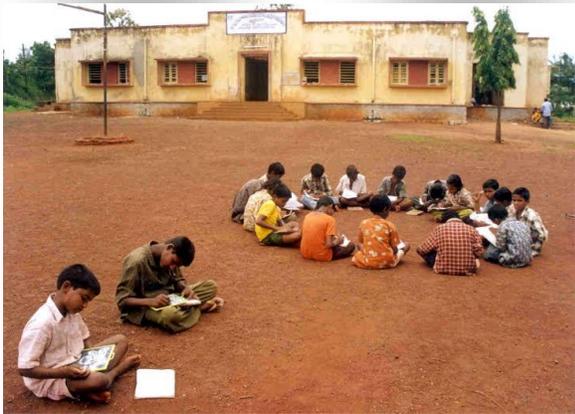




# CHILD LABOUR AND EDUCATION



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## CHILD LABOUR AND EDUCATION

The study of child labour has attracted considerable attention in recent times, more so in India which accounts for a significant proportion of the world's child labour force. Many of these studies provide detailed descriptions of the various manifestations of child labour. A few have attempted to understand the underlying causes for the persistence of child labour despite its universal condemnation and the various legislative and administrative policies adopted by governments to deal with the problem.

The fact is that a large number of working children as also the fact that the notion of a child working, especially in certain special circumstances, enjoys fairly wide acceptability creates a situation where there is considerable confusion on the question of who can be considered a child labourer. One immediate outcome of this is the wide variation in the figures of the number of child labourers. Official sources, for instance, put the figure at 17 million, of which two million are engaged in hazardous occupations. On the other hand, while some independent sources estimate the number to be closer to 44 million, there are others who have affixed the figure at 100 million. A crucial aspect that needs to be understood in regard to these figures is that they hold significance only to the extent that they represent a target group of children for whom specific policies or programmes are to be framed.

Thus, to the Indian government which views only those children engaged in hazardous occupations as its target group, it is the figure of two million which is relevant and any figure that exceeds this does not hold any specific significance. This aspect, as we shall see subsequently, has other implications as well. Whatever the situation, the difficulty in adopting a figure like 17 million becomes apparent as soon as we take a closer look.

The official estimate of the number of children in the 5-14 year age group not going to school is nearly 74 million. Thus, even if it were to be accepted that the entire lot of 17 million are working and are not going to school, this still leaves another 57 million 'missing' children who are neither going to school nor to work. The status of these children becomes indeterminate unless some other explanation is found. Some writers have referred to them as the 'nowhere children'. A large number of girl children fall into this category.

One method of resolving this issue is to assume that the child is simply idling. In the rural Indian context, however, the concept of an 'idle' child simply does not exist. Any child not in school is immediately drawn into supplementing family labour on a full-time basis, either by assisting in the family's occupation or managing family assets or simply engaging in a wide variety of domestic 'adult releasing' activities.

Another method of resolving this issue is to ignore these children altogether in as much as any policy regarding child labour is concerned. This is not as trivial a solution as it seems. As we have already seen, the need to categorize a child as a child labourer

arises out of an intention to withdraw the child from such work. If a child is engaged in an activity that is not categorized as child labour, then it can always be ignored. This is one of the implications of drawing a distinction between one form of work engaged in by a child and another. It could then be postulated that the 'missing' children are all engaged in activities that do not constitute labour and hence are neither school-going nor child labourers.

This approach has its basis in the concept that child labour should be distinguished from child work. Once the distinction is sought to be made between child work (good) and child labour (bad), the significance of the figures relating to working children, whether 17 million or 80 million, tends to get blurred because there is no simple way of determining what percentage of this is child labour.

A third method of resolving the issue of the 'missing' children is to treat all of them as child labourers. It is argued that the concept of segregation of work done by a child into exploitative 'labour' and non-exploitative 'work' suffers from basic flaws since there is no simple method by which some activities indulged in by a child could be classified as 'work' and some as 'labour'. Given that the work situation varies from place to place, such a categorization would be an extremely difficult task since it would have to be based on working condition rather than the work itself. In the ultimate analysis, any working child is in reality, a child labourer, the degree exploitation of the child in his current employment notwithstanding. Since any child out of school is ultimately put to work, and the concept of an 'idle child' does not really materialize in the Indian context, any child out of school has to be viewed as child labour.

The question of how to deal with child labour and in particular the scope for state intervention depends largely on one's perception of the nature and cause for underlying child labour. Thus, at one extreme, is the view that in certain economies, child labour is inevitable and bound to persist as a 'harsh reality' and that withdrawal of children from the workforce is possible only when the economic status of the families involved improves. Legislative measures in this situation are unlikely to succeed and the principal effort would have to be directed towards amelioration of work conditions rather than the elimination of child labour. Any effort towards eliminating child labour would have to focus on the more exploitative forms prevalent in more hazardous sectors.

The inevitability of the child labour argument is essentially a consequence of what can be broadly termed as the poverty argument. In its simplest form, the argument is that children work because they belong to the poorest families who cannot survive without the benefit of income which accrues to the family on account of child labour. Any attempt to abolish it through legal recourse would, under the circumstances, not be practical since this would put the already poor families under acute economic stress. In this situation, the only alternative that remains is to ban child labour in hazardous areas and to regulate and ameliorate the conditions of work in other areas. This assessment of the child labour

situation is one which many governments especially in developing countries, including India, have adopted.

Somewhere in the middle of the spectrum lies the view that child labour *per se* is not bad and, in fact, under certain circumstances may even be desirable. Proponents of this view base their arguments mainly on the ground that the alternatives available to children in terms of education and so on, are so inferior that the children are actually better off working. It is argued that by working under carefully supervised conditions, especially in a family environment, a child stands to gain much more than by going to school. Child work which does not involve an exploitative relationship, should therefore be distinguished from child labour. Any effort aimed at eliminating children from the workforce should therefore concentrate on child labour rather than child work.

The argument that there are forms of work which are actually beneficial to the child is often reinforced by what may be termed as the irrelevance of education argument. It is claimed that the kind of education that is being provided in most educational institutions is of little relevance to the children and does not in any way prepare them for challenges that lie ahead. Work on the other hand can in many circumstances prove to be more educational than the irrelevant type of education provided in formal schools.

At the far end of the spectrum lies the view that all forms of work for children are bad and that there can be little scope for compromise on this issue. Proponents of this view hold that arguments in favor of children who are working, whatever their logic, are merely excuses for the perpetration of child labour to the advantage of certain vested interests. According to this view, any distinction between one form of work and another, as far as children are concerned is completely arbitrary.

Proponents of this view strongly advocate greater state intervention and emphasize the need for the state to take an uncompromising stand on both the elimination of all forms of child labour as well as on compulsory education. It is argued that the strong correlation between enactment of compulsory education laws and reduction of child labour from the work force in several countries is not merely a coincidence.

The demand side of the child labour issue supplies further justification to those arguing for the total elimination of child labour. Much of the justification for child labour, according to them, arises not out of any concern for the children themselves but for the employers who are in search of cheap labour. The availability of child labourers provides for the lowering of costs of production, and, more important, access to labour that is unresisting, unorganized, and depressed, employment increases and above all, general property levels increase.

Despite the formulation of policies specifically meant to deal with child labour and the implementation of a large number of programmes, both by the government directly

and through NGOs in pursuance of these policies, the impact on the child labour situation in the country has been minimal. Thus, neither in terms of the number of working children nor in terms of literacy levels has the country shown any significant improvement. On the other hand, the absolute numbers of working children has expanded considerably and India's share, both in terms of the world's illiterates as well as child labour, remains embarrassingly high and is in fact rising. Against this background, it becomes important to understand the scope of the programmes and policies adopted within the country and to appreciate the significance of the framework within which they operate.

The basic reason why the policies and programmes adopted in the country by the government as well as by most NGOs have failed to create much impact on the child labour situation is that they are simply not designed to do. A closer look at the premise on which these policies and programmes are based on reveals that its very nature leads to a situation where any impact on child labour is not possible – the poverty argument.

In its simplest form, the poverty argument is that households, especially those belonging to the lower economic strata of society, cannot survive unless children in families also work. Child labour therefore is an inevitable consequence of the economic forces operating on a family to cancel out any effort towards withdrawing a child from the workforce without adequately raising the economic status of the child's family which leads only to further economic stress for the family. Once the validity of the poverty argument with its implication that child labour is an inevitable consequence of poverty is accepted, there is little scope for withdrawing a child from work and the question of making a significant dent in the child labour situation does not arise.

The poverty argument also limits the extent to which child labour can be legislated against. With child labour being inevitable, any legislation which strictly prohibits it would automatically become un-implementable. It is only some extreme forms of child labour which can be legislated against, and the best one can do under this situation is to regulate child labour in other areas. This is precisely what the CL Act proposes to do.

The acceptance of the poverty argument also influences the education policy to a great extent. Since child labour is viewed as a logical consequence of the economic situation prevailing in the country, the focus of the education policy has always been on how a country as poor as India can, with its impoverished masses, design an education policy and strategy which will include the working children of the poor as well as the better-off. In other words, the education policy has never been viewed as a method of keeping the children away from work. On the other hand, the emphasis has been on formulating a policy which would cater to the requirements of the working child without actually interfering with her work schedule. The NFE programme with its emphasis on schooling outside of working hours is a typical consequence of this kind of an approach.

The fact is that the success of any education policy has been sought to be judged not by the number of children withdrawn from work, but by the number of working children catered to without dislocating them from work. As a result, it is not really very surprising that the education policy has failed to make any impact on the child labour situation. One method by which the education policy can make an impact in the area of child labour is through adoption of compulsory education laws. However, the poverty argument clearly precludes such an eventuality since it would only result in placing an additional burden on the already overburdened parents who can ill afford to withdraw their children from work.

Apart from the above argument, with its implications on the inevitability of child labour, an aspect that has played a major role in shaping policies and programmes relating to child labour is the argument that child labour *per se* is not bad and that in many situations it is actually *desirable* for children to work. We have already noted how this results in classifying the work done by children as child workers, which is essentially educational and beneficial to the child, and child labour which presents the more exploitative form and needs to be controlled. Policies and programmes concerning working children should therefore focus specifically on the elimination of child labour while child work should actually be promoted. Coupled with the belief that the education being provided by the existing formal school education system is completely irrelevant to the needs of children in rural areas, it plays a powerful part in promoting a large number of programmes which seek to provide vocational skills.

There are two main aspects to the criticism of the formal school system. One is that the content of school education is so irrelevant that it is not really worthwhile for any child to attend school. On the other hand, if only the child were to gain work experience either in the family profession or in some other field of work, then the possibility of the child ending up as an unproductive 'educated unemployed individual' would not arise. As it is, formal education renders the child unfit for any work in rural areas.

A second aspect to this issue relates to the manner in which work in school is scheduled. Activity in most schools peaks precisely at the same time as seasonal agricultural activity. As a result, children are withdrawn from schools during this period and put to work. This entails their missing school for several days, which could be avoided had the school been closed for vacation during this period.

Taken together – the poverty argument, the belief that some forms of work are desirable for children, and the view that the education system in the country is irrelevant to the needs of the children – we get a framework in which there is little scope for generating policies and programmes which could reduce the number of working children in the country. On the other hand, the strategies that have evolved, both in the government as well as in the NGO sector, clearly reflects the impact of the above-mentioned framework, and in fact are a direct consequence to its adoption. Under the

circumstances, it is not surprising that the child labour situation in terms of the number of children in the workforce of the country has remained more or less stagnant.

Given the fact that the entire programme to deal with child labour in the country is based on certain premises it would be necessary to understand to what extent these actually hold.

The plausibility of the poverty argument arises from the single fact that any family with a critically low level of income and struggling to keep 'the wolf from the door' must, in order to survive, send the children to work. Child labour, in this situation is not only inevitable, but also logical, and hence a 'harsh reality'.

As plausible as this sounds, it is not as infallible as it appears and concrete evidence in its favor is not always easy to find at the field level. First, while in general, it is true that the economically deprived sections tend to engage their children in work more often than the better-off, there is no evidence to show a direct correlation between the level of poverty and the tendency to send a child to work. If one were to extend the logic of the argument, one should find that in any given situation, it is the poorest who drop out first, while the relatively better off continue in school for a longer time.

Similarly, in terms of enrolment in school, especially in the higher classes, the better-off would have greater representation than the economically backward. Field level studies do not support this contention. On the other hand, what is found is that not only are literacy rates similar between groups having dissimilar economic levels but also vary widely between groups with the same income levels.

Opponents stress that there is enough evidence to show that a number of families with incomes below the normally defined poverty line send their children not to work but to schools. They argue that the real danger in blindly accepting the poverty argument is that every case of a child working tends to be seen as one more instance of the 'harsh reality' of child labour. Such an approach, in their view, ignores the significance of the empirical evidence that some NGO projects have thrown up. Factors 'such as parents' literacy status, their levels of motivation, social background, accessibility of schools, and so on, all have to be invoked to make sense of the behavior pattern of parents and children.

Further, they emphasize that in the situation that prevails in much of rural India, what is to be clearly understood is that for many families, the mere task of not engaging a child in work represents a major deviation from the past. This is particularly so in the case of families belonging to certain communities which have traditionally been associated with labour intensive activities. To assume, under these circumstances, that parents are unwilling or unable to withdraw their children from work mainly due to poverty is to ignore the real constraints that society places on them.

Motivation of the parents is only one part of the story. What is equally crucial is to work out a mechanism that enables a smooth transition for the child from a work-based situation to school. A factor that is seldom appreciated is the extremely efficient manner in which a child's transfer from a household to a workplace occurs in rural areas. On the other hand, the elaborate and often unfathomable procedures set in place to enroll a child in school, the insistence on various certificates and documents are all designed to intimidate even the most willing parent.

In sum, therefore, it is argued that poverty is very often not the crucial limiting factor, and to a large extent other non-economic factors play a major role in influencing the decisions of parents to send children to work or school.

Another argument, which we have noted as having considerable influence in determining policies concerning child labour, relates to the lack of usefulness of formal school education as opposed to learn through work. This along with the belief that some forms of work are desirable for children, it has been pointed out, plays a powerful part in legitimizing children working in certain circumstances.

An examination of the criticism against the formal school system also reveals several important aspects. Supporters of the formal school system argue that almost every aspect of the criticism relates to the fact that formal school education makes it difficult for a child to work. In other words, the one thing that formal school for all their 'defects' cannot by any stretch of imagination be accused of is supporting child labour. In this characteristic of the formal school system, that in fact, makes it an invaluable asset to any programme that seeks to eliminate child labour.

All that the criticism leveled against the formal school implies is that children cannot work, and at the same time, attend formal schools. This is as good a reason as any to support formal schools. Far too much is made of the content in the curriculum in these schools. A closer look reveals that the irrelevance of the curriculum is not an issue that is confined to working children. It is a general problem that affects all those, working or non-working children, who seek to benefit from formal school education.

Formal education, especially in the formative years of a child in the 5-14 year age group, has an intrinsic value that cannot be provided by any other means including vocational education. To those who support the formal school system, the school, as the only institution in existence today that deals exclusively with children therefore occupies a unique place in any programme seeking to provide for the overall development of the child.

Since that the premise on which the above strategy has been formulated is suspect, it would be necessary to understand how the kind of new strategy would evolve, if one were to disregard the premise altogether. In the first place, the rejection of the poverty argument would automatically imply a rejection of the view that child labour is

inevitable. Further, the problem of child labour would have to be viewed predominantly as the outcome of non-economic factors and programmes would have to be tailored to meet this situation.

The second aspect relates to the rejection of the argument that certain forms of work for children are not only beneficial but also desirable and that child work has therefore to be distinguished from child labor. What this implies is that rather than attempting to artificially classify the various forms of work done by a child into different categories, all forms of work done by a child must be simply treated as a single category of child labour. Since any work done by a child is child labour, and in the Indian context no child is really idle, one arrives at the logical conclusion that all children out-of-school are child labourers.

The adoption of this definition of child labour has considerable significance. The most important thing that any programme seeking to deal with the problem of child labour has to address all children out of school. In other words, it brings into its ambit of all working children out of school irrespective of the nature of work. A second equally significant aspect of this definition is that the task of eliminating child labour and that of universalizing education became synonymous. One cannot achieve the one without achieving the other. The task of withdrawing a child from work therefore becomes the same as inducting the child into school. Since it has already been noted, that the only form of the school does not explicitly support the concept of a child working is the formal day school, enrolment automatically implies enrolment into the formal school system.

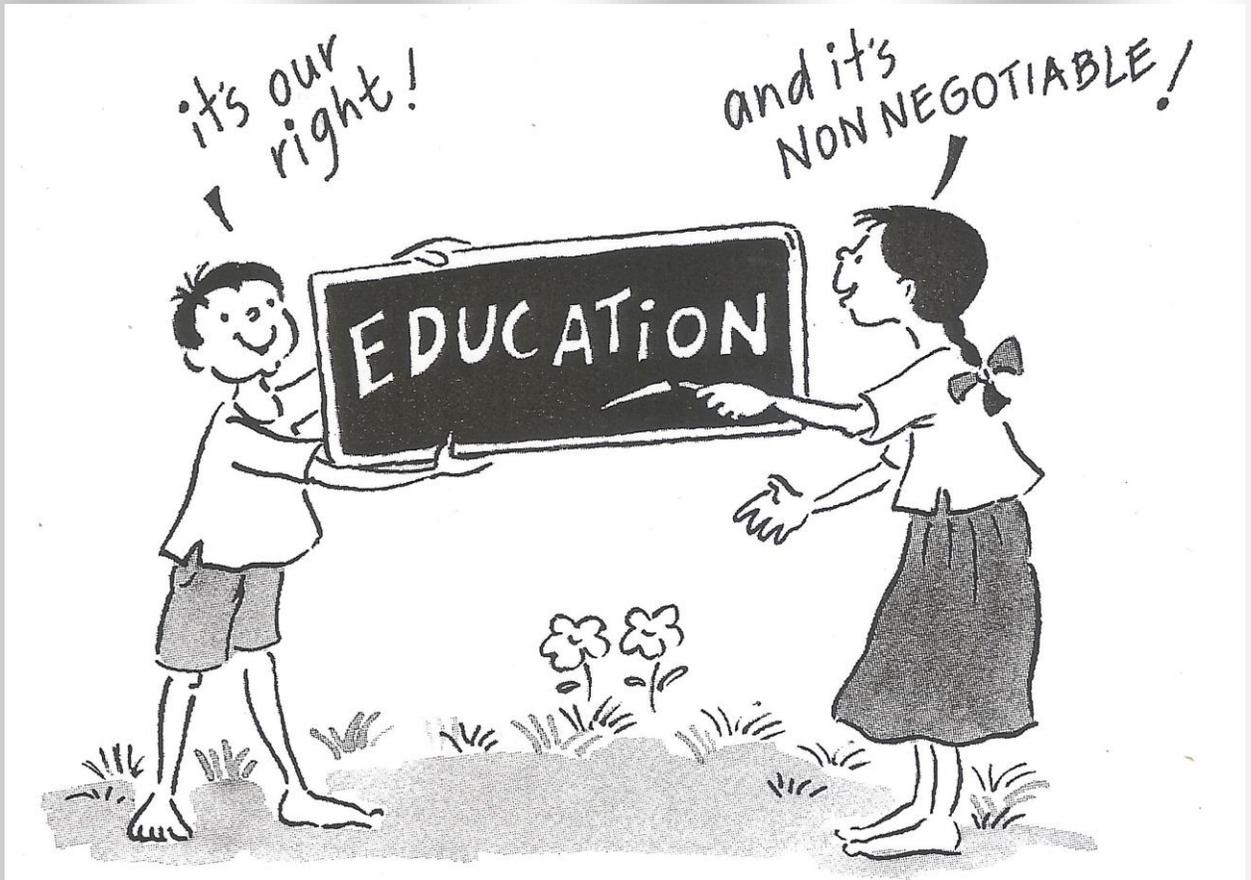
It would now be instructive to construct a strategy or a programme based on this revised understanding of the situation. That fundamental belief on which the programme is to be based, is that parents (even those who are poor), are not only capable of sending their children to formal daytime schools but are also willing to do so. In other words, the programme would reject the poverty argument and its implication of the inevitability of child labour. Consequently, it would have to reject the need to provide for education to working children outside working hours and has to adopt for formal school as the only means to universalize education and simultaneously eliminate child labour.

The programme would have to recognize the crucial, and on most occasions, dominant role, which cultural and non-economic factors play in influencing parents decisions to send their children to work rather than to school. Consequently, the emphasis would have to be to motivate the parents and the mobilizing of the community at large. Processes have to be built to bridge the gap between an illiterate household and the school keeping in view the large number of factors that work to sustain this gap. Briefly stated therefore, the entire strategy would have to be based on promoting the norm that no child should work and that all children should be in schools.

In terms of specifics, there is a need to adopt strategies based on the nature of work that the child is currently engaged in. By and large, the key to the entire issue is the smooth transition of a child from a key to the entire issue is the smooth transition from the child from a work situation to one in school. The process of transition involves motivation of parents and children. Involvement of the community at large and the teacher fraternity. Depending on the type of work engaged in by the child, at large and the teacher fraternity. Depending on the type of work engaged in by the child, her age, and social background, a degree of isolation would have to be provided from the work environment, at least for a limited period of time. This isolation could be in the form of short-term residential courses away from the place of work so that parents, children, and the employers would be forced to make the necessary adjustments to ensure that the child does not go back to work.

Above all, the strategy would involve a strengthening of the entire formal school education system, in terms of infrastructure, including teachers. One important consequence of the revised understanding of the child labour situation is that compulsory education laws are no longer taboo. It would be recalled that the poverty argument precludes the possibility of implementing any compulsory education law. Critics of this view have for a long time argued that the objections raised are entirely hypothetical. In actual terms, the main difficulty in putting compulsory education laws in place is the inability, if not the unwillingness, of the state to invest in education, a fact amply demonstrated by the declining share of the primary education sector in the budget.

Once the poverty argument is rejected, however, and it is accepted that parents once motivated would be willing to send their children to school, the situation alters considerably, compulsory education laws can no longer be viewed as a measure to compel parents to send their children to school. On the other hand, they become powerful tools in the hands of people to ensure that the state provides adequate education infrastructure to meet the full requirements of the children, something which our successive five year plans have been unable to ensure.



### **THE NON-NEGOTIABLES**

#### **MVF's Charter of Basic Principles for Emancipation of Child Labour**

- 1. All children must attend full-time formal day schools.**  
Not night schools or non-formal education centers.
- 2. Any child out of school is a child labourer.**  
The definition of child labour therefore encompasses every non-school-going child, irrespective of whether the child is engaged in wage or non-wage work, working for the family or for others, employed in hazardous or non-hazardous occupations, employed on daily wages or on a contract basis as bonded labour.
- 3. All work and labour is hazardous; it harms the overall growth and development of the child.**
- 4. There must be total abolition of child labour.**  
Any law regulating child work is unacceptable.

**5. Any justification perpetuating the existence of child labour must be condemned.**

Arguments about the 'harsh reality' of the family, poverty, the necessity of children's earnings for the family, the lack of interest among parents, the poor quality of teachers and schools, the irrelevance of education in providing employment, the loss of relevant skills among educated children, are all anti-children and go against their real development.