

Education and Child Labour

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We know that the lives of all our children, who have been left out of schools and engaged in some form of work, are full of fear, anxiety, and loss of self-esteem, resulting in their incapacity to access their entitlements as a matter of right. The consequences of being a child labourer on his/her overall well-being is very much the same whether the child is trafficked from one's habitation and cosmos to hostile and unlivable work places, joins illegal nexuses of drugs and arms, works for an employer or an agent or for one's own family. Being out of school and deprived of education, the world of prospects, possibilities and opportunities is closed for them. Their fate is sealed. Any work that denies them their right to education must therefore be regarded as hazardous.

There is an inextricable link between abolishing child labour and children enjoying their right to education in a full time formal school. Simply put, when a child is out of school, it is inevitable that the child is either already a part of the work force or will, sooner than later, be part of the work force. When a child is in a school, it is one way of ensuring that she is not part of the labour force and even prevented from joining the labour pool.

Definition of Child Labour- Rights perspective

Overwhelmed by the magnitude of the task, a policy of rescuing children from the 'worst forms of child labour' first and with a sense of immediacy, and then gradually addressing all other forms of child labour is seen as moral and practical imperative and also, feasible. This approach is further justified on the ground that it is 'unrealistic' to abolish child labour because poor need their income for survival and basic needs. Thus, for years together there was a focus on 'worst forms of child labour', yet the exploitation of children in worst forms of labour continues unabated, necessitating a review of this approach and policy.

Often abolishing child labour in all its forms invites the question, is it practical? From a perspective of protection of child rights one must ask whether it is practical for children to be deprived of education and be engaged as child labourers.

As long as there is a tolerance of large numbers of out of school children, they inevitably join the labour pool at the cost of education. The markets as well as the illegal nexus are ever ready to absorb them as they are a source of cheap labour that can be compelled to work for long hours and take up risky chores. **Acceptance of children joining the labour pool as being non-hazardous or harmless makes them available for 'worst forms of child labour'**. Unless there is an end to the supply of child labour in the labour pool, ending 'worst forms of child labour' is

not possible. From a child rights perspective, the focus on worst forms of child labour alone has allowed child labour to continue in perpetuation.

Further, most of the best practices of NGO's and the governments to eliminate 'worst forms of child labour' have shown that **the most vulnerable child became visible only when every child in an area is accounted for and discussed**. If the child is out of school, then, the discussion is on where the child is, is she working on the farm, doing domestic chores, or has she gone missing from the neighbourhood and for how long? Where have children migrated to? Are they in safe zones under the protection of parents or guardians and enjoying their rights or have they been trafficked to work as bonded labourers or in sex work and caught in illegal nexuses of drugs and arms.

Field experience has also shown **when programs targeted children in worst forms of child labour, their rehabilitation and reintegration into mainstream is fraught with difficulties**. On the other hand, an inclusive definition of child labour captures the imagination of all in support of children and their rights. Even children rescued from occupations and processes that are socially unacceptable, blend into the society without being further stigmatised and isolated. In fact it enables those who are considered as being in 'worst forms of child labour' gain courage to defy the web of power structures and economic exploitation and make a transition to education as students with fewer impediments.

Even as every child is in school in a '**child labour free zone**' contrary to the argument that poverty causes child labour, **there has been a profound impact on the local economies and cultures**. One is witness to a three to four fold increase in adult wages, improvement in quality of life in the poor families, a process of community involvement in schools and corresponding improvement in the quality of education, deepening of democracy and fostering of national development. It shows that poverty can no longer be used as an excuse for perpetuation of child labour.

Finally, **an inclusive definition of child labour embraces girls** and recognises the so called 'light work' as labour enabling her rescue from all sorts of abuse reinforcing gender discrimination. We know how there is a growing child *labourification* of the work force due to increase in demand for cheap labour, with growth in **informal processes** of production. **Migrant child labour** from village to village, across districts and national boundaries on all kind of chores is also growing. None of these categories of work falls under 'worst forms of child labour' and **so all such children remain unprotected**. From a perspective of protection of children's rights there cannot be discrimination of children and denial of their access to schools by drawing a distinction between hazardous and non-hazardous work. They must all be freed from labour and go to schools as a matter of right.

Adhering to the principles of universality and justice for all children the definition of child labour, has to be inclusive and fair. All forms of child labour are to be considered as detrimental to a child's interests, and harmful to the child's growth and well being. Being out of school and

part of the labour pool must be seen as hazardous. **The goal must be clearly to provide every child his/her right to education in formal schools with the conviction that it is possible.**

What must be done?

State obligation

It is the obligation of the State to take steps to ensure that every child is in school and that no child is engaged in work. An undercurrent of cynicism about the government and its capacity to act in abolishing child labour is slowly getting solidified. Since the discourse is based on the premise of State's inability to combat all forms of child labour it does not encourage or build the capacities of the State to deliver services, but allows for abdication of the State's obligation towards its children. More than anything else it systematically augments de-legitimization of the State and weakens it as far as child labour is concerned.

All of us are aware that there is no other institution in contemporary times that can parallel the State especially for the protection of rights. When the State falters and creates structures and processes that exclude children, the solution would be in reforming the system, rethinking its policies on children, making greater investments and constantly bring to the fore the rights-based perspective. **Indeed the State would have to take on the function of giving a direction to the societal partners as well in the best interest of children.** At the same time the energies of all in society have to be galvanised where the rights of children are protected as a State obligation and guaranteed by the State as political expression.

At the Local Level

The mantra is to trust the local. **Out of school children are tracked** by child defenders through a conscious process of social mobilisation. They contact every parent in an area, build community based institutions and processes, involve local officials for rescue, rehabilitation and entry of children in the school system. Each child to be rescued is debated in community forums. Since several of these ideas challenge normative ways of thinking and doing things, they do question the existing social and cultural hierarchies. **Conflicts are resolved.** Gradually, cutting across class and ethnic identities, the community starts to take sides in favour of children's release from work and ensuring that the norm of all attending schools is built.

In an atmosphere when children are discussed in public, working children normally hidden and invisible, gain confidence. Anchoring on the ray of hope they take the historic step to abandon work. It is a defining moment for them. For, ultimately, the successful accomplishment of a child labour free society is based on each child's act of defiance and the institutionalised support of the community as well as the preparedness of the system.

Simultaneously every child in school is to be monitored through an organic process of respecting the poor parents and their children, preparing schools for the first generation

learner, admission of older children without any hassles, and retaining every child in school. This process of building thought and action of the local youth, community, opinion makers and local officials has a profound impact on the lives of children. At the field level it enables transformation of the family, community and the entire nation. In creating moral spaces in the community that take up the cause of children's rights, societies fractured on parochialism begin to get harmonised. Undoubtedly this march towards imagining humanity founded on children's rights and respect for plural values gets enriched. The impact of realizing the right to education is profound – the notions of solidarity, inclusion, empowerment all extend not only from the attainment of education but also the process which enables its attainment.

Child Defenders and Protection of Child Rights

It is important to appreciate the role of child defenders who are first generation learners. In emerging victorious in their battle for schools they are convinced that if they were able to complete school any poor parent can send a child to school. They, in fact, give credence and legitimacy to the public school system. They are the real heroes and heroines who have kept the hope of the poor for education alive. They are the change makers for their community that has been trapped for generations into immobility, poverty and illiteracy. They show that even for the poor, things can be different and better.

The role of child defenders is truly in building a consensus in the village that children have rights and they must not be exploited. In doing so, they talk to political leaders, opinion makers, school teachers, members of local bodies, women's groups, parents and children. As they go through their daily task, transforming the society in a simple but powerful way they themselves are transformed. Their practice and everyday lives gives meaning for abstract words like dedication, commitment, passion and sacrifice.

They chose to be part of a struggle but they enjoy every moment of this drawing strength from their vision of a future, free of child labour and a society that values its children. They are able to transcend their local environs and locate themselves in the context of a reality which is informed by a sense of larger society and its complex milieu. They become the conscience keepers in the community taking up their cause with a sense of idealism and fearlessness. In a way their success has far reaching consequences in a positive manner for abolishing child labour and demonstrates how child rights can be achieved.

The relationship the child defenders have with the first generation learner and the rescued child labourer, whose thirst for knowing is boundless, is one of aesthetics and beauty. They bring to the fore issues of social justice and equity, access to services and State obligation, citizenship and participation, democracy. We have seen poetry, literature, music and songs emerge in abundance when every child is welcomed to the portals of schools. A non-violent, silent social transformation for citizenship and rights is launched in this process.

At the National Level

When utmost faith in its people and their capacities is evidenced by the State's commitment, local actions emerge, which go beyond the expectations of the government. In fact it has been seen time and again how a community can take ownership of the idea, spread its wings and offer all that it has to make for children and their rights including breaking down many exclusionary barriers, as if it was waiting for this call from its government leaders. The challenge is in taking such movements forward and in institutionalizing the groundswell of local action through legislation and policy framework in favour of total abolition of child labour. In the context of the current conference, the ILO Convention, 1973 (No.138) read along with ILO Convention 182 has to be ratified and correspondingly be reflected in domestic legal frame work.

The state must make long term investments in education, classrooms, school teachers, text books, playgrounds and libraries and in enforcement of child labour laws. It must have policies and programs addressing the predicament of first time learners, invest in bridge courses, residential facilities and hostels, scholarships, transport services for remote habitations, flexibility in governance procedures like non-insistence of birth certificates and other documentation, put an end to corporal punishment and violence in all its forms. The Government of India has incorporated all these measures in the recently enacted 'Right of Children to Free and Compulsory Education' making it a State obligation to meet the rights of the first generation learner. It is so practical and doable. In addition it must provide for noon-meal programs and health services for all children. There must be an alliance of all likeminded social partners to come together to build a world free of child labour. The state and civil society together as equal partners must put its act together at all levels local, national and global by taking uncompromising stands to liberate the child. The school should no longer be a site for contestation of power and resources. It must be inclusive, democratic and foster retention of every child with zero tolerance of school dropouts.

At the International/Global level

International organizations must draw lessons from histories of several nations that are child labour free where every child is in school as a matter of right. They must constantly seek to attain the same standards of child rights, especially the right to education for children who have been left out, believing that it is possible. In other words the norms for all children/countries are to be same and equal for all.

National initiatives are to be guided to evolve in an organic fashion based on uncompromising positions on the right to education and creation of a child labour free society. They are to enhance the capacities of the government and public institutions and foster intergenerational and long term partnerships and refrain from funding ad hoc schemes and programs.

Correspondingly, they must also nurture areas – a cohesive administrative unit such as a district, canton etc. - where every child out of school is tracked, withdrawn from work, which

includes covering children in 'worst forms of child labour' and arrangements are made to send them back to school and also where children attending schools are monitored to ensure that they complete their education without any disruption. These 'child labour free zones' are to be utilized as Resource Centers by the countries to inspire other units in a similar predicament.

In all the efforts for poverty alleviation, endeavors for decent work and labour standards and protection of human rights, the international organizations must mainstream policies and programs for abolishing child labour. They must know that they have a huge influence in changing attitudes and mindsets and a reach to echelons of power and establishment. They too are part of the high establishment! The current world conference on elimination of child labour must be seen as a continuity of all those battles won.

Conclusion

The impact of children enjoying their right to education and their continuance in schools for a continuous period of at least ten years is tremendous and far reaching. Children are no longer in the labour force and hidden; being in schools they are visible in a safe place that is available for public scrutiny. Schools are no longer sites for contestation of power with State capacities being enhanced for democratization of all schools, giving access to one and all without discrimination.

Furthermore, in the long run, there is a break in the intergenerational cycle of poverty and backwardness and an inclusive process of national development on principles of equity and social justice is established. With children enjoying their right to education there are changes in the existing socio-economic formation towards greater participation and confidence of citizens of the nation. New norms, new cultures and traditions and new experiences emerge, increasing our ability to empathize across social classes and in actualizing the fact that 'we are all equal' -- a principle that is coterminous with democracy.

I reiterate that realising the goal of ending child labour once and for all, is linked to every child enjoying her right to education. With an ethical leap of faith and an arousing of national conscience as well as global support this is eminently possible. A global movement taking pride in what we have attained for our children makes for the best of human spirit.

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