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**Can Children Influence Policy? The
Contribution of Working Children's Union's
in tackling Child Labour - *a case study of
Bhima Sangha, Karnataka, India***

A thesis presented

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Poonacha Nadikerianda

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Abstract

The high incidences of child labour across the globe commands worldwide attention and have given rise to a number of competing explanations. Broadly speaking, these explanations can be categorised under those factors, which focus on poverty and under-development, and those which focus on policy failure and poor implementation of educational services. However, in the debates of child labour, grossly neglected are the experiences and voices of working children.

Giving children a voice and space to participate in debates surrounding child labour, has thrown up a whole range of questions, challenging common assumptions of childhood and the relationship between children and adults. By reviewing the body of literature on working children's movements, their involvement and contribution towards policies and decisions in the struggle against child labour, the following research provides pragmatic perspectives on the appropriateness and capability of children to participate in decision making processes and the importance of recognising working children's movements in the debates and dilemmas surrounding child labour.

Dedication

This thesis is dedicated to the abolition of child labour and the children of *Bhima Sangha* and other working children's movements who are fighting extreme odds and demanding legal recognition for their movements and platforms.

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Glossary

<i>Ankur</i>	CWC's Urban Programme
<i>Anganwadi</i>	pre-school day care centre below six years of age
<i>Beedi</i>	A kind of local Indian cigarettes
<i>Bhima Kala Ranga</i>	Cultural wing of <i>Bhima Sangha</i>
<i>Bhima Pathrike</i>	<i>Bhima Sangha's</i> Newsletter
<i>Bhima Sangha</i>	Union for and by Working Children
<i>Caste</i>	A system of rigid social stratification based on wealth, hereditary status, inherited rank, occupation or race sanctioned by custom, law, or religion
<i>Devadasi</i>	Temple Prostitute
<i>Enfants et Jeunes Travailleurs (EJT)</i>	In English it means Working Children
<i>Gram Sabha</i>	<i>Local village meeting</i>
<i>Gramashrama</i>	<i>CWC's rural programme</i>
<i>Gram Panchayat</i>	<i>Local government</i>
<i>Mahabharata</i>	<i>Ancient Indian epic</i>
<i>Mahila Samakhya</i>	<i>Women's group</i>
<i>Makkala Mitra</i>	<i>Child Ambudsmen</i>
<i>Makkala Panchayat</i>	<i>Children's government</i>
<i>Makkala Sahayavani (MSV)</i>	<i>Child Help Line</i>
<i>Namma Angadi</i>	Our Shop
<i>Namma Bhoomi</i>	A vocational Training Centre for <i>Bhima Sangha</i> Children
<i>Namma Kaadu</i>	Our Forest
<i>Namma Sabha</i>	An association of youth, composed of artisans, crafts persons and others engaged

in various occupations, founded by ex-
Bhima Sangha members.

*Niños y Adolescentes
Trabajadores (NATs)*

A Latin American acronym which translates
as child and adolescent workers.

Panchayat

Village (it refers to both Geographic and
administrative units).

Sindicatos

Unions

Taluk

An administrative unit in India - Several
Panchayats constitute a Taluk.

Task Force

A tripartite body, devised by Concerned for
Working Children, comprising of children's
representatives; government officials and
elected representatives; and community
based organisations. It links the *Makkala
Panchayat* with the *Gram Panchayat* and
focuses primarily on issues related to
children that are raised by the *Makkala
Panchayat*.

Yakshagana

Dance Drama specific to Karnataka

Abbreviations

AMWCY	African Movement of Working Children and Youth
CRIN	Children's Rights Information Network
CSEC	Commercial Sexual Exploitation of Children
CWC	Concerned for Working Children
DCI	Defence for Children International
ECOSOC	Economic and Social Council of the United Nations
ECPAT	End Child Prostitution and Child Pornography and Trafficking of Children for Sexual Purposes
FGM	Female Genital Mutilation
GNP	Gross National Product
GOI	Government of India
HRW	Human Rights Watch
ICESCR	International Covenant on Economics, Social and Cultural Rights
IGO	Inter Governmental Organisation
IICRD	International Institute for Child Rights and Development
ILO	International Labour Organisation
IMF	International Monetary Fund
IMWC	International Movement for Working Children
INGO	International Non Governmental Organisation
IOM	International Organisation for Migration
IPEC	International Programme on the Elimination of Child Labour
ISPCAN	International Society for Prevention of Child Abuse and Neglect
IWGCL	International Working Group on Child Labour
MDG	Millennium Development Goals
NGO	Non Governmental Organisation
NIEPA	National Institute of Education Planning and Administration
NMWC	National Movement of Working Children
PRWSWO	Pakistan Rural Workers Social Welfare Organization
UCW	Understanding Children's Work
UK	United Kingdom

UN	United Nations
UNCRC	United Nations Conventions on the Rights of the Child
UNDP	United Nations Development Programme
UNESCO	United Nations Educational Social and Cultural Organisation
UNGASS	United Nations General Assembly Special Session on Children
UNHCHR	United Nations Office of the High Commission of Human Rights
UNHCR	United Nations Office of the High Commission for Refugees
UNICEF	United Nations Children's Education Fund
USA	United States of America

1. Introduction

No one is born a good citizen; no nation is born a democracy. Rather, both are processes that continue to evolve over a lifetime. Young people must be included from birth. A society that cuts itself off from its youth severs its lifeline; it is condemned to bleed to death (Kofi Annan, 1998 cited in Lansdown, 2004, p. 271).

The above quote of Kofi Annan's, former Secretary General of the United Nations (UN), has been chosen as a symbol for the thesis as it advocates the indispensable need for the inclusion of children in mainstream society, and because this thesis calls for the social recognition of working children's unions, in the context of addressing child labour. Indeed, much of the current literature on development, argues Ansell (2005), emphasises on empowering young people, the importance of listening to children's voices and their participation in democratic decision making processes.

This thesis presents a case study of *Bhima Sangha*, a union for and by working children located in the state of Karnataka, India and their participation in society. Although, drawing from personal experiences, this thesis a desk-based research that combines analysis of the literature surrounding children's advocacy in development and the contribution of working children's unions in the discourse of child labour. As the thesis concerns the issue of child labour and children's participation, the two main research questions are:

1. To what extent can children influence policy, in the context of addressing child labour?
2. Should working children's unions be legally recognised?

Considering that children and youth constitute nearly half of the world's population, and global developments, as Lansdown (2004) argues, affect children's lives in many ways, it seems important that young people should have the right and opportunity to participate and be involved in decisions concerning their welfare and development.

During the last quarter of the last century, the world community has witnessed major paradigm shifts in the understanding of development (Desai and Potter, 2008). Initially, starting from the post-war era, what has been described as the modernisation theory, development invariably meant a linear scale of progression of catching up with, or generally imitating the 'West'. The 'developed' nations provided the model for the 'developing' and 'under-developed' nations to copy, with the belief that if poor countries would follow suit and replicate 'Western' course of action, they would then achieve the same levels of 'development' as that of the developed nations (Dodds, 2008).

However, the failure of development to meet the desired objectives, in many of the so-called Third World countries, has given rise to burgeoning literature challenging conventional norms and practices. New, more critical theories were put forward, all articulating the voices of poor nations, arguing that modernisation theory in emphasising only on economic growth, discriminated and undermined the cultural values and ways of life of those countries that have not been classified as 'developed' (Escobar, 1994). Western development imperatives were blamed for keeping 'poor nations' in a state of poverty and dependency and causing more problems (Schuurman, 2002). Furthermore, there was recognition for the need to include cultural diversity and advocacy of the vulnerable in development (Schech and Haggis, 2008). Today, we have arrived at a phase described by theorists, as alternative or post-development, one that goes beyond the dominant discourses (Sidaway, 2008). There is a need to re-evaluate and re-examine our motives and the purpose of our actions "in a reconstituted field of development studies" (Hettne, 2008, p. 8).

Regardless of all the various theories, clearly development cannot be divorced from moral and ethical considerations. Not surprisingly, words such as egalitarianism, holism, respect, culture, diversity, transparency, indigenous knowledge and perspectives, human rights, ethics, dignity, sustainability, democracy and participation are increasingly being used in both theory and practice (Elliot, 2002, p. 45). With the adoption of Millennium Development Goals (MDG) in September 2000, Poverty Reduction and Human Capital

Accumulation, the end objectives of all development policies, and even considered a catalyst or a pre-requisite for development (Basu and Tzannatos 2003; United Nations, 2000). Amartya Sen (1999) argues, that "development is a process of expanding the real freedoms that people enjoy... [with] the final objective to enable people to choose to live the lives they want" (cited in Lansdown, 2004, p. 276).

Meeting these goals, reports the UN (2005), would require a comprehensive approach, one which encompasses a number of specific objectives, such as, expanding access to health and educational services, food, sustainable incomes and the equal opportunity for all individuals to participate and take an active part in society (Mohan, 2002). Even if we take development as a business concern, humanity's most precious asset is the sum total of the minds of those who inhabit this planet (Rajagopalachari, 1959).

Judged, therefore, from every point of view, the welfare and position of children, argues Pant¹ (2002), reaches paramount importance in the dimensions of human development, bringing about a resurgence of interest into the issue of child labour, considered perhaps the most neglected humanitarian issue of our times (cited in Ramachandran and Massün, 2002, p. vi). Hence, as mentioned before, this thesis focuses on the importance of children's participation in decision making processes within the context of addressing child labour.

Child labour has emerged as one of the most hotly debated issues in the development agenda (Lloyd-Evans, 2002). It perpetuates poverty, illiteracy and reinforces the existing socio-economic inequalities already prevalent in many societies. The International Labour Organisation (ILO, 1996), The United Nations Children's Education Fund (UNICEF, 2007), Defence for Children International (DCI, 2005), International Society for Prevention of Child Abuse and Neglect (ISPCAN, 2008), the Anti-Slavery Society (2008), along with the many other national and international organisations, all

¹ Former Deputy Chairman of Planning Commission of India

committed towards the emancipation of children, report that children's involvement in the labour force only replaces adult labour, and that often the work undertaken by children is beyond their individual capacity, causing severe growth deficits, serious injuries and exposure to chronic diseases.

The global estimates of child labour, comments Arat (2002), range anywhere between 200 to 500 million children, with the majority of them found in the developing countries of Asia, Africa and Latin America. However, incidences of child abuses can be seen in industrialised countries, too. The United Kingdom (UK) and the United States of America (USA) according to Christian Huot (1998) "are estimated to have at least two million working children each" (cited in Arat, 2002, p. 180). The Coalition to stop the use of Child Soldiers (2008), reports that in many war torn countries of Africa, children are still being used in armed conflicts. Human Rights Watch (1996) estimates that more than 300,000 children are working as bonded labourers (forms of slavery) in the carpet industry of India. ECPAT² International, (2007) – a global network of organisations, working towards the elimination of Commercial Sexual Exploitation of children (CSEC), reports on the high incidences of child prostitution in both developed and developing countries.

The humanitarian response in trying to emancipate children can be reflected by the establishment of the number of distinguished institutions and agencies all at the forefront of all global policies. Thanks to wide coverage by the media, stories of child abuses and horrific work conditions have been brought to the limelight, bolstering a worldwide international movement against child labour. Publications on child labour have been most forthcoming, and since United Nations Education and Social Cultural Organisation (UNESCO) proclaimed, 17th December 1979 as the International Year of the Child, issues surrounding children occupy a focal point in almost all global policy settings (UNESCO, 1979). In 20th November 1989, the body of international law gained further momentum with the adoption of the United Nations Conventions on the Rights of the Child (UNCRC, 1989).

² ECPAT International – Elimination of Child Prostitution, Child Pornography and Trafficking of Children for sexual Purposes.

The UNCRC is a significant achievement in the field of international law and children's rights. It is the first legally binding instrument to be ratified by almost all countries in the world (except two - USA and Somalia) (UNHCHR, 1989). The ILO's International Programme on the Elimination of Child Labour (IPEC) launched in 1992, is now operational in more than 25 different countries (IPEC, 2002). In 1999, the ILO adopted a new convention – The Worst Forms of Child Labour Convention, to specifically address the more serious issues, such as CSEC. This convention came into force on 19th November, 2000 and calls for the elimination of the worst forms of child labour for all persons under the age of eighteen, and as of 2002, has acquired 49 ratifications (Arat, 2002).

Over the years, the World Bank and United Nations (UN) have shown great maturity in terms of setting about common objectives with regard to children's growth, welfare and development. Together, the ILO, UNICEF and the World Bank, have launched the joint interagency research project called the Understanding Children's Work (UCW), in order to enhance knowledge, identify solutions and facilitate research on the work done by children (Fyfe et al. 2003; UCW project, 2000). Similarly, the Children's Rights Information Network (CRIN, 1991) is a comprehensive database, which brings together a great deal of data on childhood, work, labour and children's rights, so as to assist researchers and help improve the understanding of the problem. Consumer boycotts have been introduced on products made by children and manufacturers have been pressurised to follow healthy labour practices. Many governments also have come a long way by embarking on reviews and regular updates on child labour laws in their countries (ILO, 1996).

However, despite the widespread concern, most of the research and investigation on child labour, as mentioned by a number of social scientists, have proceeded from the view that these children are the poor, the destitute and the vulnerable – the helpless victim image in need of sympathy, protection and adult benevolence (Ennew, 2000). This is apparent from the high moral tone behind media portrayals of children engaged in deplorable working conditions as victims of crime and abuse (Lloyd-Evans, 2002). While these portrayals, as Hungerland et al. (2007) argues, have undoubtedly

contributed towards sensitising the public about the plight of working children, unfortunately they have failed to capture, the multifarious cultural experiences of childhood from the perspectives of the children themselves. In hindsight, at times, these portrayals have proven to be more problematic by robbing children of their identity and personhood. As mentioned by Nieuwenhuys, to display emotions such as sympathy and compassion, while is understandable and not uncalled for, can often “deny working children a feeling of self-esteem and [pride] of accomplishment” in the work they undertake, and in particular, takes away children’s right to struggle for a more equitable distribution of benefits, or play a role in emancipation movements (1994, p. 4).

Fortunately, with the emergence of working children’s organisations or movements across Asia, Africa and Latin America, a change of perspectives has come about. Rather than seeing children as objects of enquiry, concern and a problem, children are increasingly being seen as part of the solution and as subjects, or holders of rights, with an aim to communicate their views to policy makers and other concerned parties (Fabrizio Terenzio and Coly 2007). In the context of development, research from this perspective, involves the use of participatory techniques and enabling children’s voices and views to become audible. A voice that seeks to understand the experiences and causes of child labour, from the perspective of the children themselves – “one which is not distorted by the mindset of the investigators” (Robb, 1999, p. v).

Allowing space for children to participate in development, has thrown up a whole range of new questions, challenging commonly taken assumptions of supposedly ideal forms of childhood and in particular, the meaning of work and place of children in society (Kumar, 2006a). Robert Chambers (1983) makes it clear, that within development in practice, it is no longer possible to ignore the views of those of whom we intend to help. Likewise children too, have managed to convince a number of very self-assured adult, ‘child experts’ that they have a right to be heard and listened to.

Reports by Reddy and Ratna (2002), confirm that children, through their participation in government decision making processes, have managed to

conduct research on their own, and have often done so better than adult professionals. What is more, making space for children to be involved and take an active part in society, does not contradict the articles enshrined in the UNCRC, which implicitly states that children, have a right to participate, the right to self-expression and the right to form unions (Cairns, 2006). Likewise, the Norwegian Sociologist, Per Miljesteig (2000) has attempted to persuade the World Bank to regard working children as partners in all their decisions and policies (Liebel, 2004, p. 19). Children, argues Lolichen (2006), have astonished policy-makers and 'experts' with their analytical abilities, honesty, transparency and that they are capable of objectivity in taking decisions and advocating for their rights.

Rhetoric notwithstanding, unfortunately, worldwide, a culture of non-participation of young people in political processes is endemic in most societies. For example, in India, Kumar (2006a) and Lolichen (2007) mention that the focus on children has been mostly as mere objects in need of adult benevolence. Only a minority of the world's children fully enjoy the elaborate list of rights outlined by the UNCRC, while most are totally unaware of its existence. Interventions and policies, mostly treat children as objects of research and passive recipients of welfare services and benefits (Lolichen, 2006).

While, the UNCRC advocates "a model of active citizenry for children", societies still find it difficult to reconcile with the dominant notions of, passivity, frailty and incompetence attributed to childhood (Daiva, 2002, p. 507). No attention is paid for children, to articulate their views or play a role in emancipation movements, and neither governments, nor the International Labour Organisation (ILO) have legally recognised working children's unions, despite their existence for close to two decades. This can be reflected by the reluctance of adult-decision makers to open up space for children to participate and by the fact that most institutions and organisations are inimical towards children's participation (Wheal, 1998).

The current trends in globalisation and economic growth, far from eradicating child labour, have instead aggravated the problem and intensified the exploitation of workers, including children. For example, Lloyd Evans (2002) comments on how increases in child prostitution in South East Asia can be linked to macro-economic policies of governments which focus on rapid industrialisation at the expense of rural development and poverty alleviation. Similarly, in South Asia there appears a growing middle class whose rush for attainment of modern technologies and material goods only increases the values of exploitation, thereby worsening the scale of poverty (O'Kane, 2003). Prosperity and economic growth are being directly linked with the inequality of distribution of wealth, forcing people to live in varying degrees of squalor in order to support and build this so called 'prosperity' (Escobar, 1994).

India stands out as a perfect example of the above scenario. Despite being considered the world's largest democracy, it holds the dubious distinction of housing the largest numbers of working children in the world. From staying at home and looking after siblings, tending to cattle, working in cottage industries, collecting firewood, agricultural workers in fields, domestic workers in middle-class homes, in tea stalls and restaurants, or as prostitutes, beggars, bonded labourers (forms of slavery) and rag pickers living on the streets or in slums, the problem of child labour is widespread and complex, threatening the growth and development of a huge population of Indian children (Lloyd-Evans, 2002; Weiner, 1991). Statistics on child labour is so elusive, that estimates of working children range anywhere between 15 to 100 million children, depending on the report one reads (O'Kane, 2003, p. 3).

Although, policies to end child labour have preceded independence, the grim reality is that even today the goals of absolute emancipation of children remains as elusive as ever. This is because children similar to the poor have been totally excluded from mainstream society and are not in a position to express their political talents or be able to participate in democratic processes (Ennew, 2000). Like most marginalised groups, such as the poor, indigenous people, women and youth, children too, have been left out of planning and decisions concerning their own futures. Their parameters for growth and

development are often determined by welfare agencies, governments and other concerned parties (Lolichen, 2006). Silent sanctions surround children's fears, concerns and feelings, thereby subjecting children to the whims and fancies of policies, over which they have no influence. Even in the media or on reports and articles, events and issues directly related to children, their voices are invariably missing. If at all children do appear, argues Joseph (2007), it is generally as victims of crime, survivors of abuse, involved in violent conflict ridden situations, as recipients of charity, beneficiaries of welfare schemes, or as participants in cultural or sports events, and/or at best winners of various kinds of competitive events.

Hence, it is little or no wonder, why Indian policies to tackle child labour, have in many cases done the opposite of what they intend to do. The talent for running governance, through democratic decision-making processes, is yet to shape itself fully and prove equal to the task. As mentioned by Ambedkar (1948):

Constitutional morality is not a natural sentiment. It has to be cultivated. We must realize that our people are yet to learn it. Democracy in India is only a top-dressing on an Indian soil, which is essentially undemocratic (cited in Guha, 2007, p. 103).

The demands put forward by working children through their organisations or movements are absolutely legitimate and justified, considering it is the children themselves who are facing the problem. Moreover, these demands do not contradict the articles outlined in the UNCRC, making it inexcusable for the ILO and other agencies not to legally recognise working children's unions or engage in a serious dialogue with them. In the end, it becomes rather ironic that while working children are the ones who are experiencing the problem, they are the least consulted in making decisions concerning their own futures.

In the light of the above problem, this thesis exposes the short comings in the existing discourse on child labour and calls for the legal recognition of working children's unions, so that children, can have a platform for advocating their

cause, and be able to participate in all policies surrounding their welfare and betterment.

As children's work encompasses a wide range of activities, Ike argues that in order for definitions on child labour to be meaningful "it should be cultural relevant" (1999, p. 109). Hence, first it becomes important, to understand and explain how child labour has been constructed as a problem across time and history in varying contexts and situations. These in turn, have come to characterise the various discourses in addressing the problem by different actors and concerned groups. According to Ennew, et al., (2005, p. 28) "the measures taken to combat child labour from historical times, to the present day, can fit under 4 key discourses, which can be labelled as:

1. 'Labour market' discourse
2. 'Human capital' discourse
3. 'Social responsibility' discourse
4. 'Children – centred' discourse.

The 'labour market' discourse or the standard based response of the world community, concerns the minimum age permissible for children to work (Mathew, 1991). Work is conceived as an activity incompatible with children's lives, and that children should be prevented from entering the labour force (Ennew et al., 2005). This can be reflected by the fact that most national and international laws imposed by governments, call for an outright ban on child labour, make primary education compulsory, restrict children from working, introduce consumer boycotts on products made by children and take punitive action against those employers who profit from hiring children (Lloy-Evans, 2002).

Dominating much of the literature on child labour, the 'labour market' discourse, is perhaps the oldest and most well known and can be traced back to the start of the industrial era. This approach is a legalistic and simplistic approach, highly abolitionist in tone and relies on the strength of state authority (Fyfe, 1989). It fits the fundamentals of ILO policies, government

rules and regulations, minimum age conventions, trade unions and international labour standards introduced to combat child labour (Cullen, 2005).

Although, legislation is important, Fyfe (1993) argues that it is not sufficient enough to combat the problem and at times may even unintentionally make the situation worse by forcing children to work in hidden circumstances. Bourdillon (2006) questions whether the discourse on 'abolishing child labour' actually works in children's best interests, considering that in most cases, it leads to children's work becoming invisible to the outside world and draws pejorative moral judgements from mainstream society.

The 'human capital' discourse on the other hand, according to Ennew et al., (2005) can be characterised by policies designed by the World Bank, International Monetary Fund (IMF), regional and other national banks, the United Nations Development Project (UNDP) and other concerned groups which focus on economic growth, education, health and development (UNDP, 2008). Childhood is construed as a period of investment, and great emphasis is laid on education to enhance children's skills and capacities so that they can become good productive adults (Prakash, 2002). This discourse differs from the 'labour market discourse' on the fact there is no objection to children working, as long as work does not seem to interfere with children's education or become detrimental to their growth and development.

However, while undoubtedly the principle goal of global development policies, is to attain minimum standards of civilisation, in terms of food, health, education and security, often at times these standards are based on idealised views of childhood or adult interpretations of what is appropriate and what is not, emanating mainly from the experiences of the Global North (Escobar, 1994). Or else, these standards are set by 'outsiders' and agencies, which at times are not compatible in cross-cultural contexts, or correspond to the ground realities of people's lives (Esteva, 1992).

The 'social responsibility' discourse, unlike the 'Human Capital' discourse, argues Ennew et al., "looks at children in the context of social rather than economic development" (2005, p. 28). This discourse is largely the outcome of NGO strategies, humanitarian groups, philanthropists and other charitable trusts which offer selfless service to society and are based on principles such as compassion, sympathy and help - rooted at times in moralistic and religious beliefs. The focus is to extend support services, opportunities and resources to the poor and marginalised groups through a number of different flexible and innovative ways. Like for example World Vision's (1951) Sponsor a Child Programme which aims at reaching out and helping poor children and their families directly. Society's moral responsibility and duty is to reach out and help the most needy and disadvantaged groups (Ennew et al., 2005).

However, this discourse is normally marked by venting out moral indignation and sympathy to the plight of working children, and as Robson (1996) and Fyfe (1989) argue, moral considerations often "draw attention away from a more rational interpretation of the processes which draw children into the labour market" (cited in Lloyd-Evans, 2002, p. 216).

The fourth and last discourse, relates to the central theme revolving around my thesis, and which Ennew et al., (2005) have labelled as the 'children-centred' discourse, stresses on the participation of children in all decisions concerning their welfare and betterment and subscribes to the underlying framework of the UNCRC - the "best interest of the rights of the child" (UNCRC, 1989). Corsaro (1997) mentions, that with the gradual realisation that children too constitute a marginalised group in need of recognition, children are increasingly being seen as active social agents in their own right, with their own lives, needs and desires. Children's participation is studied in the light of '*protagonism*', with the view that children have the right to advocate on their own behalf, and the right to arrive at their own conclusions of ideal forms of childhood rather than being subjected to adult standards and interpretations (Ennew et al., 2005).

In contrast to the 'social responsibility' discourse, where resources and opportunities are being extended out to children – the 'children centred' discourse, facilitates children to take the initiative to access, opportunities, institutions, resources and information on their own and demand the right to be involved in all decision-making processes. Examples can be seen by the demands and objectives put forward by the social movements of working children across Asia, Africa and Latin America (Beers, 2007; ITALIANATS, 2004), who have established platforms and have managed to raise their views and concerns to adult society. At the same time, this discourse does not necessarily negate the above three discourses or absolve parental responsibilities towards children, rather it puts children's concerns the prime focus of all policies, with the view that children too are worthy of recognition in their own right and that they have a right to question all decisions concerning their welfare and development.

At the international level the 'children-centred' discourse is represented by the child rights approaches of organisations such as the UNICEF and the International Save the Children Alliance (cited in Ennew et al., 2005, p. 29) and by an increasing number of local level organisations like the Concern for Working Children (CWC, 1986), in Bangalore, India and the Butterflies programme with street and working children (1989) in New Delhi, India, who promote children's advocacy and the unionisation of working children.

Each of the following chapters of this thesis, in relation to the research questions brings out the importance of listening to children's voices, its significance in designing policies and interventions, so that it can be translated into action.

In Chapter 2, I explain the research background, and the methodology utilised in writing my thesis. It provides information into my philosophical position, my past experience of working with working children, the justification for my research, data collection methods, limitations - essential background for understanding research context and potential research bias.

Chapter 3 focuses on the relationship between children and work across cultures, and how the modern outlook towards children has influenced policies on child labour, along with the various explanations and approaches put forward based on idealised concepts of childhood - one which does not necessarily correspond to the ground realities of many children's lives and at the same time, discriminates and marginalises on other cultural outlooks towards children. This chapter goes on to explain the gaps in the existing literature on child labour and how this gap can be addressed by giving children a voice.

Chapter 4 examines the role of working children's movements with examples of historic and contemporary forms of resistance to exploitation by children, and the importance of children's participation and incorporation of their voices in the debates and dilemmas surrounding child labour.

Chapter 5, the crunch of my thesis, tells the story of *Bhima Sangha* – a union for and by working children in Karnataka, India - Its origin, achievements, growth, significance and contributions towards addressing child labour and strengthening children's participation. Chapter 6, the final chapter, reflects upon the dominant themes covered and concludes the thesis.

In justification of this thesis, so far the discourse on child labour has mostly been based on adult interpretations of what constitutes good and proper childhood. Considering the magnitude and distribution of child exploitation proliferating around the world and the fact that it is flourishing, it reflects only one thing – a failure of colossal proportions on the part of adults in trying to emancipate and protect children from abuse and exploitation.

Hence, this thesis argues that it seems only right that adults learn to remain silent and listen to what children have to offer. This is not to say that adults should have no involvement in advising children, neither is it an abdication of responsibility on the part of adults; rather, an honest and humble admittance, that adults have failed in their endeavours to protect children, and that children have a right to express their views and question adult decisions.

2. Research Background and Research Methodology

The object of a researcher should be, to present a true and honest rendering of one's findings. However, at the same time as Walsh (1996) argues, research can never be free from individual and personal biases. This chapter explains the background of the research and the methodology employed in collecting information, its justification, limitations and ways by which I countered these limitations.

Research is influenced by several factors, such as one's religious outlook, upbringing, culture and educational background (Scheveyens et al. 2003). A topic such as child labour is highly emotive - not surprisingly much of the literature expresses feelings of sympathy and anger that such a thing still exists. However, while conducting research, such emotional outrage argues Lloyd-Evans (2002), can often cloud our perceptions of the problem and prevent us from arriving at a more critical and rational interpretation. Therefore, it becomes even more important to clarify one's position, values and motivations for undertaking a particular field of study as much as possible.

My methodology is grounded on the premise, that child labour is a problem commanding worldwide attention, and that the incorporation of children's views is a necessary step towards the goal of absolute emancipation. Undoubtedly I am biased, and have no apprehensions about this. It is indisputable as Weston and Teerink (2005) argue, that child labour hampers human development. Consider for example, the number of different concerned institutions and groups all at the forefront addressing child labour, or for that matter the plethora of information available on the subject. Also, as I am from India, which is home to the largest numbers of working children in the world, I am fully aware of the high incidences of abuse and exploitation proliferating in the workforce, and I am wholeheartedly committed towards the emancipation of children.

My interest into the subject began back in 2004, when I started to work as a translator for a working children's union called *Bhima Sangha*³, through a Non Governmental Organisation (NGO) called the Concerned for Working Children (CWC)⁴. I was in charge of documenting children's voices, translating them into English and incorporating children's demands into the plans formulated by the local governments. Working with *Bhima Sangha*, I learnt how children through their collective strength as a union were taking the role of protagonists thereby making it possible to change their existing situations, paving the way for more effective and meaningful policies on child labour. Arriving in New Zealand to do my Masters, I decided to write about *Bhima Sangha* and tell their story. New Zealand has proven to be an invaluable experience - having learnt to develop a reflective critique of the values and priorities of my (Indian) culture, I soon realised that one of the prime reasons for the continuing prevalence of child labour, apart from the issue of poverty and the dearth of resources, was a set of belief systems embedded in the society. As an Indian, I consider myself part and parcel of the whole child labour problem. Weiner's (1991) analysis of the empirical literature on child labour, confirms this view and has proven to be most thought provoking and influential (see Box 2.1). He explains how the legacy of the Indian caste system has held a cruel grip on people's minds about the respective roles of upper and lower strata of society. Even among those who profess to be secular, as mentioned by Weiner, (1991) "are imbued with values of status", and a fear that "excessive and 'inappropriate' education for the poor would disrupt existing social arrangements".

Unfortunately "one does not readily escape from the core values of one's society" (Weiner, 1991, p. 6). Caste hierarchies, class consciousness, bigotry, chauvinism and huge disparities of income still reign supreme in the sub-continent, only to reinforce prejudices and strengthening of divisive forces. Over the years, institutions have only strengthened so as to prevent changes in group status and thereby reinforce the already existing socio-economic

³ *Bhima Sangha* – A union for and by working children supported and facilitated by the Concern for Working Children (CWC)

⁴ CWC has been involved in the issue of addressing child labour for the past 25 years and have gained international recognition for their role in children's advocacy and empowerment.

inequalities and the creation of a modern enclave economy supported and subsidised by the lower classes.

Perhaps this is an exaggeration, as India has managed to stay united as a democracy for more than sixty years and has not split into pieces. As early as 1900, the Indian National Congress unsuccessfully urged the British to introduce free and compulsory elementary education. In the 1930's provincial governments under the Congress had passed legislation authorising local bodies to make education compulsory. With India's Independence in 1947, and the establishment of a parliamentary democracy, every commission appointed by the government, the Congress ruling party, all opposition parties and all state governments advocated ending child labour and establishing a free and compulsory elementary education system (Weiner, 1991). The Constitution of India which came into effect on 26th January 1950, states Wazir provides a sound framework for tackling child labour (cited in 2002, p. 3). Article 45 of the Indian Constitution declares that "the state shall endeavour to protect children and provide free compulsory primary education until fourteen years of age" (cited in Weiner, 1991, p. 7).

However, the enforcement of compulsory primary education declares Weiner (1991), has been one of the biggest policy failures of the government of India and its uniformity fails to take into consideration or correspond to the ground realities of children's lives across regions and sectors (Reddy, 1991f). The education system, writes Rajagopalachari (1961), while it brought in many good things unfortunately failed to spread to the masses and soon became a tool of differentiation between rich and poor leading to a kind of education and literacy that looks down on manual bodily labour with utter distaste and beneath its new status. Unfortunately, education of this kind prevails with the people's sole objective, a hunt for white collar jobs. When the demand and supply for white collared jobs gets into imbalance, which is the situation today, severe competition sets in, along with its emotional adjuncts - greed, envy, jealousy, hatred, frustration and anger - invariable increasing the levels of corruption, suspicion, cut-throat competition, large scale migration from rural areas to urban areas and political misrule (Joseph 1991a).

To add to this misery, poor quality staff and joyless forms of learning have led to high dropout rates of children from schools. Findings by Nambisan (1995), Yadav and Bharadwaj (1999) show that students who completed primary school could barely read (Kabeer, 2001). The Probe Team⁵ (1999) reports on perverse forms of teacher behaviour ranging from absenteeism to drunkenness during school hours and pressure on pupils to supply liquor, using students to run errands and do their domestic chores and falsifying records. This culture of laxity has become a norm in the profession and can be traced to the protected status of teachers as government employees in a socialist state where the salaries are not related to their work performance. It also reflects on the dominant attitudes of society where children are not in a position to question adults.

Box 2.1 Observations on child labour in India

- Child workers in India are largely illiterate. Apart from the damage done by colonial powers and the current trends in globalisation - Child labour in India is a pre-industrial and pre-capitalistic labour force reflecting the persistence of the traditional role of the child as a worker.
- In place of a simple dichotomy between children who work and children who go to school there exist a complex range of categories: children as full-time workers, part-time workers, bonded labourers (forms of slavery), unpaid workers, seasonal workers, children in neither work nor school, children in both school and work, children who have never enrolled in school, and children who have enrolled and dropped out of school. These are further affected by gender distribution in the labour force.
- The image of the child as an apprentice to a master craftsman in most cases is a romantic one unrelated to reality, especially so the urban working child who has migrated to the cities.
- The 'skills' acquired by the children are rarely those that could not be acquired at an older age. Indeed skills are typically low level: simple

⁵ Public Report on Basic education of India

routines, manual tasks or carting or selling tea.

- Employers and government officials have a notion of children's work involving speed, dexterity, suppleness, nimble fingers and so on and so forth. The truth remains children provide a docile, cheap and renewable labour force. They lack bargaining power and are easy to manipulate and control.
- Early entrance into the labour force is no assurance of a higher wage later. Where children's growth becomes stunted because of work, there wages may be less than those who enter the labour force at an older age.
- Parents are poor and are dependant on children's income – However, it remains unclear how much worse off the family would be if the children were in school. Financial contributions by children to household income are often very small and in fact no child is bringing home a handsome pay package - there exist regions with lower levels of income having less number of children in the work force both within India, and when drawing comparison with other countries. Also a lot of poor families make essential sacrifices to send their children to school. At times children sometimes work to pay off debts incurred by family related to the marriage costs of their children.
- Child prostitution in India is estimated to be around 1.3 million. Indian society is extremely puritanical when it comes to sex. Hence, it has to happen in secrecy and the men resort to prostitutes. Young girls are preferred because it is believed virgins can cure diseases (Hughes, Sporcic, Mendelsohn and Chirgwin 1999).
- Parent's, who were child labourers, tend to have children who become child labourers showing the perpetuation of the problem.

Source: (Kabeer, 2001, p. 3; Roy, 1991; Weiner, 1991, pp. 33,34)

Aggravating child labour further, is undoubtedly the low status of women in Indian society. Kurosaki et al., (2006) mentions how the low levels of literacy and education of women in rural areas are in many ways responsible for high incidences of child labour. Empirical studies shows that households with

educated women have less number of children entering the labour force, than in those households with low levels of literacy among women (Bowden, 2002). As women, in India are mostly in charge of the household and guardians of our future generations, their education is perhaps more important than that of men. A society which discriminates and marginalises its women, condemn itself and destroys its own vitality.

However, it would be equally wrong to jump to the conclusion that Indian society is cruel or evil, or for that matter parents wilfully exploit their children and do not want the best for them. When we take into consideration ground realities in India, the absence of a welfare state and the fact that in many cases children's income do contribute towards the survival of the family, parents make their decisions based on their incomes and at times have no choice but to push their children to the workforce. Under poverty - induced situations, relationship between family members tend to corrode and become abusive. To blame poor families for exploiting their children would at times be tantamount to blaming the victim (Chandy, 1991).

Yet, at the same time, it cannot be denied that children have been rendered voiceless and that adults do not necessarily act in children's best interest. Indian society is highly paternalistic, extremely hierarchical and male dominated, especially in the rural areas. For example, Nieuwenhuys, in her study of children's work in Kerala, explains that hierarchical principles within families are drawn on the basis of gender and seniority, with young girls right at the bottom and adult males in charge at the top (1994, p. 199). This invariably makes children a subordinated and marginalised group with no space or opportunity to express their views and concerns to policy makers or adults who are in charge of their welfare and development. Children writes Joseph (2007) have been socialised to listen to adults and take orders. Marriages in the sub-continent are still arranged thereby values, norms and beliefs get reinforced and perpetuated to the next generation.

It is important and healthy that our [Indian] society learns to accept this situation bravely and honestly, critique our cultural values, priorities and the

dominant adult-child relationships. Sometimes argues Joseph, (1991b) it takes an outsider to see through the flaws embedded in one's culture. Weiner (1991) brings together a great deal of empirical data and ruthlessly exposes unpleasant truths. Hence, the importance of recognising children's voices so as to challenge adult values and priorities, realising children's rights, combat poverty, strengthen civil society participation in democratic processes and providing an incentive for other marginalised groups such as women, indigenous people and the poor to participate and be included in mainstream society.

The advantage of conducting a secondary analysis is that it "provides a useful starting point for additional research, for suggesting problem formulations, research hypothesis, and research methods and forming counter interpretations" (Stewart, 1984, p. 14). As Stewart points out secondary sources "can be a means for increasing efficiency... by targeting real gaps and oversights in knowledge" (1984, p. 14).

Secondary sources argues Sarantakos (2005), are vital for all social scientists as it provides background information, and also the regular usage of secondary material can help develop a healthy scepticism. The wealth of empirical data available in books and journal articles and with the tremendous potential of the internet, secondary research is increasingly becoming a convenient and powerful tool. One can delve into current as well as historical data, obtain background information and arrive at a broad and coherent understanding, without necessarily having to go to the field.

The challenge for my research approach was how to defend the existence, creation and recognition of working children's unions or the unionisation of children's work, considering they run contrary to dominant perceptions of childhood, education policies and most national and international laws designed to combat child labour.

By critically analysing the vast body of literature on childhood, children's work, education and participation, I use as a case study for comparison, with the work done by experts on the subject. I first begin by investigating the social

construction of child labour as a problem along with the various key discourses, and then move on to explore the diversity of children's lives across various socio-cultural, geographical contexts - the meaning and implication, of children's voices, so as to question idealised views of childhood and the way in which they have influenced interventions on child labour.

Following this literature review, I will use a historical narrative of working children's successful resistance to exploitation and quote contemporary reports from conventions and declarations passed by the several working children's movements across Asia, Africa and Latin America highlighting their objectives, demands and successes. I will then present a case study of *Bhima Sangha*, based on my own personal experiences of having had the privilege for working with these children and advocating their cause.

To give further legitimacy to my stance and philosophical position adopted, throughout this thesis, reference is made to the articles enshrined in the UNCRC, a powerful convention supporting children's advocacy, rights to participation, self-expression, the right to form unions and most importantly the underlying framework - the best interest of rights of the child.

However, secondary research is not without its drawbacks. Stewart (1984) warns us to bear in mind certain caveats when analysing secondary data. As we are dependent on other people's work, chances are their data may be flawed and outdated, revealing inconsistencies and elements of bias. Several questions need to be raised such as: What was the purpose of the study? Who collected the information? Whence the study was commenced, its time and appropriateness? How the information was collected and how consistent is the information?

In order to counter these shortcomings and to strengthen and defend the validity of my claims, it was important that I evaluated and crosschecked all my sources, the authenticity, quality and the expertise of the authors. Through an analysis of the empirical literature I am developing an in depth understanding of the nature, magnitude, complexity and distribution of child labour, the variety of different explanations and approaches; the relation

between children and work; the relationships between children and adults and the various norms and beliefs embedded in different cultures.

As my subjects of enquiry — child labour, children's participation is multi-disciplinary in nature, it is imperative that I adopt a holistic approach, utilising data from various other disciplines, such as development studies, political science, history, sociology and anthropology. A methodological challenge is how to limit my research, choose the relevant literature, and measure the credibility of my findings in relation to my research questions. Fortunately Bessel and Ennew (2006) have come out with a comprehensive handbook on child labour providing guidance on how to collect information on children's work and where to find the relevant resources.

Nevertheless, it has to be accepted that it is not possible to capture all the different arguments, and that my individual perception of the problem, along with the methods chosen, most certainly create limitations influencing the outcome of my findings. As my research is focused on finding solutions to a problem, approached from a specific angle, backed by a belief influenced by my own personal experiences, I have to be open to face criticism and contrary claims that may prove to be stronger, and more valid. Children's participation, argues Reddy (2002), is more of a process than a project - It is thought provoking and controversial, yet to be fully explored. New developments may or may not undermine or compliment my research findings. What might be appropriate in a specific socio-cultural context may lose its validity or may not be applicable in other cross-cultural settings. Chances are various factors may have been responsible for having nurtured and facilitated children's participation, within specific contexts, which I might overlook and not address. Still, this does not negate the importance of giving children a voice, and history stands testimony to the fact that adults have often failed to act in the best interest of children. Hence, even if we do not accept children's participation, let us at least learn to listen to what children have to say and offer.

In writing this thesis it is not my intention to claim that by providing children space to participate we have all the necessary answers and by no means is it

a comprehensive and definitive position on the subject. Rather it is an attempt to stimulate further debates and discussions, and hope for a more sincere and earnest examination by others interested in the battle against child labour.

3. Explanations and Approaches towards Child Labour

The understanding of childhood and its correlates lies in the heart of designing solutions and interventions for combating child labour. This chapter discusses how the modern outlook towards children has influenced policies on child labour, the various explanations and approaches taken to combat it, the dominant interpretations of childhood and the relationship between children and work.

Amidst these debates, certain pertinent questions readily emerge before us: Just who and what is a child; what constitutes childhood; who is responsible for or who owns a child; what is legitimate labour for a child and what is exploitation? Are the principles of Children's Rights universal and their definitional context neutral, or are they related to the development of an individual child and the socio-cultural context of children's lives? As mentioned by Sawyer, these questions "provoke an uncomfortably large number of irreconcilable answers", but it is only when all these aspects are taken into consideration, can we hope for a more holistic and better understanding of the problem (1988, p. xi).

The nature and understanding of childhood is subjected to different interpretations across cultures and national boundaries. In some societies, the transition from childhood to adulthood may require the fulfilment of certain initiation rites and ceremonies, while in others there may be no distinctions to mark the various stages in life (Fyfe, 1993). Although Sawyer (1988) argues that chronological age is the most commonly used method of demarcation between children and adults - in the absence of an effective age record system in many rural areas of the world, and given that different individuals mature differently, provides only one of the many complications. It becomes important to take into consideration that other factors such as culture, class, religion, kinship, gender and nationalities, also influence the way in which we view children and their place in society (Kumar, 2006b). For example, some may view children as a separate legal independent entity with inalienable rights while others may view one's child as one's property.

On the one hand, parental control and the inevitability of biological dependence has permitted more abuses than what is generally imagined; yet at the same time it would be improper to absolve parental responsibilities towards their children, expecting them to be substituted and left at the mercy of welfare states and a compulsory education system. The problem is not as simple and straightforward, argues Sawyer, "there [exist] many shades of grey, many cultural attitudes, which lie between the concepts of freedom and bondage" (1988, p. 1).

Clearly not all work is hazardous for children or detrimental to their upbringing. According to Fyfe, "this view commands almost universal agreement" (1989, p. 3). A number of social scientists have pointed out that many forms of work can be beneficial and contribute towards children's growth and development (Fyfe, 1989). To draw distinctions between beneficial and harmful work appears highly ambiguous. As mentioned by Stillman, "children's work progresses from the most intolerably harmful through neutral to wholly beneficial with various degrees and combinations in between" (2003, p. 5). Again, if we consider work only as paid employment, a vast area of work would be left totally unaddressed. In many cases work appears the natural order of daily activities and does not involve remuneration; for example, in India, many children, particularly in rural areas, are engaged in household and other domestic chores that do not involve pay. These include collecting firewood, fetching water, cooking and looking after siblings. Work is part of their daily activities and may not be considered as work at all (Nieuwenhuys, 1994).

Rodgers and Standing, were perhaps the first to attempt on a typological classification of children's activities only to conclude that "the measurement of children's work cannot be divorced from its economic and social significance"(1981, p. v). While there is little or no doubt what constitutes exploitation, "at the margins though, there will always be a subjective facet; exploitation lies in the eyes of the beholder" (Fyfe, 1989, p. 3).

Nevertheless, international instruments have come a long way in defining childhood. After much debates and discussions and in order to arrive at some sort of neutral consensus of what constitutes childhood. The UNCRC defines a child as a human being less than 18 years of age (Arat, 2002, p. 179). Most agencies today make a distinction between Child Work and Child Labour. The ILO defines Child Labour as “the type of work performed by children that deprives them of their childhood and their dignity, which hampers their access to education and acquisition of skills and which is performed under conditions harmful to their health and development” (Joseph 2002, p. 423). The UNCRC as mentioned in chapter 1, includes the entire range of rights: civil, political, economic, social and cultural, so as to encompass almost all aspects of childhood (Lloyd-Evans, 2002). With the concept of the best interest of the rights of the child as the underlying framework – the UNCRC subscribes to relative principles so as to accommodate the diversity of childhood in a global world, leaving space for individual state parties to form their own interpretations (White, 1996). As Franklin (1995) argues different cultures, as well as different histories, construct different worlds of childhood. “Alongside the articles relating to provision, protection and care, the UNCRC, “sets out a number of obligations on the rights of participation by young people. Some important articles include:

- Article 12 guaranteeing the right for children to express an opinion and to have that opinion taken into account in any matter or procedure affecting them
- Article 13 The right for children to get and share information as long as the information is not damaging to yourself or others
- Article 14 The right to freedom of thought - Freedom to practice your religion as long as you are not stopping other people from enjoying their rights
- Article 15 The right to association and assembly
- Article 17 The right to appropriate information - Television, radio and newspaper should promote information that you can understand, and should not promote materials that can harm you
- Article 29 The right to an education which will encourage responsible citizenship (Mathews, Limb and Taylor 1999, p. 136; UNCRC, 1989).

According to Reddy, (1998) this should mean that children have a right to determine the nature and quality of all protections and provisions that are available, and it should also mean that all interventions must be designed with the active and informed participation of the children concerned and not by adults alone.

However, in the discourse on child labour, concepts of childhood based on Western European experiences have been globalised by welfare activities of many international organisations, both governmental and non-governmental and dominate much of the literature (O'Kane, 2003). Most interventions on child labour are based on the view that childhood is a separate and distinct phase of life cut away from the real world of work, sexuality and politics and confined to a classroom while the economic cushion, is provided for by the parents (Aries, 1962; Cox, 1996; Holt, 1975; Pollock, 1983; Sommerville, 1982). In other words as Prakash argues: "a child's growth processes are to be enhanced through schooling" (2002, p. 260). To quote Weiner:

Compulsory primary education is the policy instrument by which the state effectively removes children from the labour force and shifts them into schools. The state thus stands as the ultimate guardian of children, protecting them against parents and would-be employers (1991, p. 3).

According to Weiner, Kabeer (2001) finds, that those states that have failed to remove children from the labour force, have abdicated their responsibilities and have not discharged their duties, because of a lack of political will. Ambivalence of laws, apathy of the state, large scale corruption, poor and inadequate schooling facilities and adherence to beliefs and attitudes about the place of children in society, are all responsible for the failure of delivery of services and are valid reasons which in Kabeer's opinion, justify Weiner's (1991) views, making work appear a more suitable and desirable option.

Apart from policy failure, poverty and under-development is another factor that keeps a large number of children away from the portals of school. Although Weiner (1991) dismisses poverty based explanations, arguing that it is used more of an excuse than a cause, Joseph (1991b), on the other hand claims

that the causal link with poverty cannot be overlooked. This is because in many cases children's income, contribute towards the survival of their families, in spite of the fact that there are many poor families who make essential sacrifices to send their children to school.

Empirical evidence cited by Kabeer, concludes that both these factors; policy failure (failure of delivery of services) and poverty and under-development, "mutually reinforce the problem, rather than contradict each other" (2001, p. iii). Mishra (1997) and Ramanathan (2000) explain how these factors have characterised the various different approaches towards the problem.

At one end of the spectrum, what Kabeer (2001) calls the '*realist*' position, the focus is on ameliorating working conditions and the provision of a flexible school system so that children can combine work with school and receive some sort of education. From this perspective child labour is considered a harsh and unavoidable reality for poor parents who depend on their children's income and that by imposing outright ban on child labour only works to their detriment. Proponents of this view, call for laws to make provision for children to work and draw distinctions between tolerable and intolerable forms of labour, banning only those forms of labour which are highly intolerable. For example, the Indian Child Labour Prohibition and Regulation Act of 1986, which makes provision for children to work in certain regulated conditions, supposedly exemplifies this view (Weiner, 1991).

At the other end of the spectrum, as mentioned by Arvind (1999) and Dhagmwar (1999) in what has been described as the '*idealist*' or '*purist*' position, there are those who say child labour is a violation of the rights of the child and it is the failure of society and state to act on behalf of its most disadvantaged citizens. From this perspective distinctions between hazardous and non-hazardous forms of labour are highly ambiguous and irrelevant. Anything short of full-time formal education from the idealist perspective is considered as sub-standard and unworthy. Proponents of this view believe that the provision of alternative forms of education or non-formal education discriminates on working children even more and only contributes towards

reinforcing the inequalities already prevalent in society. The need rather, is for an outright ban on child labour and the focus should be on strengthening state mechanisms in enforcing compulsory education policies. Allowing space for children to work only serves as an excuse for employers to hire children. For example, as Burra (1986) argues:

Socially minded people salve their conscience by employing children ostensibly to save them from starvation and look upon it as social service! [Allowing children to work] will just give a carte blanche to employers and parents to exploit the poor child with the benign indulgence of the state(Burra, 1986, cited in Weiner, 1991, p. 86).

Grootaert and Kanbur (1995) find that regardless, whether the consequences of violations are welfare improving, there are certain rights which are inviolable and sacred. Education is a fundamental right, justifying children's labour and calling it a harsh reality, a dilution and denial of basic human rights. Although such views lacks practicality when it comes to enforcement, Ramanathan rightly points out that "it is yet possible that the statement of the objective may itself lend an acceptable morality" (2000, p. 153).

NGOs, governments and other concerned groups and agencies, depending on whether they favour the *'realist'* or the *'idealist'* position vary in their approach based on the context, situation, culture and ground realities. From introducing an outright ban on child labour, boycotts on products made by children, to providing books, pencils, uniforms, midday meals in schools and other incentives for poor parents to send their children to school, to introducing a flexible school systems or night schools so that children are in a position to combine both work and school and they do not conflict with each other, to teaching children trades and crafts so as to enhance their skills and capacities, taking punitive action against those employers who hire children, sensitising the public about children's rights, signature campaigns, raids and rescue missions in suspected areas where children are working, establishing codes of conduct of labour practices, even using children to campaign and so on - a number of measures have been conceived and implemented to combat the problem. The levels of success, depending largely on the quality, ability,

capacity and effectiveness of delivery of the concerned group or organisation to be able to reach out to children (Weston, 2005b).

Kabeer (2001), argues that although the above explanations are all valid reasons why children opt to work instead of going to school, and the various interventions designed to combat child labour are or all practical responses to the problem – these explanations do not serve as a basis for the causes of high incidences of exploitation and abuse proliferating in the workforce, nor do they question the dominant adult-child relationships in societies (Joseph 2007) Also societal views, which drive the implementation of compulsory education policies, are never questioned or critiqued (Clark and Foster 2006).

Rather, the implementation of compulsory education policies is based on a gross generalisation of childhood and its correlates, derived mainly from Western European experiences, one that is universally imposed on societies all over the world (Dube, 1981) Researchers, usually adults begin to claim absolute objectivity of judgement using their own measurements or which has been prescribed to them by the organisations or agencies they work for (Hungerland et al., 2007). People repeat the words uttered by the established guardians without thinking about its meaning and implications. As mentioned by Hungerland et al., “the search for causes proceeds from a view which sees work exclusively as a social and economic problem, and not as an open field marked by widely differing forms and conditions which can have a variety of meanings for the children” (2007, pp. 9,10). The contextual situation of children’s work and the structural setting in which it is undertaken remains heavily under-researched, and instead children’s work gets “clouded by moral, emotional and legal considerations” (Nieuwenhuys, 1994, p. 10).

Reconsidering children’s work, it becomes clear that work among children is not a recent phenomenon, nor a result of ‘backwardness’, or a relic of a bygone age (Liebel, 2004). Even Weiner (1991) acknowledges that the notion of removing children from the labour force and shifting them to schools is relatively new. For centuries children have worked alongside their parents; it was an important aspect of socialisation for integrating oneself into the society

one lived in, the means of learning a trade and assuming even greater responsibility. Education and literacy was more or less confined to the bourgeois or the elite and there existed "a process of social reproduction in which educational, social, economic and political institutions reproduced social classes" (Weiner, 1991, p. 109).

However, the advent of industrialisation in Europe saw the recognition and emergence of child labour as a social and economic problem. While industrialisation did not invent children's work, it certainly intensified children's labour, and reduced them to a mere cog in the wheel of production (Clarke, 1990). The brutalities of child work and the need for a skilled labour force to operate the newly invented machines encouraged the spread of education to the common masses and the establishment of schools and colleges. Although Weiner (1991) argues that the diffusion of mass education in many cases did precede industrialisation and urbanisation (otherwise without education, industrialisation could not have happened), it was the rapid changes that occurred in Europe such as: the desire to spread the gospel; the relevance and realisation of the importance of literacy; the need for a skilled and specialised labour force; the intensification of children's work and its conception as a problem, which introduced regulations on children's work and gave a fillip to education, making it even more popular. Christian missionaries soon became pioneers in the field of spreading education and it became a normal trend for children to first attend school and then join the labour force at a much later age (Fyfe, 1989).

Today education encompasses a much broader range of human development goals. It ensures social mobility, expansion of the economy and enables societies to break away from the principle of social reproduction. Children need not necessarily have to follow their parent's footsteps as education provides the opportunity and freedom to take up a variety of different jobs and the desire to choose an occupation of one's choice (Weiner, 1991).

While nobody can deny the value and importance of education, and everywhere the trend is towards increasing levels of schooling, working

children, argues Liebel (2004), have unfortunately lost their profile as a social and economic category. In a world where "going to school has become a normal feature in a child's life ... and part of the definition of a self-respecting citizen" (Dore, 1982, p. 41), it has unfortunately led to an institutionalisation of children's lives and a construction of childhood which marginalises all other forms of childhood, especially those in which work and play are not irreconcilable opposites, and in which work plays an influential and respectful part in children's lives (Hungerland et al., 2007). This institutionalisation of children's lives says Fyfe (1989), can be linked to a shift in attitudes towards minors, where childhood is construed as a period of frailty, passivity and innocence (Daiva, 2002).

According to Fyfe, it was Philippe Aries, (1962) "in his classic *'Centuries of Childhood'* who first put forward this thesis" (1989, p. 12). From Aries's perspective, childhood is a modern western invention and that in medieval ages the concept of childhood did not exist (Jenks, 1982; Stillman, 2003). Although Aries's (1962) assumption, that childhood did not exist prior to the sixteenth century is exaggerated, Gomez believes (2007) that in many ways, it has stimulated debates on how the modern construction of childhood has emerged - one which has been universally imposed on children's lives across the globe and unfortunately discriminates on all other manifestations of childhood, especially those that do not fit into the modern pattern. This is despite the fact that there are numerous examples worldwide, to show how working children view their work as different to what is commonly assumed to be child labour (Liebel, 2003). Work, say Rodgers and Standing (1981), in many cases has enabled children to learn a skill, and for many children handling a job, earning money, the ability to spend, is a source of pride, empowerment and accomplishment. Even in developed countries, where despite a compulsory education system, many children drop out of school and start to work. For example, Russian children have been seen to "organise their own labour and utilize the resultant income for their own wants and needs" (Mansurov, 2001, p. 153). No doubt, as a rule, children in the western countries do not work for survival, but rather it is the wish to break out from the institutionalisation of childhood intended for them (Clark et al., 2005).

Similarly even in the developing world, despite working under abusive and exploitative circumstances, work is a more preferred option unlike schooling and remand or juvenile justice homes, which literally restricts their movement and freedom (Sarode, 2009).

In attempting to capture the variety of meanings work can have for children, the intention here, as stated by Liebel (2004), is not to blind ourselves to the various forms of abuse and exploitation that is proliferating in the workforce, nor is it an attempt to negate the importance of schooling and education, but rather to take note of the fact that work does not necessarily have to be equated with exploitation, or be referred to only with negative connotations. Liebel argues that as long as such perspectives are lacking, children's work will be seen as a strain or a sacrifice, something that is burdensome; and that it becomes difficult to conceive that children are capable or interesting in acting in a manner significant to their environment (2004, p. 5).

An understanding of the creative side of work becomes absent and working children get denied the competence to judge their own situation and the ways in which they feel about their work (Rogers and Standing, 1981). Rarely do children's experiences and opinions get considered or taken into account (Corsaro, 1997; James, 1990). Also there is a general lack of perspectives in which work is one of those human activities with which people can grasp life, transform and produce new aspects of it (Winchester, 1991). Instead, children who work become even more marginalised, socially excluded and are made to feel inferior. Their social exclusion can easily be recognized, especially in the case of street children as described by De Venanzi:

To belong to the socially excluded is well beyond the mere experience of being poor. Whereas poverty is essentially an economic concept denoting lack of disposable income, exclusion entails a relative loss of social and political rights Furthermore, excluded lifestyles invariably draw pejorative moral judgments from mainstream society (2003, p. 3).

From De Venanzi's (2003) description, children have not been envisaged as social agents or as subjects of rights, who have the ability to advocate on their

own behalf and form their own interpretations of what constitutes ideal forms of childhood. Few opportunities exist for young people to engage in discussions about their futures and seldom are they provided a chance to express themselves outside adult-dominated institutions (Hart, 1997; Matthews, 1992, 1995; Mathews and Limb, 1998). Despite the universal ratification of UNCRC, which makes ample provision for addressing the diversity of childhood across the globe "children have become progressively and systematically disenfranchised, forced into dependency on adults, - obliged to be seen but not heard" (Matthews et al., 1999, p. 137).

Therefore, it would be safe to conclude that policies on child labour have not emerged according to the specific socio-cultural context in which the problem is embedded. Instead they are based on "value judgements and evaluative standards derived mainly from Western European experiences" (Dube, 1981, p. 182). Child labour laws tend to focus on work only as a 'problem' giving reasons that children are working because interventions have failed to remove them from the labour force. What is not mentioned is that children for centuries have always been working and that it was an important aspect of their lives, integrating them into their societies. Also the question why children are being exploited, or for that matter, why employers prefer to hire children, or the study of adult-child relationships are more or less missing in the debate. The result is that education and work tend to conflict with each other subjecting children to the experimentation of policy making.

Hence, to depend solely on the strength of state authority for the successful implementation of compulsory education policies and the removal of children from the labour force, without considering the variety of reasons why they are working is wishful thinking. It only adds more pressure on governments to enforce rules and regulations on society, inevitably leading to flaws in execution and causing more complications, especially so when they tend to conflict with the daily activities of people's lives. For destitute parents trapped in poverty, banning child labour can become doubly oppressive and even an economic catastrophe. It would only mask or drive underground the incidences of children's work, making it easier for abuse and exploitation to

set in, thereby marginalising children even further, taking away their right to expression and struggle for a more egalitarian society. As shown in the next chapter, this is seen no more clearly by working children themselves who have started to express their views through their emancipation movements that have emerged across Asia, Africa and Latin America.

4. Working Children's Organisations and Movements

The emergence of working children's movement has given rise to a new impetus on research on children - one which focuses on the perspectives of working children themselves, considering them "as social and economic subjects who are to be taken seriously in all conceivable aspects of their lives (Hungerland et al., 2007). This chapter explores how working children have taken the role of protagonists, formed unions or movements and have collectively come together to resist exploitation both historically and contemporarily. It goes on to explain the importance of children's participation and the need for recognising working children's movements.

Working children (child labourers) are children mostly between eight and sixteen years old, and a great majority of them live and work in conditions that violate their human dignity and that stunts their growth and development. As child labour is prohibited internationally, children are forced to work clandestinely, in the so-called informal sector, more or less 'hidden' from the eyes of the law. As Sawyer (1988) mentions that in places where child labour most widely spread, the problem is seldom recognised. This lack of recognition has only furthered their exclusion and marginalisation, making it easier for exploitation and abuse to set in. Being children, they lack bargaining power, are easier to control, manipulate and are less aware of their rights. Moreover, the design of services intended for children in many of the developing countries, as mentioned in the earlier chapter, are far from adequate. Also the labour unions that represent the workers, do not incorporate children's needs and demands, as very often their work is deemed 'illegal' by law (Roschanski, 2007). Even those who orient themselves to the maxims of the UNCRC, says Liebel (2004), do not pay enough attention to giving working children the opportunities to influence the development of a society as a whole, as individuals, or as a social group with their own specific interests. Although the UNCRC gives scope for children's social recognition and participation, children are not thought of as a social group with the ability to act in an organised manner, or as protagonists who

can play an independent and important role in society, exerting an influence on decision-making processes (Liebel, 2004, p. 8).

Apart from that Sawyer (1988) mentions on how nationalities, culture, class, kinship, religion and gender have brainwashed society into conforming to stereotyped notions with regards to the needs and recognition of children. Well-meant appeals to cultural patriotism at times have bred chauvinistic, linguistic, parochial and religious sentiments to be raised at regular intervals, causing dislike, conflict and violence. For example, the history of democratic India, writes Guha (2007), has been riddled with conflicts and divisive forces. Not too often conflicts between different castes, linguistic groups, religious denominations and classes have been a recurring theme, in the sub-continent, some of which have been extremely gruesome and bloody. Also, under the banner of 'protection' and 'preservation' of culture, social evils rooted in traditional customs and religion tend to become justified, reinforced and passed on to future generations. The existences of prevailing customs rooted in religion and tradition such as Female Genital Mutilation (FGM), in Africa (UNICEF, 1998); or bonded labour, child marriage, and *devadasi system*⁶ (Chattoraj, 2002) in the Indian sub-continent are all prime examples. These only go to show how adults practice deliberate fraud and abuse the trusting plasticity of children's minds.

The result, as Lolichen (2006) argues, is that most children are left unaware of their rights with no means to access information relevant to their lives and the adult world either denies such vital information or makes the process of accessing information very complex and difficult. Instead of facilitating and letting children to develop their own opinions and interpretations of the world in which we live, they are conditioned to adopt more or less the same stereotyped views and psychological disposition of the previous generations. In this whole process the diversity of childhood, children's experiences, perceptions, reflections, feelings, expressions and concerns remain invisible

⁶ Rooted in Hinduism, initially it was a practice in which girl children were "married" and dedicated to a temple deity. Today it is a form of exploitation, where girls are sold to temples and reduced to prostitutes.

or get lost in the myriad socio-economical and political forces and children's place in society is not easily perceived (Hungerland et al., 2007).

It is in the above context, that organisations of working children have emerged, so as to provide a platform for children to be recognised, express their views and participate in all decisions concerning their welfare and betterment. Rather than subscribing to ideal forms of childhood dictated by culture, tradition and adult society, working children's international movements and organisations have provided an opportunity for children to take the role of protagonists and arrive at their own interpretations and conclusions of what is appropriate and good for them. These movements have rendered children to become visible, gain recognition for their work, take collective action, conduct their own research, design research framework and advocate on their own behalf (Lolichen, 2006). For the children, coming together has inculcated a feeling of solidarity, a sense of bonding, an identity, a means to share their thoughts, exchange ideas and the realisation that there are others like them experiencing the same situation.

Ennew (2000) states that throughout history there exist examples of how children have taken the role of protagonists and behaved like full-fledged citizens, contrary to what is commonly thought capable of them. Resisting exploitation is a fundamental right that ought to be recognised. Children have managed to handle situations without waiting for adult rules or statuettes to recognise this right of theirs and have shown to possess their own political and social identity with distinct issues and needs. Likewise, royal and aristocratic children have occupied positions of power well below today's established age limit to vote, in contrast to modern perceptions of childhood (Ennew, 2000).

Liebel (2004), dips into archival records and cites from an array of different sources (largely unpublished) of demonstrations undertaken by working children with the intention of changing their situations. These actions, says Liebel (2004), are mostly peaceful and the aim is to sensitise the public to recognise children's rights and they take the form of demands or suggestions

directed at adult organisations, governments, trade unions and other children's rights groups. Also widespread is the provision of mutual assistance in cases of need, reflecting concern for each other and responsiveness towards adverse situations, like in the case of street children who build informal social networks, subscribe to symbols, evolve an identity, exploit public spaces and join gangs for protection and survival (Venanzi, 2003).

The earliest known example, according to Liebel (2004), comes from Manchester, UK. In 1836, children employed in the textile industry sent a petition to the British Parliament requesting a reduction of extremely long working hours, more time to rest, "a little play and time to learn to read and write" (Liebel, 2004 p. 217). Belgian historian, Barte De Wilde (2000) reports on protests on the part of textile workers led by a fourteen-year-old boy in 1839. The German historian Kuczynski, cites a report from Germany Urban Year Book Berlin, 1870 ("Berlin und seine Entwicklung", 1870 p.286) where forty children carried out a successful strike when their demand for increment of pay was refused. Kuczynski also mentions another report from Berlin, 1919, on how children aged between fourteen and sixteen took matters into their own hands and threatened to paralyse Berlin's road haulage traffic in demand for equal wages as that of adults (Kuczynski, 1870, cited in Liebel, 2004, p. 217). In 1899, the 'Newsies'⁷ from New York led a successful strike against newspaper barons to combat wage cuts (IWCGI, 1998; Nasaw, 1985). In 1902, coal miners in the USA, comprising of both adults and children went on strike against the inhuman treatment meted out especially towards children (McKechnie and Hobbs, 1998).

These historical examples reveal that children were not necessarily opposed to work; rather it was the conditions of work that they were opposed to and when they concerned themselves with working conditions, various ideas emerged, offering possible alternatives and ways to improve their situation. By attempting to do this, children strengthened their independence, thereby expanding opportunities to improve their material situation. This shows that

⁷ News paper boys

children can give their work thought, and to some extent resist the conditions under which they have to work. In these historical examples, these children have not waited for things to be done, instead they themselves took up the initiative to struggle for better working and living conditions and it was part of their daily lives. The above examples also show that work can take on many different forms and meanings to those typically associated with discussions regarding child labour and do not necessarily have to be equated with exploitation. In short, working children, through their resistance, have clearly demonstrated that it is not possible to understand and evaluate their work, without considering the specific context in which they live (Hungerland et al., 2007).

In the contemporary setting, organisations of working children have emerged exclusively in the global South (ITALIANATS, 2004). Often these movements are the only means through which children can protect themselves, defend their rights and critically evaluate their work. The first working children's movement appeared in the 1970's, in Peru and Brazil, and by the 1990's they were also found in Asia and Africa (CWC, 2006). While most of these organisations have been facilitated by adult humanitarian organisations and other grass root level NGOs, these movements are wholly independent and run by children themselves (Liebel, 2004, p. 24). For example, the case study of *Bhima Sangha*, (appearing in the following chapter) consists of around 13,000 children, and although supported by the NGO, Concerned for Working Children (CWC) is an independent union with their own agenda. Other children's movements may consist of groups of children engaged in the same occupation, like the shoeshine children of La Asunción, Paraguay and the 'parking boys' of Zimbabwe who protect their work places and allocate each other different times to work (IWCGL, 1998). However, Liebel (2003) argues that mostly, these children's organisations consist of largely informal groups which are not necessarily recognised at the national level. Like, in the Peruvian coastal town of Chimbote, where children have formed small unions called *sindicatos*, through which they organise collective action that draw attention to their plight and help friends in need (Dücker, 1992 cited in Liebel, 2004, pp. 221-222). Or for example in Johannesburg, South Africa, street

children have organised a kind of savings scheme for emergency purposes (Swart, 1990).

Apart from these examples, Liebel (2004) also reports on various other independent and isolated incidents of collective action undertaken by children such as sabotaging work time, appearing late for work and prolonging breaks as much as possible. Other forms of action as reported by Hungerland et al., (2007) include, targeting political and civil institutions to take active interests in the issues of working children. *Bhima Sangha*, for example, has been pressing the local and national governments to legally recognise them as workers with equal rights (Reddy, 2007). Likewise in Peru after prolonged negotiations, children have been included in social insurance and in Senegal, girl domestic workers who have migrated to the city are pressing for better living conditions in their villages so that they can return home (Liebel, 2004, p. 224).

The above reports have shown, that to perceive only the dangers and negative aspects of children's work, we would be failing to take into account the price children would have to pay if they did not work. Our moral judgements and measures currently against child labour are based on a cultural model of childhood. Hence, it is left to working children to cope with their own situation and to develop their own ideas about their work and their lives.

Most of the working children's organisations today, says Hungerland, et al., (2007) insist on a 'right to work', and a social recognition for their work and criticising those who can only imagine proper childhood without work (or in the absence of work). In the children's declarations passed through the number of regional and international meetings held at Kundapur in 1996 (appendix 4.1), at Berlin in 2004 (appendix 4.2), at Kathmandu in 2005 (appendix 4.3) and at Sienna in 2006 (appendix 4.4), the children remind us that it is not enough just to complain that they are working, but rather, address the reasons and motivations for their work (Beers, 2007).

Unlike school going children, working children's experiences are different. Living their lives with discrimination and abuse - exploited and ostracised from society, without the ability to access information and no control over resources, they soon become victims of a very disparate set of circumstances (Hungerland et al., 2007). Yet, one of the most remarkable things about the many groups of working children is how much of their lives they have been able to take into their own hands. In some cases, argues O'Kane (2003), much more so than middle-class children who may in fact have very little decision - making space of their own in spite of being economically better off. Working children, through their movements have shown that, childhood, children's relationships and children's work are worthy of recognition in their own right, and not just in respect to their social construction on the part of adults (O'Kane, 2003).

Articles of the UNCRC, as mentioned in the earlier chapter, guarantees children the right of participation, self-expression, to form clubs or collectives and the concept of the best interest of the child is the corner stone of all policy making (UNCRC, 1989). In order to fulfil these maxims, children should not be seen just as children who complement and enrich the acts of adults and institutions which dominate them, but as subjects with the ability and right to advocate on their own behalf, with their own specific interests and having control over decision-making processes (Lansdown, 2001).

Providing space to participate enables children to access their rights and help bridge the gap between official rhetoric and actual policy. Fabrizio Terenzio (2007) from his experience with African working children says that the sheer number of children working makes them important key stakeholders in economic, social and political contexts. He underlines that their success and sustainability depends largely on children's participation. This confronts adults with many of the mistakes that have been made, exposing how children have been denied a voice, freedom of expression and the information relevant for children's survival and development.

What is also apparent is that the demands put forth by working children's movements do not contradict the worldwide validity of children's rights, especially the ones outlined in the UNCRC. To some extent, the children's demands are rephrased to suit particular contexts and partly supplemented with further rights, like in the case of the 12 rights outlined in July, 1994 by the African Movement of Working Children and Youth (AMWCY) (Liebel, 2004, p. 21; Fabrizio Terenzio and Coly, 2007, pp. 180,181):

1. The right to be taught a trade;
2. The right not to have to migrate (i.e. to stay in our villages);
3. The right to security when working;
4. The right to access to equitable legal aid (in case of trouble);
5. The right to be listened to;
6. The right to light and appropriate work (adapted to our ages and abilities);
7. The right to respect;
8. The right to rest when sick;
9. The right to health care;
10. The right to learn to read and write;
11. The right to play;
12. The right to self-expression and to form organisations

In the children's statements, the children see themselves as 'subjects of rights' and emphasise on the social recognition of their work. However, despite the demand for "the right to light and appropriate work", by the AMWCY, the "right to work" is not included in the UNCRC. The term "work" as outlined by the AMWCY, refers to the productive activities of working children, who accomplish a job that is useful to their families and society, and to the work of children's organisations that strive for the improvement of social relationships and justice (Liebel, 2004). Although, not all the children's organisations claim the "right to work" (in the sense of performing a productive job for society), they all agree that their work can no longer be devalued and must be socially recognised⁸.

Working children, through their participation have proven the ability to determine the effects of work on their lives and that they can find ways to improve their situation. According to Reddy and Ratna (2002), to participate is

⁸ For more information refer to Appendices 4.1, 4.2, 4.3 and 4.4

instinctive from birth and children participate in many different forms in order to communicate with people and establish links with their environment. For example, in the case of street children, who in order to participate and be recognised, develop a culture their own, by forming gangs, subscribing to symbols, get tattoos and protect each other. While in many of these groups, the children may be involved in activities such as sniffing glue and petty thefts, the groups still reflects children's instincts of wanting to participate, and having an identity of their own (Venanzi, 2003). Similar to working children's participation, these groups of street children despite being criminally inclined also imply processes of involving oneself, sharing responsibilities and actively engaging in decisions concerning their everyday lives (Matthews et al., 1999). Even if children do not voice their opinions, the fact that they are attending a meeting and coming together to listen, is itself a sign of participation and an act of solidarity.

Children's rights today have become a highly prioritised agenda of many international and national policy makers, conventions and dialogues. The UNCRC serves as a powerful tool for safeguarding the best interests of the child and for ensuring that, children's views and opinions are given respect. Unfortunately the right to participate is the least realised of all children's rights. As Oakley (1994) argues, participation is still conceived to be an adult activity and as such, a culture of non-participation by young people is endemic in most societies (Lansdown, 1995; Matthews et al., 1999). According to Lansdown (1995, p. 20) this culture of non-participation can be attributed to several reasons as illustrated in Box 4.1.

Box 4.1 Objections to children participating

- Allowing children to participate, challenges the dominant status quo and paternalistic paradigms in society. It means questioning adult authority, perhaps hurting their ego and the sharing of power with children.
- It is thought that by unnecessarily involving children in issues considered 'adult affairs' and by imposing responsibility on children adults are robbing them of their childhood and absolving from their

responsibility.

- It is believed that children cannot have full-fledged rights until they are capable of undertaking responsibility.
- Children lack experience and are incapable of reasonable and rational thinking, if left to the freedom and their own inabilities it is believed that the results are likely to be harmful.

Source: (Matthews et al., 1999, p. 136)

However, Qvortrup, et al. (1994) criticise those who object children's participation on the basis that they are based on idealised views on childhood. As Alanen (1994) points out that few children live their lives without responsibilities and apart from children's work being underestimated - school work and its associated responsibilities tend to become invisible by the label 'education'. At the same time, in many cases, issues concerning children's lives are often the outcome of the same social and economic forces that affect adults as well (Matthews et al., 1999, pp. 136,137)

Franklin and Franklin argue that children constantly make decisions in their everyday lives and that in many cases adults are often not very good decision makers (1996, p. 101). Therefore, children should be allowed to take decisions and perhaps learn from their mistakes and in the bargain develop good decision-making skills. The probability of making a mistake argues Franklin (1995) should not discourage children's involvement. Also, when we consider the existing allocation of rights provided for children, we suddenly seem to expect children to enjoy the right of suffrage without training or rehearsal. Furthermore, as mentioned before, such views are based on adult assumptions that children are not social actors in their own right, but are adults-in waiting. By doing this adults not only fails to acknowledge children adequately, but also undermine their true potential within society (Mathews, et al., 1999).

Hence, in order to gain a better understanding of the various similarities and between different children's lives, it is important argue, Boyden and Ennew

(1997) to listen to children's views and perspectives and learn to recognise the diversity of childhood and the various socio-cultural contexts in which child labour is embedded in. By doing this, it becomes possible for interventions to be more meaningful and in accordance with children's capacities and needs. Similarly, applying the same principle to other marginalised groups would provide an opportunity for them to participate, access essential services and facilities, and be included in mainstream society. Close interactions with children have shown that children can and will decide what is relevant to them and what is not - given that children are provided the information and space to shape their futures. To quote Hodgkin and Newell:

It is a matter of common sense, and the instinctive good practice ... to listen to children and encourage them to take responsibility for decisions wherever possible. The outcomes are usually better and, even if things go wrong; learning from mistakes is an essential part of development (1996, p. 38).

It becomes clear that international bodies, such as the ILO, should start incorporating working children's views and recognise their unions and movements in debates surrounding child labour (Liebel, 2002). As children become more and more empowered, argues Reddy (1991c), they would be more aware of their rights and in a better position to protest against discrimination. The next chapter provides a case study of *Bhima Sangha*, a working children's union, in Karnataka, India who have taken the role of protagonists and have been involved in planning and designing policies close two decades and shows how children's participation can be facilitated so as to make policies on child labour more realistic and meaningful.

5. Case Study: The story of *Bhima Sangha*

The chapters in this thesis so far, have shown how interventions on child labour have suffered shortcomings by failing to give children a voice in the dominant discourses. It has been argued that children are capable of advocating on their own behalf and that it is important to give them a voice and space to participate in debates surrounding their welfare and betterment. But the question arises how do we translate children's participation into action and implement it so that it can become a reality?

This chapter provides a case study of *Bhima Sangha* - a union for and by working children (18 years and younger) facilitated by the Concern for Working Children (CWC) across the state of Karnataka, India, who since its inception in 1990, have reached a membership of more than 13,000 children and have successfully managed to participate in government decision making processes. These children have emerged as a force to be reckoned with, gaining worldwide recognition for their achievements, making a tremendous impact on the socio-economic, political and cultural landscape of Karnataka (Box5.1).

Box 5.1 Some Significant achievements of *Bhima Sangha*

- 1990 – *Bhima Sangha* was formed and in April 30th they celebrated the first World's Child Labour day.
- 1995 – Informal children's governments were established in the villages of Karnataka.
- 1996 – *Bhima Sangha* Participated in the Asia's Regional Conference of 5000 children was held in Bangalore in April, and in the same November/December the same year the first worlds working children's Meet in was held in Kundapur, with *Bhima Sangha* being one of the founding members.
- 1997 – *Bhima Sangha* were invited as delegates to the ILO conference on child labour in Amsterdam and in Oslo in 1998. In the same year, *Bhima Sangha* members who graduated started a Youth Movement

called Namma Sabha.

- 1999 - Balkur village was officially declared to be "child labour free". And the National Movement of Working Children was launched with *Bhima Sangha* being one of its founding members.
- 2003 - *Bhima Sangha* Submitted of the Alternate Report to the Committee of the Rights of the Child.
- 2004 - For the first time in History needs and Demands of Children Included incorporated into the 10th Five Year Plan in 56 *Panchayats* of Kundapur Karnataka.

Source: (Bhima Sangha, 2003)

From combating child labour, gender discrimination, caste discrimination, female infanticide, alcoholism, child marriage, sexual abuse, corruption, environmental degradation and other wider issues concerning their local communities - *Bhima Sangha* are leading from the front and are showing the way. Whether it is *Uchengamma's* crusade against child marriage (see appendix 5.1) or *Vanaja's* struggle for housing rights (see appendix 5.2), the children's conflict resolution skills and ability to innovate solutions, says Reddy (2003) are all fascinating and unique examples of children's agency (Bhima Sangha, 2003, p.5). The win-win situation these children have adopted, the effectiveness and simplicity of their strategies, and the ability to reach the most marginalised, has been truly amazing and a major learning curve for adults. For the children too, their achievements have been a tremendous source of empowerment, a sense of self-esteem, accomplishment, pride and confidence in the work they undertake. These children are a living proof that they have the ability to take decisions knowing what is best for them, and that very often adults fail to act in their best interest. By drawing upon personal experiences and the work done by CWC, this is a story of girls and boys surviving in a particular geographic, socio-economic, political and cultural context, struggling against extreme odds and fighting for their rights, dignity, recognition and self-respect.

Child labour in India, writes O'Kane (2003) is an accepted socio-economic reality, which is rooted in history, poverty and global inequalities. Its

continuing prevalence as mentioned by Joseph (1991a) reflects a shameful lack of political will and public pressure even after six decades of independence. Unfortunately the laws that condemn child labour tend to condemn the children and their labour as well. Bourdillon (2006) states that vulnerable children are often harmed rather than protected by being prevented from working, and particularly from earning money and fails to capture the diverse cultural experiences of childhood that is bristling and vibrant in the subcontinent. Suffice is to say, as mentioned earlier in chapter 2, apart from poverty, under-development, lopsided development policies, huge disparities of income and the dearth of education facilities, a set of belief systems and attitudes embedded in Indian society can provide us with a more tangible and logical set of answers.

In 1985, realising that working children were the most disenfranchised of all workers and that they lacked access to any sort of services, CWC responded to the challenge (Swift, 1999). Fuelled by fundamental beliefs in democracy, CWC started to reach out to children directly through a number of new and innovative ways, which built upon children's capacities, strengths and ability to raise questions regarding their participation in society. Using an empowerment approach working children were encouraged to voice their opinions, express their views and come together collectively. Unlike a charitable approach that views children as victims of unfortunate circumstances, "an empowerment approach sees children as citizens with rights to survival, protection, development and participation" (O'Kane, 2003, p.5).

Under the urban programme called *Ankur*⁹, (Reddy, 1991a) CWC started to work with children employed in the hotel industry. By gaining firsthand experience of the ground realities of children's lives, it soon became clear that most of the children in the cities had migrated from rural areas with their families due to the corrosion of rural lifestyles. Often the displacement caused by migration is dehumanising reducing children and their families to daily

⁹ Ankur - Launched in 1985, it covers 24 field areas of Bangalore City, Karnataka, India.

construction labourers – forcing them to live in slums and squatter settlements where obtaining even the basic amenities to survive is a struggle (Reddy, 1991a). In order to address the problem of migration and find ways to curb it, in 1989 CWC launched the *Gramashrama*¹⁰ project (Reddy, 1991e). Under this project resources, job opportunities and markets are identified for rural people, in order to prevent the corrosion of their lifestyles and migration to cities. During the same year a research cell called the Centre for Applied Research and Documentation (CARD) was established to undertake research into the root causes of child labour and the complexities associated with it. The purpose of CARD is to contribute to the existing body of literature on child labour by documenting children's views and expression through direct interaction with them and listening to what they have to say (Reddy, 1991b).

Based on children's responses, education programmes were designed by CWC to cater to these children's daily needs and requirements (Swift, 2001). Through street plays and dramas, children were taught to advocate for themselves and campaign directly for their rights by acting out real life incidences such as a loss of a hand by a 12 year-old boy who was working machines meant only for skilled workers. These plays were put on video for national circulation so as to sensitise the public and make people aware of children's rights. Fyfe (1989) comments that perhaps this is a realistic step towards regularising child work because as mentioned in chapter 4, by doing this children are rendered to be heard and included in mainstream society, which until now has been denied to them. Likewise Standing (1982) too, in support of such methods, "asserts that liberal legal instruments are excessively abstract and fail to attack specific cases of super exploitation" (cited in Fyfe, 1989, p.127).

The launching of *Bhima Pathrike*¹¹ in October the same year, to share working children's stories and experiences with the general public was a significant landmark for children. *Bhima Pathrike* soon became a monthly newsletter, which was received with great enthusiasm by both children and adults

¹⁰ Gramashrama – CWC's rural programme operational in 4 districts of Karnataka

¹¹ *Bhima Pathrike* – A wall paper or newsletter covering children's rights and children's stories

working on the problem. It was the children who coined the name, *Bhima* - a mythological character from the *Mahabharata*¹² who displayed the strength of 10,000 elephants and who would always be ready to render selfless service to his family (Roschanski, 2007; Swift, 1999).

Distributed widely in the city and rural areas by CWC activists, children and other NGO subscribers, *Bhima Pathrike* soon became a popular medium for disseminating knowledge and information. Written in Kannada the local language, with big bold letters and a lot of colourful pictures so as to appeal to children, *Bhima Pathrike* was an opportunity for children to express their thoughts, their dreams, share experiences, announcements, stories, exchange information, problems and difficulties. Children who could read Swift (1999), argues would often read the paper to those who could not, stimulating other non-literate children to want to learn to read and write. For the first time children in rural areas could see the life experiences of child migrants to cities and realise the hardships they faced. In addition, claims Reddy (1991b), *Mahila Samakhya*¹³ (1986), also find *Bhima Pathrike* an effective tool in their work with neo-literate women who seem to enjoy reading it.

Bhima Pathrike promotes discussions, and helps networking and exchanging ideas between children encouraging the formation of groups or collectives in different regions. Initially CWC bore the costs for printing *Bhima Pathrike*, but thanks to its popularity and demand, high subscriptions have paved the way for self-sufficiency. Today *Bhima Sangha* manages to bear the cost for publication without depending on external funding. With the increase in children's capacities, *Bhima Pathrike* also provides intelligent critiques of its contents from language, illustration, layout and even printing (Reddy, 1991b, p.16).

¹² *Mahabharata* – Ancient Indian Epic

¹³ *Mahila Samakhya* – A women's empowerment programme started by the government of India in 1985.

Informed and made aware of their rights, groups of children began to take action on their own initiatives. For example, in one incident, a boy was beaten up by a security guard and wrongly accused of breaking a car windscreen. A group of young workers who witnessed the event shouted out protests and went to the police station and filed a complaint. The car owner was made to apologize and pay for the boy's medical bills (liebel, 2004; Swift, 1999).

As word of this kind of action taken by the collective strength of children spread, more and more children began to join. As groups became bigger, the children then decided to form a bigger association, wherein CWC suggested they start a union. Hence, in 1990 taking the name from their wallpaper - *Bhima Sangha* was born! The children chose the elephant as the symbol for their flag to depict strength and a yellow band round their foreheads to distinguish themselves as *Bhima Sangha* children. Having had little or no help from organized labour, as shown in the time line, the children decided to celebrate April 30th as Child Worker's Day, rather than celebrate it on Labour Day which is May 1st: When asked why, they said because children come before adults! It was twelve more years before ILO decided to celebrate world child labour day, July 12th. 2002 (Good News India, 2004).

It did not take long for the children to realise the potential strength of their union. The union gave children a platform to be heard, negotiate demands, gain recognition and access services which were previously denied to them. One of their first of many more successes yet to come was when they gained entry into hospitals around Bangalore. After some initial demonstrations, children negotiated, that any child carrying a *Bhima Sangha* membership card could receive treatment without having to make the minimum payment. This was followed by a series of exposes of horrendous working conditions in some hotels in Bangalore:

In a hotel called Ayodhya, 26 children were squeezed into a room without windows, lighting or fresh air. They were made to work from 4 am to midnight and were often woken by having boiling water splashed over them. Beatings were routine and some children had been branded with an iron. Wages and food were often withheld. The members of *Bhima Sangha* soon discovered that the hotelier came from a village

where they had members and so they demonstrated outside his village home also. Since, then the hotel has been shut and its license cancelled and the children successfully sued the owner for payments (Liebel, 2004, p.223; Swift, 2001, p.190).

In another instance, a boy had been abused and thrown out by the hotel keeper without his wages. In discussing his problem, the children decided it was too dangerous for him to go back to the hotel and ask for his money. Instead all the children chipped in to buy him a basket, which would help him to sell vegetables. Similarly in another hotel several child workers died in a fire, *Bhima Sangha* managed to draft a report about the fire and about the working conditions in the hotel, as a result of which the hotelier's license was withdrawn.

Outrages such as these, prompted *Bhima Sangha* to negotiate with the city police and set up a child-helpline service called the *Makkala Sahayavani* (MSV, 1997) - a 24hrs emergency number to call in case of trouble. The police, in support of *Bhima Sangha*, began to recognise their membership cards and took to informing children whenever they had reasons to detain or question one of its members (Bhima Sangha, 2003).

In 1991, *Bhima Sangha* had formed a cultural wing called *Bhima Kala Ranga* that engages members in theatre, music and folk art. Over the years it has served as a powerful vehicle for community education, a means to spread information across the state of Karnataka and seek support from other adult organisations. Through *Bhima Kala Ranga*, children participate in their village cultural festivals and events and focus on specific themes concerning their villages such as environmental awareness, gender issues, child rights and social evils such as *dowry*, gender discrimination, caste discrimination, child marriage, alcoholism and so on, so as to break up harmful cultural norms and promote peace, communal harmony and rehabilitate forests. The following example reveals how children managed to convince adults for the need to rehabilitate forests and grow trees near the villages:

While discussing with school children, *Bhima Sangha* members found out that one of the major reasons for children quitting school was

because they had to fetch firewood from distance places, as far as 5-6 kms. This made it difficult for children to attend school, do homework, be on time for classes, and also difficult participate in *Bhima Sangha* activities. Through a series of discussions at *Bhima Sangha* and *Makkala Panchayat* meetings, children came to the conclusion that if trees were planted in the common lands near the village, sufficient firewood would be available nearby and there would be no need travel far. This is how 'Namma Kadu' (Our Forest) programme came into being (Bhima Sangha, 2003, p.24).

Activities such as this, helped *Bhima Sangha* to grow, gain recognition, strength and increase in membership (Wesley, 1995). Realising that the education system of India did not relate to the lives of working children, in 1993, CWC established a residential vocational training centre called *Namma Bhoomi* in Kundapur, Udipi district of Karnataka (CWC, 1993b). The objective of *Namma Bhoomi* is to teach children skills such as carpentry weaving and masonry so that children can become self-reliant and independent. Ullur Manju's case is a classic example of how children have become self reliant and thereby gained a sense of identity and self-esteem:

Ullur Manju had travelled to the Oslo conference on Child Labour in October 1997. As a child, his family had made him grow his hair long as an offering to a god. He was teased a lot at school because of this.... Later he joined *Bhima Sangha* and his confidence grew. Through them he received vocational training in leatherwork and is now self-employed with hopes to train others and create jobs. As a young child he would never say a word and hid whenever he was asked a question. Now he has given speeches and presentations to NGOs and children's groups in India as well as in Oslo.... Manju comments.... "I am now aware that we children have our rights. I get furious if I see anybody beating children...: 'I know that through our own Sangha we can fight together if there are problems for children. I have learnt how to participate actively in processes and to encourage others to do the same (Stephenson, Bhima Sangha and CWC, 1999, p. 1).

Today, *Namma Bhoomi* has the capacity to accommodate 100 children (both girls and boys), and serves as a bridge course for working children by providing them with an opportunity to join mainstream schools and continue their education, CWC felt that a residential programme would create an environment where caste and gender biases could be broken and a new

value system nurtured, and at the same time it would also improve the nutritional levels of children (CWC, 1993b).

Over the years the vocational courses conducted in *Namma Bhoomi* have gained recognition and generated great interest in the local communities. Many of the programmes in *Namma Bhoomi* have been moulded on the feedback and experiences of past students who have graduated from the institute. The courses also assist rural artisans, craftsmen and ex-child workers to improve and upgrade their skills, produce new products that are innovative, cost effective and environmentally friendly and help locate raw materials so as to meet the demands of the present day market (CWC, 1993b). In 1993, *Namma Angadi*¹⁴ (Our Shop) was established so as to be able to provide a market for the products made by children, rural artisans and craftsmen (CWC, 1993a). Today *Namma Angadi* has two outlets, one in *Namma Bhoomi* and the other in Bangalore city and is run by the members of *Namma Sabha*¹⁵.

The role of CWC is to educate and inform children about their rights, facilitate their participation and play a supportive role in times of need. By doing this *Bhima Sangha* children reach out to other children and become protagonists of change. CWC field activists travel, establish contact points at various locations in cities and villages, meet groups of children, provide information and help facilitate the creation of new collectives or *sanghas* in different localities. Often children would exploit public spaces by meeting under a tree, in parks, an empty shed or temple. For the children these meetings was a time to share stories, play games, discuss their problems, find solutions, express themselves, identify the course of action to adopt, fix dates for future meetings and help one another. Over time, the children began to recruit members on their own and thereby evolve their own independent identity separate from that of CWC (Swift, 1999).

¹⁴ *Namma Angadi* – A shop or an outlet to sell handicrafts made by children, rural artisans and craftsmen

¹⁵ *Namma Sabha* – An Association of Youth comprising of ex-*Bhima Sangha* members.

As CWC expanded, it made things easier for *Bhima Sangha* to grow and form collectives in different localities. As members increased, *Bhima Sangha* became more structured and organised. Membership fees were introduced and office bearers were democratically elected to various positions such as president, vice-president, secretary and treasurer. Villages with *Bhima Sangha* members would democratically elect their own village representatives, who in turn would attend *Bhima Sangha* state level meetings, where they could correspond with members of other localities and attend the workshops and educational programmes designed and conducted by CWC. Through these workshops, children received training in capacity building, leadership qualities, networking, data collection methods and how to conduct surveys and analyse information. These meetings also provide an opportunity for children to interact with other *Bhima Sangha* members, exchange information, share ideas, stories, become aware of their rights and other facilitation skills which would equip them to advocate on their own behalf. For example, Reddy and Ratna (2002) refer in this context, to the story of Kaliyamma:

In 1996, Kaliyamma, a girl from Belve *Panchayat*¹⁶ joined *Bhima Sangha*. Soon she was elected the leader of her collective and attended a meeting in Bangalore city. After the meeting and hearing stories from other *Bhima Sangha* members she resolved to make *Bhima Sangha* strong in her region. Under her able leadership from five members *Bhima Sangha* expanded to twenty members. Having attended a workshop on how to conduct surveys and collect information, she and her group carried it out and identified 280 working children in their locality. Next, the children got the *Panchayat* to build a place for them to meet on a daily basis. After prolonged negotiations and constant demands the children got their building. When Kaliyamma had left school, she lacked confidence and self-esteem and was rolling *beedis*. Today she is confident about her ability to take responsibilities and has been able to participate in many arenas in the process gaining a lot of experience. Now she has become a village level activist and advocates for children's rights (CWC, 2002a).

The training programmes and workshops conducted for children have provided opportunities for them to expand and build upon their communication

¹⁶ A *Panchayat* is composed of a cluster of villages. It refers to both a geographical area as well as an administrative region.

and networking skills. It has contributed towards the individual growth and development, a means to enhance children's talents, and find new avenues to improve and better their situation. As the representatives of *Bhima Sangha* are elected through democratic means, it has enabled children to learn about the political system in the country. Each victory gained by the children is an empowering process adding on to their pride and self-esteem. The children of *Bhima Sangha*, consider themselves as social actors, who have their own political identity, and who want to be recognised and respected as full-fledged workers, rather than considered as recipients of charitable trusts and aid beneficiaries. Like from the example of Praveen Kumar, who has managed to represent *Bhima Sangha*, in various forums:

Praveen Kumar is a former member of *Bhima Sangha*. Joining it in 1997, he soon got increasingly involved and became elected to various leadership positions within *Bhima Sangha* and served as its President. Praveen has represented *Bhima Sangha* in several discussions and programmes at various levels. For example, at the Children and Resilience conference, held in Oxford, he presented *Bhima Sangha's* report on the topic. At a conference of child labour related policy makers of America held in Stanford University, he represented *Bhima Sangha*. Praveen has gained a lot of knowledge and ideas from his involvement with *Bhima Sangha*. He has also learnt a lot from other children. Because of this Praveen has got a lot of respect and recognition in his home and his village. Today he is a member of Namma Sabha, and is now has the responsibility of coordinating the efforts of *Nammangadi*. Praveen shares his experiences and the information he have gained from *Bhima Sangha* to other children through training and through discussions (CWC, 1997a).

However, children's attempt to participate is never easy and in most cases it is met with stiff resistance. Especially during the initial years, as it is not unusual for adults to be sceptical about children's participation. Even among those who profess children's rights and are sympathetic to their cause, the right to participate is a relatively new concept, and nobody expects children to be involved in issues that are more or less deemed 'adult affairs'. Many times children have to meet secretly to avoid being discovered or caught by 'raids and rescue missions' conducted by police and other organisations trying to ban 'child labour'. Even today in some areas there is a fear to come out in the open and declare themselves as working children (Reddy, 1998). Also,

allowing children to participate means adults must learn to share power; it challenges societal norms, questions parental decisions, and goes against the various customs and traditions that have been entrenched in society for centuries. Especially, in the case of girls, the situation is even more complicated and challenging, considering their subordinated position in society and the fact that most of their labour is restricted to unpaid domestic chores within the household, even convincing their elders to attend meetings is hard. Children therefore need to convince adults about the importance of their participation, and to do so, they learn to find innovative ways to be able to reach out and prove their ability. A classic example of how children found ways to gain recognition for their voices comes from Kundapur, where through the use of local folk media called, *Yekshagana*¹⁷ children articulated their voices through an interesting way:

Bhima Sangha had several grievances which they were unable to address despite repeated attempts on trying to approach local authorities. So they devised a new strategy - dressed in costumes depicting a King and Queen, their court of ministers and a court jester, *Bhima Sangha* children went on a walkathon from village to village collecting petitions from people and put them into a sack. The walkathon was to culminate in at a large playground where government officials had been invited together with the general public to attend a function, of which the *Yekshagana* was to be the highlight. More than 3000 people showed up and the grounds were packed, with all the officials seated right in the front. The *Yekshagana* began - The King spoke about justice and how well he looked after subjects, while the Queen spoke about all the lovely gifts she had distributed to the people. The King then asked if there were any grievances, to which the ministers stepped forward pulling out the petitions from the sacks and began reading out the complaints. "Who is responsible"? Asked the King, to which the ministers would name an official. The King then proceeded to summon him/her to the stage and provide an explanation. It was difficult for the officials to refuse; at first they tried to pass it off with some irrelevant remark. For example to a question of "why is there no water in Alur village?" the official replied, "Because we have had no rain". To this the Court Jester would remind him of his obligation and recommend that the King ordered 20 lashings or 'off with his head'! By this time the audience had caught on and were demanding a responsible reply to which the official had to make a firm commitment. He was then pardoned and let off. This went on till the sacks were empty and all the issues were addressed, while all this time

¹⁷ *Yekshagana* – A traditional form of dance drama specific to Karnataka

the Jester maintained the surreal mood of the play with his jokes and quips (CWC, 1995a).

By the end, all the officials had made some commitment or the other and the audience were witness to it and the best part is children built good relations with their members. This event enabled children to follow up on all the issues that were raised and more importantly children became recognised as for their role in strengthening people's involvement in government processes.

Since *Bhima Sangha* was addressing genuine issues concerning the whole community, and the fact that the children were not doing it for personal political gains, more and more people have come forward to support them in their endeavours. For example, in one instance, Saraswath had informed authorities that certain people, despite being eligible were not receiving their pension:

Saraswathi, a member of *Bhima Sangha*, was a school dropout. ... While she was surveying with her friends...she learnt that an elderly woman was not receiving widow pension from the state, although she was eligible to get it. While surveying other households she discovered that there were a few other widows as well suffering the same fate. As they were engaged in the survey, they compiled a list of eligible people who were not receiving widow and/or old age pension. The very next day the researchers met the President of their *Panchayat* and informed him of the oversight and sought urgent action. With the assistance of the president the researchers obtained the appropriate application forms and filled the details in for the applicants who were mostly illiterate. The researchers then obtained signatures or thumb prints from the applicants and submitted them to the *Panchayat* officials and pressurised the latter to contact the concerned authorities. To their surprise the pensioners began to get their pension within a month (Reddy and Ratna, 2002, pp.17, 18).

Gradually, with events such as these, adults have slowly come to recognise and appreciate children's participation and the importance of their involvement in decision making processes. Subsequently in order for children to formalise their interaction with governments, in 1995 the *Makkala Panchayat*¹⁸ and *Task*

¹⁸ *Makkala Panchayat* – It is a children's Village Council or a parallel government of children set by *Bhima Sangha* and the CWC. It is a forum for children to participate in decision-making processes and governance at the village level.

*force*¹⁹ was conceived by CWC in the village areas. (Children's governments) was established in the villages.

The establishment of *Makkala Panchayat* has been a significant landmark for children by providing them a parallel government, beside the local government and enables children to become directly involved in local policy-making and planning. It serves as a platform for children to get together and discuss issues, giving them a voice and an experiential education in democratic values and practices. At the same time this *Makkala Panchayat* is not restricted to only *Bhima Sangha* members, rather it attempts to incorporate all children – whether in school or out of school. From CWC's perspective as the *Panchayat* is an integral part of India's democratic structure and it is also the body closest to the ground, participation of children at this level would make it possible to build a one-to-one rapport with elected representatives. The Task force on the other hand is a platform for addressing primarily children's issues. As the task force consists of representatives from different castes, income groups and even women, it has had a tremendous impact on the social attitudes of the people as it puts all the elected members on an equal footing (Swift, 1999).

The children have also chosen a child ombudsman called *Makkala Mitra*²⁰ among the adult members in case they want to contact someone in times of need or want to discuss certain specific issues. Unlike most ombudsmen who are selected by government agencies or adults, in this case it is the children themselves who chose their *Makkala Mitra* after reaching a common consensus.

The skills developed among *Bhima Sangha* members enable them to make worthwhile and meaningful demands. For example, as children are the one who fetch water or collect firewood, they have demanded authorities to establish pumps and wells at more convenient locations and forests to be

¹⁹Task Force - is a tripartite body comprising of children's representatives, government officials, elected representatives and community based organisations.

²⁰ *Makkala Mitra* - Children's friend or ombudsman, an adult chosen by children to provide support and assistance to children in crisis or difficulties.

grown near the villages and managed by their own representatives. Over the years CWC and *Bhima Sangha*, have built a powerful partnership by approaching problems from different angles and with different resources, and since both work in the same localities they are able to address issues effectively. As working children are among the most marginalised, who come mostly from poor backgrounds, their ability to reach out to other marginalised groups is easier and more effective, making it possible to raise the voices of the most needful in the community to the authorities. Also, as the children's decisions are made after reaching a consensus, Swift (1999) argues, that their actions become an expression of their collective efforts and wisdom, enabling them to become more empowered and address wider social issues concerning their families and societies, like in the village called Nandrolli, *Bhima Sangha* took up the issue of alcoholism:

Alcoholism was a way of life and children and women were the victims of constant harassment and deprivation. The children had raised this issue in the several meetings. However, adults brushed aside children saying 'some of us drink! What is your problem? But please you don't drink, ok.' When the children pressed with their demand in the following meeting, the President countered them saying, 'after all only a few people drink'; when the children objected, the President asked whether they knew how many people drink?, to which the children had no answer and the matter was ended. However, the children did not give up. As part of a cleaning campaign, children spent a week cleaning the area surrounding liquor shops in the village and did a calculation of the amount of liquor consumed. The statistics the children found was shocking - on an average, 75 families of the village consumed 300 sachets of liquor. This quantified to Rs. 1,188,000 (Euro 20,500) per year, a huge sum of money for remote and poor village like Nandrolli. This provided the springboard for children to launch into active advocacy and negotiation with the local government and others who could advocate on their behalf. They used the various appropriate power centres in the community to make them heard and negotiate. After intensive negotiation the Gram *Panchayat* decided to close down all the illicit liquor and stop all the illegal selling immediately. It agreed explore ways of closing down all the liquor shops in the entire *Panchayat*, including those with license (Lolichen, 2007, pp. 9,10).

The many small victories, such as these, have made the children realise the need to be informed in order to be able to participate effectively and negotiate their demands. Information argues Lolichen (2006), provides the cutting edge to participate and a strong foundation to be able to bargain and make

meaningful demands. The more informed the children, the better their ability to participate and the more meaningful are their demands. In order to collect information, the children have learnt to conduct research on their own in many of their localities like in the case of Prema, who managed to gain respect and recognition from adults by raising meaningful demands:

Prema joined *Bhima Sangha* after a disastrous experience in school. She was able to share her problems with other children and in doing so gained confidence from knowing that there were other children like her facing similar situations. Soon she was elected to the '*Makkala Panchayat*' and became the President of *Bhima Sangha*. During this time, the children realised that they needed more information about the causes of child labour if they wanted to influence their local governments to take corrective action. So they decided to do a house-to-house survey. During the process Prema had to interview her old teacher and his family. Prema was also the one to present the findings to the adult '*Panchayat*' and managed to get all the children's demands accepted. Her moment of glory came when her old teacher stood up in a '*Panchayat*' meeting and honoured her, and praised her intelligence and leadership qualities. Prema is now a respected and proud member of her community. She not only reads and writes, but also represents her constituency in national and international meetings...Recently she made a big impression on the children of Japan who have as a result initiated a Children's Rights Movement in Japan... Her dream is to become the president of the local government – a dream that is more than likely to come true (*Bhima Sangha*, 2003, pp. 89, 90; CWC, 1997b; Reddy and Ratna, 2002, p. 23).

The training programmes conducted by CWC have taught children to conduct surveys, focus group and semi-structured interviews and other research methods so as to be in a position to document and obtain information. With the information collected, the children are in a position to address their issues more convincingly. The following example brings about the importance of ownership of information:

In 1998, members of *Bhima Sangha* were interfacing with a data analyst, with regard to helping them tabulating the data of about 8000 households, which they had collected through a socio-economic survey. The children asked the analyst, 'why are you working as a data analyst'. He said 'I been doing this work over the last 6 years'. 'But why did you start this career?' children queried. He said that while he was doing his Masters in Bombay, the earthquake in Latur, Maharashtra

took place; his college was actively involved in doing survey in the affected areas. Since then he was involved in conducting surveys and analysing data. The children were more curious, 'what did you do with the survey data?' 'We gave it to the state government'. 'What did the government do with the data you gave them?' asked the children. 'I don't know; they may have used it to provide houses to the people,' said the gentleman. The children persisted, 'did you go back and check, how many people had got houses, or anything else?' He said 'No!' The children shook their head disapprovingly and narrated to him their entire Survey Story:

In 1998, *Bhima Sangha* conducted a socio-economic survey of about 8000 households in Karnataka. During the process of the survey itself, children made very strategic interventions, of re-enrolling children to school, applying for ration cards for families without it, applying for widow and old age pension, rescuing children who were engaged in bonded labour etc. They shared their findings with every stakeholder in the community and authorities. Their entire survey exercise led to developing action plans for each of the *Gram Panchayats*, to address their pressing problems (Lolichen, 2006, p. 3).

Ownership of information is essential for any group to be able to advocate and make demands. While, there is a tremendous output of both secondary and primary literature as a result of research conducted by students, surveyors, government employers, researchers, universities and institutions – however, it is the ability of the concerned groups and relevant stakeholders to own and control the information that enables them to stand up and take action. Information says Lolichen (2006) is power. Information management enables children to share information among their own peer groups and puts them in a position to interact effectively with adults and various other stakeholders. By doing this children can take informed decisions, participate, get empowered and take command of their lives.

Swift, (1999) reports that *Bhima Sangha* has a clear position on the two key issues of education and work - considering existing situations and circumstances, children have to work. They make their choices based on their economic situations and parental incomes. First, poverty should be tackled, while children should be allowed to work in safe dignified occupations that provides for their education, leisure and personal development. *Bhima Sangha* argues that they should be made part of the solutions, only then are

interventions likely to benefit children. With regards to education, it is not a substitute or an alternative to work, but a universal human right. For children who have to work, education and occupational training combined would equip them for employment and they should be facilitated to become agents of social change. This, they believe, will help break the cycle of poverty and oppression (Swift, 1999).

Bhima Sangha argues that we are working children, and that our problems cannot be solved in isolation from the problems of our communities (Bhima Sangha, 2003). In one occasion, members were asked if their respect for their parents had become less as they grew in confidence and experience. In fact they felt that instead of growing less, their respect had increased. The more children understood about the social, political and economic reasons for their family's poverty, the more they respected their parents for their dignity and ability to cope with the odds.

Bhima Sangha today, has gradually gained the respect and admiration of their community. Also the fact that their participation revolves around democratic principles, providing equal opportunities for both girls and boys, it has helped foster a change of attitudes among the members as well between children and adults. Many girls have emerged to become presidents of the movement and the children express their feelings and understanding of the world based on their perceptions and their personal experiences. Bala Subramaniam, a former member of *Bhima Sangha*, exemplifies the dreams children have:

My dream city is where there is no fighting at home. It should be peaceful and quiet... There should be a tank which provides water... rich and poor children should be treated and taught alike at school. If children make mistakes, they should not be beaten or made to stand in the hot sun... Factories should employ only those above 18 years of age. The government should form legislation to implement the UNCRC. If a boy and a girl speak to each other and are friendly, it should not be misinterpreted (Reddy and Ratna, 2002, p. 17).

Bhima Sangha members do not only advocate for their own rights as workers, but also demand attention to the issues that impact their family members, peers, and communities. They have convinced adults about their importance

to be involved as agents of change. For example in one instance, *Bhima Sangha* children noticed that Muslim girls were not involved in any of their activities as many of them were not allowed to leave their homes. They manage to approach the girls parent's and convince them of the benefits of a tailoring programme for their daughters. As a result, the girls attended the workshop and became more involved with *Bhima Sangha* and *Makkala Panchayat*. This in turn strengthened the relationships between *Bhima Sangha* and the Muslim community and invariably the wider community.

The children are fighting a tough battle and they are determined to go on. At the regional and national level, *Bhima Sangha* has links with other working children and is helping them form their own unions. As part of their networking/mentoring efforts, *Bhima Sangha* conducts workshops for representatives of other working children and they provide information about child rights and unionisation skills. Today, *Bhima Sangha* is one of the leading working children's movements in the world and has gone on to establish international links with other movements of working children. Their representatives have gone on to participate in several national and international forums and conventions. Like in the case of Parvathi, who advocates for children's rights and participates in several national and international forums:

Parvathi, one of the founding members of *Bhima Sangha* has become an active member of Namma Sabha and has been selected by the Ministry of Youth Affairs and Sports as part of this year's Indian Youth Delegation to China. She is one of the three representatives from Karnataka in this 100 member delegation. Together with the members of her organisation, she is actively engaged in advocating for children's rights as well as civil society participation. She has participated in many national and international forums related to Realising Children's Rights, representing her State and Country (Reddy and Ratna, 2002, p.33).

According to CWC, The district administration, the police and the local *Panchayats* have begun to support *Bhima Sangha* and *Makkala Panchayats*. The *Gramashrama* project, CWC's rural programme according to Reddy (2002), is now operational in 80 villages in four districts of Karnataka and focuses on strengthening civil society participation in rural areas and making

villages child labour free. It facilitates *Bhima Sangha* and the mobilisation and empowerment of children.

In 1995, *Bhima Sangha* submitted a report to the Committee of the Rights of the Child. The report, referred to as the Working Children's Report, was not only accepted by the committee but also implemented (CWC, 1995b). In 1996, with the help of CWC, *Bhima Sangha* hosted the First International Meeting of Working Children in Kundapur, bringing together 28 representatives of working children from 33 countries (CWC, 1996). Prior to this, *Bhima Sangha* had participated in many national and regional meetings of working children in Africa, Brazil and Latin America and also in the Amsterdam, Oslo Conferences on Child Labour, and in the Working Children's Forum in Oslo. Along with the African, Latin American and the Caribbean Movements of Working Children, *Bhima Sangha* is also one of the founding members of the International Committee of Working Children's Movements and among the founding members of The National Movement of Working Children (NMWC).

The NMWC, formed in India, in 1998 consists of nine-member organisation scattered across the country (CWC, 1999, 2005). In 1999, *Balkur Panchayat* was declared child labour free based on children's own interpretations of tolerable and intolerable forms of work. Initially the children had labelled a lot of work which was dangerous as acceptable; the reason being that they were able to do it. It was only when they examined the same work within the framework of their rights, were they able to realise and differentiate accurately between acceptable and unacceptable forms of work (CWC, 2006, 2007). In July, 2003 NMWC submitted a report to the committee of the rights of the child and the representatives of the reporting team were also invited to depose before the Committee in Geneva and in the recent years, children have attempted to influence State and National Governments and also international policy (CWC, 2006).

These above examples have shown that children are individuals who have their own social and political identity. The Centre for Applied Research and

Documentation (CARD) has created a database in order to monitor their progress. This information is updated on a regular basis so that CARD and CWC can have access to the latest information to identify and act on any emerging or ongoing concerns (Reddy, 1991b) (Lolichen, 2006).

In 2004, for the first time in history, children not only participated, but also led the way for adults to participate. In all of 56 *Panchayats* of Kundapur, Udupi district, Karnataka, school going and working children have both jointly conducted research and survey with regards to the needs and demands of the villages and have submitted it to the ministers. Children in each village had gathered together, consulted and discussed information and voiced their demands to be submitted to the government officials (Lolichen, 2007). I assisted in documenting children's voices, and incorporating them into the local government's 10th Five Year Plans. For example, the construction of footbridges would be addressed to the Government Public Work Department, or a demand needing medicines or construction of hospital would come under the health department. The children's demands have not only been accepted but are being addressed on a priority basis. This entire process was a landmark achievement as it created eagerness among the people in the village to become involved in democratic processes, especially when they heard that children had documented needs in their community and had given it to the government officials. Even the local government officials were impressed when they received the documents. This process has attained recognition from the government at the local and at the state level. The aim says Lolichen (2006, 2007) was to cover 147 *Panchayats* and a whole district, by 2009.

Bhima Sangha has bestowed a sense of confidence and identity among its members and have done a tremendous service for the society by laying the foundations for democracy, one that is participatory, and bottom up and not top-down. Many of the initial *Bhima Sangha* members, who have graduated from their unions, have gone on to start a youth movement called. *Namma Sabha* comprises mostly of rural craftsmen and artisans and their objectives is to strengthen civil society participation, combat child labour, support children's

participation and create markets for indigenous products (traditional crafts and arts) made by their members. *Namma Sabha* members have taken responsibility in their villages and are leading from the front. Their leaders have participated in international platforms, seminars and conferences. When the Tsunami struck India, *Namma Sabha* helped rebuild houses for the victims. As many of them are skilled in some craft or the other, they carried their tools and went and gave a hand to the local people.

People's participation in government decision-making processes is essential for maintaining a healthy democracy in tune with egalitarian principles (Lolichen, 2006). Facilitating children to participate, has provided an incentive for other marginalised groups such as women, indigenous people and the poor to participate. With the recognition that children constitute a marginalised group who need to be empowered, their voices are slowly gaining prominence in policy formulation. For any group to be empowered, they need to have a platform, access to information and to resources (structural, material and financial) (Reddy and Ratna, 2002, p. 8). The platform validates participation and bestows recognition; Information is power; it creates awareness and provides a strong foundation for negotiations. The more informed the children, the more robust is their participation. If both the mandate and information base is secure it makes the process of accessing resources much easier (Lolichen, 2006, p. 2).

For the children, *Bhima Sangha* and the *Makkala Panchayat* provides the necessary platform or mandate and it is through this platform and with the supportive role played by CWC, they learn to collect and be able to access information and address their demands. With the information collected they are able to negotiate and access resources and voice their issues. Often children have identified and raised issues which adults seem to overlook, like for example, in *Balkur Panchayat* children managed to convince adults the need for constructing a footbridge:

Balkur is a small village with less than 500 households. One among the crucial problems identified by children during their Extensive Needs

Assessment was the want of a footbridge over a little stream. So they went to the President of the Gram *Panchayat* and put forward their demand very gently. They said...60 families lived across the stream and 48 children had to cross it to come to the school... and it is difficult to cross during the rainy season. In fact, many of them were absent from the school on rainy days.' The President, quite a child friendly person, was surprised by this demand of children. He knew that he and many others had walked through the stream many times quite easily. He brushed the children aside saying, "You can easily walk through the stream". The children were quite taken aback by the President's reaction. The members of the *Makkala Panchayat* met with the President and all his council members in the subsequent month's meeting. All the adults jeered at the children saying, 'don't try to take advantage through your *Panchayat*'. They said 'many of us walk through the stream quite easily'. The children did not give up, though were quite upset. The children waited for an opportune moment. They found that the President was whiling away his time in his fields. They started a casual chat with him and took him on a walk in the direction of the stream. They reached the stream and the President was taken by surprise. All of them started walking through the stream; the President tied up his dhoti and walked through; the water was only just above his knee. Looking back he found that children were drenched up to their chest. The next day he passed an order for small bridge to be built (Lolichen, 2007, pp. 8,9).

Over the years, children's involvement has led to better decisions and outcomes and has cultivated a culture of participation among the communities. Participation promotes the well-being and development of children, strengthens their commitment to and understanding of human rights and democracy, and provides them a form of protection; it gives the children the opportunity to take part and express their political talents. Good constructive participation means it should enhance children's personhood, strengthen civil society involvement at all levels of decision-making processes and fulfil the maxims of the UNCRC. In CWC's praxis, says Lolichen (2006), children's participation means that children are able to express their opinions and influence/participate in decision-making in matters that affect their lives; in this context 'affecting their lives' would also mean matters related to their community and the world in which they live. The members of *Makkala Panchayat* undertake surveys, collect data and conduct research so that they can keep themselves updated on the various issues they face and in a position to be able to negotiate with the local government's so as to arrive at appropriate solutions. The experience of children's informed participation in

local government has proved to be a powerful catalyst in transforming the political and democratic processes in the *Panchayats*. As the *Panchayats* become more and more child-centred they become more accountable to the community.

The children of *Bhima Sangha* are waging a tough battle, and many of their successes have encouraged the growth of other unions in other parts of India. They have laid the foundations for grass root level democracy and most importantly the empowerment process has been truly amazing. Their union has bestowed a sense of identity and personhood among the children. Today the children know that they can change their situations by being aware of their rights and being able to cope with their situations on a daily basis. Each small victory, each success for them is a victory for their community and villages one which enhances their overall growth and development. Their views and outlooks are shaped by their practical responses to particular situations based on their own personal experiences. Unlike in schools where achievements or performance is measured in terms of grades and certificates or in sports, these children have done something more realistic and meaningful. They have started making governments more accountable and are leading the way for a revolution change and the adult world is yet to catch up and respond to them adequately.

6. Concluding Remarks

The exposition of children's participation, acquired from a case study of *Bhima Sangha's* struggle against child labour, merely shows that working children constitute a marginalised group and have been rendered voiceless in mainstream society. By no means is this thesis a definitive position on children's participation; rather it is an earnest attempt to reveal that adults do not often necessarily act in the best interest of children. If we consider for example, the public tolerance of the massacre of Brazilian street children by police death squads, or the nature and magnitude of the economic exploitation of children proliferating in the workforce, it reflects a scathing indictment of failures on the part of adults to protect children and guaranteeing them their rights (Lloyd-Evans, 2002).

The research questions, put forward in thesis were:

1. To what extent can children influence policy in the context of addressing child labour?
2. Should working children's unions be legally recognised?

The historical and contemporary actions of various unions and movements of working children, as mentioned in chapter 4, along with the case study of *Bhima Sangha* in chapter 5, all show that when given the opportunity to participate, children can exert influence on policies and are capable of finding their own innovative ways and make meaningful and worthwhile demands. Children's responsiveness to adverse situations, in terms of coming together and helping one another, is but a natural instinct of wanting to participate and finding means to improve their situation. It is this participatory instinct that has to be nurtured and facilitated in the right direction by adults as much as by children, thereby allowing children to take the role of protagonists and be involved in all decisions concerning their growth, welfare and development.

Allowing space for children to participate holds a mirror of the values and priorities of adult society and ruthlessly exposes our betrayal of millions of children (Lansdown, 2001). Unlike school going children, working children's experiences and backgrounds are different. These children have distinct issues and needs, and in order to respond to children's situations accordingly, it becomes important to capture their views and experiences. Children's questions, argues Ennew (2000), must be answered, only then will we be any closer in finding solutions to their problem. The responsibility of adults is to provide ample space for children to participate, the willingness of sharing power and the building of a relationship and partnership based on democratic principles, honesty, trust and transparency (Fyfe, 1993).

However, at the outset, children's participation does not happen in a vacuum or in isolation. Children are still dependent and vulnerable to adults and often adults can manipulate children easily for acquiring personal gains. These are concerns one has to beware of, because in many cases, as Hart (1992) mentions, children's participation can amount to nothing more than mere tokenism or become symbolic in nature. Not too often adults make children appear in events and ceremonies for personal gains. Manipulation of children can be so subtle, argues Ratna (1991), that it can often go unnoticed and times even the facilitators of children's participation can unconsciously be involved in manipulating children. Trying to strengthen, foster and instil an identity among marginalised children is never easy, as it involves challenging tremendous forces like the modern construction of childhood, and the portrayals of children as symbols of victims, the poor, the destitute and the helpless (Joseph 2007).

This thesis also raises the question about the legal recognition of working children's unions, and allowing children the right to work. While total abolition of child labour is undoubtedly the best solution, nobody can seriously dispute the tremendous responsibility of looking after the interest of the teeming millions employed in the labour force, and who are struggling for their existence on a daily basis (Mathew, 1991). Hence, in order to prevent children's work being pushed or driven underground, this thesis calls for the

social recognition of working children's unions and the right for children to work. As the example of *Bhima Sangha* shows, that children's collective action, inculcates feelings of solidarity and strength, which enables children to step out of the stigma of being marginalised and excluded from mainstream society. Unionisation makes it possible for children to access institutions, services and resources, which are otherwise more or less denied, or made inaccessible for children (Venanzi, 2003).

Having written this thesis, my intention was not to paint a romantic picture of children's participation and make it a fashionable trend, but rather pave the way for more and better understanding between children and adults. With the gradual recognition that children are also in need of empowerment, their voices are slowly gaining prominence in policy formulation. Helen Hintjens (1999), draws an excellent parallel between Hans Christian Anderson's fable, "*The Emperor's New Clothes*" and development, to expose how in the end, it took the innocence of an illiterate child to see through the ignorance of the people and the Emperor, who were flattered and fooled by outsiders. Likewise working children, when organised and given the opportunity to participate have shown the ability to come up with their own innovative ways to tackle adverse circumstances.

Hence, the most important starting point for understanding and responding to children's needs would be to view children as holders of rights and to develop indicators that will report and measure the processes being facilitated (Weston, 2005a). Thereby children become empowered and can attain their full potential to exercise their role as protagonists making it possible for policy makers capture the diversity of childhood, and at the same time teach adults to respect and recognise children as individuals in their own right. Children's participation, argues Reddy (1991d), can be the best monitory mechanism at our disposal, holding adults accountable for their actions. After all, as children are the ones who inherit this planet, they have a right to determine in what stage we leave it to them.

Appendices

Appendix 4.1

Kundapur Declaration, 1996 Karnataka, India.

In 1996, in Kundapur (India), 34 Working Children (NATs) delegates, in representation of 33 countries in Latin America, Africa and Asia, held the first international meeting of NATs movements. Confrontation and analysis of their experiences yielded the delineation of ten points serving as the base for the leadership and solidarity of working children(NATs).

- We want recognition for our initiatives, suggestions and organization processes.
- We are against the boycott of products made by children.
- We want respect and safety for our work.
- We want an education with methods adequate to our situation.
- We want professional training suited for our context.
- We want to have access to good health system.
- We want to be consulted for any decision that affects us, whether local, national or international.
- We want a fight to be initiated against the reasons that are at the origin of our situation and first of all poverty.
- We want more initiatives in rural areas so that children don't have to go to the city.
- We are against the exploitation of our labor, but we are in favor of a dignifying job with a schedule suited for our education and spare time.
- For the next meetings to be held from now on, we want to be present at the same level of the other participants (if 20 ministers, then 20 NATs).

Source: (Kundapur Declaration, 1996)

Appendix 4.2

Berlin Declaration, April 19th to May 2nd 2004

2nd Meeting of the World Movement of Working Children and Adolescents, Berlin, Germany.

We, the World Movement of Working Children and Adolescents from Africa, Asia and Latin America, can look back on the experience of many years of our working children's organisations.

We have gathered in the city of Berlin for our second world meeting with the aim to consolidate our world movement, think about and analyse the social, economic and political situation in which millions of boys and girls of the world are in and propose actions and alternatives that honour a working childhood.

Children and youths (up to the age of 18) from Africa, Asia and Latin America have joined together in our movement. We live in rural and urban areas where we are employed in various occupations, e.g. as shoe-cleaners, domestic workers, agricultural workers, rubbish collectors, factory workers, merchants, street vendors or we do the daily house work at home. Furthermore, we create forms of dignified work deriving from our organisations that make it possible for us to show society just and solidary political, economic and social relationships. We value our work and view it as an important human right for our personal development. We oppose every kind of exploitation and reject everything that hurts our physical and moral integrity. In our lives our work allows us to resist with dignity the economic, political and suppressing model that criminalizes and excludes us and continues to worsen the living conditions of ourselves, our families and our communities.

With our organisation we practice protagonism and fight for our recognition as social actors so that our voices be heard in the whole world. This we do out of self-motivation. We demand from governments to take our interests into consideration in their laws and with us create a worthy and just society.

We are a part of a social movement that is fighting for a worthy and just world,

we demand our protagonist participation in decision processes and fight against the causes of poverty and for the full recognition of our rights and our cultural and ethic values. Furthermore, we are against all kinds of discrimination. We want to make possible the happiness of a childhood, that, together with adults and the society, finds its way to create a large house for everyone out of this world.

We oppose all policies that the current neo-liberal system forces upon us. They plunge our countries into poverty by privatising basic services such as health care, education and leisure and they destroy our cultures. We also denounce large multinational companies that view children only as consumers, not as living spirits and transformers of society. We are against all policies, measures and decisions that create and perpetuate exploitative child labour. We oppose all wars and aggressions that children experience in the world and which bring about death and pain to millions, just as we worry about the destruction of our environment.

We refuse to participate in actions that are against the dignity and life as a highest value. We want adults to view us as persons and as social actors who are important for constructing a planet that is free from all aggression because we see ourselves as ambassadors of hope and dignity.

We expect from international child-rights and labour organisations, including ILO and "Global March", to rethink their policies that promote the abolition of children's work. Such a position does not take into consideration the realities of working children and the viable alternatives to exploitative labour. It leads to confrontation with boys and girls from the same reality as child-workers, undermines our dignity as working children and jeopardizes our rights. We want to discuss with organisations so that they recognize our right to propose our solutions for our problems as well as our organizational process.

With our second world meeting we reaffirm our will to continue constructing and strenghting a world movement, that not only fights for, defends and

promotes the rights of working children, but of children in general.

We thank the adults and organisations that believe in us, stand aside us, promote with us our rights and share with us our desire for happiness and our hope for a better world.

**YES TO DIGNIFIED WORK – NO TO EXPLOITATION
BECAUSE WE ARE NOT THE PROBLEM BUT PART OF THE SOLUTION
SO THAT OUR VOICE BE HEARD IN THE WHOLE WORLD**

Berlin, May 2nd 2004

Signed by the representatives of the world movement:

Africa:

Feleciano Ignacio Sambimbi; Angola

John Phiri ; Zimbabwe

Sandra Avoce; Bénin

Jean Marie Nkurunziza; Rwanda

Sophie Amelia Faye ; Sénégal

Awa Niang ; Sénégal

Tambaké Tounkara ; Guinea

Gilbert Maurice Ouedraogo Zoewendsaongo,; Burkina Faso

Awa Kangaye; Niger

Antonio Infanda,; Guinea Bissau

Asia:

Anuj Chowdhuri ; India

Raju Kumar ; India

Manjula Muninarasimha; India

Salah Uddin Master ; Bangladesh

Feroz Nasir Ahmed ; Afghanistan

Shankar Dahal; Nepal

Saranchimeg Bayaraa; Mongolia

Enkhjargal Myagmarsuren; Mongolia

Latin America:

Angie Rocio Diaz Plazas ; Colombia

Lina Paola Martinez Reyes; Colombia

Lisandro Cáceres Guevara; Perú

Jacy Jussara Ore Paima; Perú

Jhon Ricardo Botello; Bolivia

Valera Yajaira del Carmen Silva; Venezuela

Jaqueline Valeria Saint Anne Saint Anne; Chile

Joel Aquino; Paraguay

Pura Limpia Concepción Gonzalez Zayas; Paraguay

Edwin José Pérez García; Guatemala

Raúl Pérez Rivera, México

Mari Cruz Pérez Ortiz; México

Source: (Berlin Declaration, 2004).

Appendix 4.3

Kathmandu Declaration 25-27 August, 2005

From the South and Central Asia Convergence of Working Children

We, the representatives of working children's organisations, who have gathered in the Working Children's Regional Convergence in Kathmandu 25th -27th August 2005 declare the following resolutions that is agreed upon by the undersigned children's representatives.

We think it is bad to eliminate child labor without appropriate alternatives. Governments have to ensure that appropriate alternatives are available and accessible before passing legislation eliminating child labour completely. At the same time children involved in hazardous work like drug dealing, trafficking, pornography, prostitution, smuggling and children in armed conflict should be rescued and rehabilitated with proper alternative options as soon as possible. There should be defined laws and Governments should also determine the timeframe for work-which should be protected by law.

We believe that we need to come out of hazardous working situations by means of appropriate alternatives like respectful, paid work with minimum wage; and standard and equal opportunity of quality education without discrimination. However, we should not accept the most hazardous forms of work which is detrimental to our survival and development. We recognize that not only poverty but low quality education, violence and humiliation at schools can also lead us to drop out of school and get involved in hazardous work.

We recognized that the South and Central Asian Children face common problems in our working and living conditions and that working children in this region have both good and bad experiences in our lives. Amongst the good things that work brings for us is that we work to meet our livelihood and survival needs; and meet health support for self and family. Sometimes the work we do gives us the skills and training. By working we learn to cope with the challenges and hostility. Work also gives us self dignity, feelings of solidarity, pride in resolving some of our family problems, for example, repayment of loans taken by our parents.

At the same time we found many painful experiences which are part of our working lives and which are common to all working children in South and Central Asia. Our friends here shared some of those experiences. Many of us are involved in hazardous work, many of us are at risk of meeting serious accidents and amputations. We are compelled to be engaged in hazardous work because sometimes it brings more money to meet our extreme poverty and other times because no other options are available. Working children all over South and Central Asia are more exposed to be misled to drugs, gambling, exposed to sexual abuse and abuse by adult employers. Street children face typical street hazards like being at the risk of false accusation of theft.

Employers never look at the cause why children have to work. On top of this, economic exploitation; discrimination including gender discrimination;

physical, sexual and mental torture and exploitation; and feelings of insecurity are common in South and Central Asia.

Although there are laws and acts on children and child labour existing in many countries in South and Central Asia, these are not always congenial towards children. We are never consulted while formulating laws and policies although we know best about the problems we face. In particular, children from the so called 'untouchable' Caste and 'indigenous' groups who comprise the majority of the working children, face extreme discrimination. The laws are also not accessible to the uneducated community and some members of the law enforcing agencies are not aware of the law.

However, in the given scenario we also have the history of the movement and getting organized by ourselves in South and Central Asia. Some of the movements in South and Central Asian countries have been integral to the process of developing the working children's own movement throughout the world. Movements like *Bhima Sangha*, Bal Mazdoor Union, National Movement of Working Children in India, National Forum of Working Children in Nepal, National Forum of working Children in Bangladesh, PRWSWO in Pakistan, and National Working Children's Forum in Sri-Lanka have been effectively influencing the formulation of laws and policies. They have influenced and contributed effectively towards generating like minded movements in other countries. Working children are increasingly getting organized in the regions.

We, revisiting the history of the International Movements, that we are a part of, have also learnt about the background and processes that began in Kundapur which has brought us here to Kathmandu. We pay our solidarity to that long journey. We also share the values and principles of Working Children's Movements in which working children themselves are taking the lead and are committed to continue to be a part of them.

We make our commitment to pass this message to our other friends in our

countries when we are back and we will help other children to form their organisations and we will make our national movements even stronger.

SIGNED BY

Children from National Working Children's Movements:

National Working Children's Movement

BANGLADESH

National Movement of Working Children

INDIA

National Forum of Working Children

NEPAL

National Committee on Working Children

SRI LANKA

Children Coming from Other Organizations:

Bhima Sangha

INDIA

Bal Mazdoor Union

INDIA

Pakistan Rural Workers Social Welfare Organization

Refugee Children and Vulnerable Citizens

TAJIKISTAN

Source: (Kathmandu Declaration, 2005).

Appendix 4.4

Final Declaration of the 3rd Meeting of the World Movement of Working Children Siena, Italy - from 15th to 29th October 2006

We, the working children from Africa, Latin America, and Asia have met in Siena for our 3rd Meeting of the World Movement to share our experiences and living conditions, and to structure and strengthen our World Movement through common actions. This meeting, which has seen the effective establishment of our World Movement, is the fruit of processes over 10 years, which started in Kundapur in 1996, and developed throughout several meetings. The last of these was the Berlin meeting in 2004. Such processes

have been carried on by us, the working children, thanks to the help of our supporting structures and of our partners. During our working sessions we have set up a structure that will coordinate our actions and will represent us on each occasion. Our three-year plan of action includes the activities that have resulted from this meeting; through this plan of action we will make ourselves better known, and we will train ourselves in order to reach out to an increasing number of working children. Our World Movement can help us to improve solidarity among us and our strength, and to express ourselves everywhere with a single voice. Through our World Movement, we are committed to promoting our rights, developing actions aimed at reducing poverty, and improving our working conditions; we are committed to fighting against child trafficking and exclusion, and also against violence perpetrated against children – and working children in particular. We promote and defend the dignified work of children. We are the main actors in changing our working and living conditions. We have decided to create a label of protection for the products that we produce. Our Movement is also a way to promote protagonist participation of children.

In this meeting we, working children have decided that we will celebrate the "World Day of Working Children " on the 9th December, as this is the day on which, working children made their first Declaration in Kundapur, Karnataka, India, 1995. Within our Movement, we have achieved several results, but we have further to go. Through the questionnaire "A World fit for us... the children" we will share actions with other children in order to follow up the United Nations General Assembly Special Session on Children (UNGASS) recommendations:

- We ask for more consideration and respect of our rights by our governments and by all the peoples. We would like them to support us and to see us as children who have rights, as all other children have. They must listen to us and they must involve us in the decision-making processes that concern us: our proposals must be taken into account.
- National and international organisations must open spaces for us to engage in dialogue and negotiation on problems that regard children.

They have to recognize our movement and support our initiatives.

- Other children have to accept us and see us as brothers and sisters.

Let us move together for the respect of the rights and the voice of working children - **Yes to dignified work of working children!**

Source: (Sienna Declaration, 2006).

Appendix 5.1

Uchengamma's Story

In 2002, Uchengamma, the state level President of *Bhima Sangha* led a crusade against child marriage. It all started when she refused to get married and went against her parents and community wishes. Initially she sought the help of the local police who despite warning her parents, saying it was against the law, were mostly ignored. Worse, the parents and community felt offended and found fault with Uchengamma for bringing disgrace to them. However, she managed to attend a *Bhima Sangha* meeting and get her story out. Soon with the collective strength of *Bhima Sangha* members and the support of CWC, the media and other concerned groups stepped in to support her cause. What started as a personal battle soon turned into a *Bhima Sangha* struggle. *Bhima Sangha* members began to visit homes and spread awareness about the negative impacts of child marriages.

Yet, Uchengamma's family refused to budge, for the fear of being ostracized from the community. All efforts seemed to go in vain, especially when a meeting held in the village to discuss the issue ended in chaos, resulting in Uchengamma being confined to the house and refused to meet *Bhima Sangha* members. However, Uchengamma managed to break out of the house, contact her friends from *Bhima Sangha* and after prolonged resistance and with the support of local authorities her family was finally convinced to cancel the marriage. But the story did not end there - Uchengamma's struggle proved to be a source of inspiration for others. Soon other children began to speak out against child marriage. In one instance when the police got wind of a marriage to take place between a 40 year old man and a 15 year old girl in a neighbouring village, the officers requested Uchengamma to accompany them

to speak to the family and the community of the child concerned. Another child marriage was stopped. The battle against child marriages, which started with Uchengamma is now building up into a district level campaign.

Source: (Bhima Sangha, 2003, p. 74; CWC, 2002b; Uchengamma, 2002, pp. 31-32)

Appendix 5.2

Vanaja's Story

Vanaja was the first girl to learn masonry through CWCs vocational training programme in *Namma Bhoomi* – a male dominated profession. Despite the difficulties her choice would bring she managed to become part of a team and a full-time member of a construction group. Earning enough, she bought herself a cycle and paid for the treatment of her ailing sister. Recently she managed to lead an amazing struggle for 'land for the landless' and succeeded. She and a few others had built their own houses on government land which they had applied for under the land for the landless scheme. However, during this process, the Secretary of the *Panchayat* came and began to demolish her houses along with the others as he did not like the idea of a young girl living alone. However, Vanaja did not let things lie. With support from several people and organisations, she and the others who were affected camped right in front of the *Panchayat* building till their homes were rebuilt.

Source: (Bhima Sangha, 2003, pp. 124,134; CWC, 2001).

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