel pain when we see a little child working, then we're half way through. The biggest reason why all this happens is because people refuse to come out and make changes.

## 8. MEASURES

- Any big change is always a community effort but individuals are the ones who make that community. Be the change you want to see and start resisting any form of child labor around you. Spread your ideas among your family and friends.
- First of all, if we see any harsh child labor around us, we must immediately dial **1098**, which is the child help line in India. At individual level, the best thing we can do is spare sometime for them.
- If you have any slum area nearby, you can reach out and give one hour for teaching them. Education can easily be used to solve child labor.
- Many NGOs are working in this field. You can donate or support them.
- People think it is okay if a child is employed somewhere and also attending school along with it, but this is not certainly the case. Child labor in any form is not legal and there are no exceptions to it. Even if a child is going to school, he/she is still not allowed to work in after school hours. One must keep this into mind and report if

anything of such sort happens. And one should encourage as well as provide resources (if one can) to underprivileged children so that they can also recreate for some time.

- We often see that even if we try to convince these children to go to school, even if they go to school, they seem least interested in education. But that's very normal, it had happened with all of us when we were of their age, back then it were our parents who really guided us to take education seriously. Our guardians mentored our early years of education, and which in turn developed our interest towards studies and academics. So, just as our guardians, we should also take care of these poor children and their basic rights rather than turning a blind eye towards them. Going to school, solely will not help, they need a background support and guidance, which, as a responsible citizen of this nation is our duty, towards this needy section of society.

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