

# Understanding Child Labor in India

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In this era of globalization, few issues facing developing countries attract the same amount of popular attention as child labor. One need not look far to find heart wrenching images in the media of children at work, stitching soccer balls in Pakistan, mining for diamonds in Uganda, or picking coffee beans in Guatemala. Beyond these images, however, we know relatively little about the nature and extent of child labor. The International Labor Organization (ILO) estimates that 218 million children are engaged in child labor worldwide.<sup>1</sup> That is notwithstanding the fact that nearly all countries have laws designed to protect children from the vagaries of the labor market and to ensure mandatory school participation.

India in many ways epitomizes this contradiction. The world's largest democracy has a most robust legal framework in place, with the express commitment to ending child labor etched in its constitution. And yet it appears that India has the highest incidence of child labor in the world.<sup>2</sup> Year after year, a new piece of legislation gets passed in India banning child labor in one industry or another. Most recently, a law was passed in October 2007 banning the employment of anyone under the age of fourteen in hotels, restaurants, tea stalls, and as hired domestic help. Little appears to have changed on the ground,

however, except that children working in these establishments have now learned to say that they are over fourteen years old, in the unlikely event that anyone asks.

## The Nature and Extent of Child Labor

To understand the nature and extent of child labor in India, we must first clarify what we mean by "child labor." Definitions used in government and academic circles can vary a great deal. The Census of India defines child labor as any person under the age of fourteen engaged in one of 59 occupations or processes listed as hazardous under India's Child Labor Act of 1986. This definition builds on the ILO's Convention on the Worst Forms of Child Labor (C182), which identifies child labor based on the characteristics of the work involved. India's 2001 Census counts 12.6 million child laborers, which corresponds to 4.9 percent of the child population in the age group 5–14.<sup>3</sup>

Official statistics tend to underestimate the number of child laborers for a few reasons. Typically, child labor is conceptualized as involving gainful economic activity, either for wage or non-wage based remuneration. Practically speaking, state regulators face difficulties in identifying children that work at home or in the informal economy, where the overwhelming majority of production in India takes place. Interestingly, the 2001

Census classifies 31 percent of children ages 5–14 (92 million children) as neither working nor attending school. The Indian state has no official knowledge of how these so-called “nowhere children” spend their time.<sup>4</sup> Many are likely to be contributing to the livelihood of their families, typically working at home or on the family farm. These activities fall outside the restrictive, legal definition of work used for official statistics. By contrast, some NGOs treat all children out of school as synonymous with child labor, a more liberal definition that leads to higher estimates for India, anywhere between 44–100 million children.

Child labor in India is overwhelmingly rural. Nearly 80 percent of estimated child laborers are engaged in agricultural production. Often this work is seasonal in nature, and some of it may involve bonded labor as part of debt repayments to moneylenders. A number of urban centers are also known to contain high concentrations of child labor. Some of these include carpet weaving in Bhadohi, gem polishing in Jaipur, lock making in Aligarh, glassware in Firozabad, and firecrackers in Sivakasi. Field-based accounts describe child labor in these sectors as highly exploitative, typically involving long hours, low wages, and abysmal work conditions.<sup>5</sup> Finally, a very common form of child labor that receives less attention in policy circles involves domestic chores and looking after younger siblings, activities performed overwhelmingly by girls. These activities fall outside standard definitions of child labor, and yet they can take up a significant amount of children’s time, often to the detriment of schooling and leisure.

### Why Does Child Labor Persist?

The most obvious explanation for child labor is poverty. Children from economically deprived families are the ones most likely to be pushed into work. Given that fact, many hold the legitimate concern that removing children from economic

activities may compromise not only their own welfare but their family’s as well. It is important to recognize, however, that while child laborers do come from poor families, poverty is not the one and final cause of child labor. That fact is supported by multiple sources of evidence. For one, comparative and historical analyses show that the abolition of child labor and achievement of universal primary education does not require considerable wealth.<sup>6</sup> Countries poorer and less developed than India have witnessed a larger decline in child labor. Even within India one can find considerable variation across states. Some states appear to have removed a sizeable proportion of children from the workforce, and these are not the wealthiest ones either.<sup>7</sup>

At a more micro-level, independent surveys show that even the most economically deprived parents want their children to attend school rather than work.<sup>8</sup> Field-based studies demonstrate an entire host of factors at work besides poverty, such as access to basic public services and caste and gender norms regarding work and school participation.<sup>9</sup> The rapid growth of primary school enrollments throughout India over the last decade, even in some of the most economically deprived areas, is still another encouraging piece of evidence. None of this is to deny that income poverty sets the conditions for household decisions regarding child labor. Yet the notion that children of the poor will have to work to support their families until poverty is completely eradicated does not withstand intellectual scrutiny.

### Governance Challenges

Numerous challenges arise in governing child labor in India. The precise nature of these challenges is likely to vary according to the organization of supply chains

and the local institutions. Some of the more obvious difficulties include:

- Poor information and high costs of monitoring economic activity in the informal sector, where most child labor takes place.
- The large geographic expanse and fragmented organization of supply chains in rural areas.
- The use of standard compliance models, which rely on market pressure from global brands, information generated in audits, and incentives to influence the behavior of suppliers, an approach that is often ill-suited to the local context.<sup>10</sup>

Given these problems, it is not surprising that a field-based study of five different private initiatives to monitor child labor in India’s carpet industry found that none are truly capable of monitoring home-based carpet production effectively. And yet, some of these programs continue to label their products as being child labor-free.<sup>11</sup>

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Governance issues also stem from the definition of child labor employed by enforcement agencies, which can shape how officials understand the “problem” to be “solved.” For example, one Deputy Labor Commissioner I interviewed in the northern state of Uttar Pradesh explained how confusions arise in assessing whether a particular form of work is hazardous. He recalled visiting a farm after receiving a complaint that children were operating tractors, an occupation designated hazardous, only to find some children engaged in the far more grueling task of collecting the summer harvest, work that is not counted as hazardous. Instances like this place labor inspectors in the moral quandary of having to decide what is in the child’s best interest. In

another example, a representative from a child rights NGO working around construction sites in the southern state of Andhra Pradesh pointed out how the hazardous/non-hazardous distinction can lead to inaction on the part of the Labor Department. In her experience, by the time labor inspectors respond to complaints children are no longer engaged in activities deemed hazardous, and the case is closed. The NGO has responded to this reality by having the children carry bricks after lodging a complaint, making it easier to press the labor inspector to take action upon arrival.

### **Primary Schooling: No Panacea for Child Labor**

In light of these governance challenges, many view the universalization of primary schooling as the proper means to ending child labor. Proponents cite the fact that it is easier to monitor school attendance than work done by children.<sup>12</sup> Assuming that children outside of school are at higher risk of being employed than children who are enrolled, many find it sensible to define child labor as any child who is out of school. The latter idea garnered much praise in Delhi during the ILO's World Day Against Child Labor, whose theme for 2008 was "Education: The Right Solution to Child Labor." Panelists pointed to Sarva Shiksha Abhiyan (SSA), India's flagship education program involving a major expansion in physical infrastructure and human resources devoted to primary education, as well as incentives provided to poor families. These investments combined with a free mid-day meal scheme have helped contribute to an impressive surge in primary school enrollment.

Yet there are downsides to this approach as well. Children out of school are involved in heterogeneous activities

that are worth distinguishing, as the associated risks and requisite protections are likely to vary. It is unclear whether the standard incentive package provided under SSA (e.g. scholarships, free uniforms, and textbooks) is enough to attract and retain children who are otherwise likely to end up in the worst forms of child labor. These children often belong to disadvantaged caste and tribal communities, and can face discrimina-

tion and maltreatment from teachers and upper caste children, experiences that make school attendance highly unattractive.<sup>13</sup> During one field visit in rural Uttar Pradesh, I found that parents belonging to a lower caste group stopped sending their children to the local primary school after learning that the school principal was having them perform work on his farm. They preferred to have their children work beside them not out of dire



*Children making firecrackers. Sivakasi, Tamil Nadu. Photographer: Browne D. © ILO.*

economic need, but out of concern for their safety and wellbeing.

Alongside problems of *access*, one must account for the abysmal *quality* of India's primary school system, one that is marked by high dropout rates and exceedingly poor academic performance.<sup>14</sup> High rates of unemployment among even relatively well-educated youth in rural India further indicate that the economic returns to primary schooling may not suffice to attract children. Proponents of universal primary education as a solution to eliminating child labor in India must, therefore, consider the significant governance challenges involved in administering a primary education of reasonable quality. The mere provision of schooling, which often forms a part of both state and nongovernmental interventions, should not be seen as a panacea for child labor.

## Conclusion

In this brief discussion, I have emphasized several disconnects between the ideas and policies regarding child labor being advertised in elite circles and the ground realities facing India's children. The nature and extent of child labor is not well captured by official statistics, information that supposedly informs state policy. Although poverty undoubtedly plays a significant role, evidence points to a variety of other causal factors. Like standard definitions of child labor, it is unlikely that standard compliance models are well suited for its governance. Much depends on the organization of production, especially in the informal sector. Far from being a panacea, primary education is yet another blunt instrument in the policymakers' toolkit, one that raises its own governance issues. What this discussion calls for, more than anything, is a context-sensitive approach

to understanding child labor in a country as large and diverse as India.

## NOTES

1. The ILO's estimate is for the year 2004. See International Labor Organization, *The End of Child Labor: Within Reach* (Geneva: ILO, 2006).
2. At the same time, it is worth noting that India's rate of child labor (4.3 percent) is still lower than what is found in many countries in Africa. These cross-national statistics come from the U.S. Department of Labor's 2007 Findings on the Worst Forms of Child Labor. In addition, the reader should bear in mind that official data on child labor face considerable limitations, making cross-national comparisons difficult.
3. Besides the Census, India's other major data source on child labor is the National Sample Survey (NSS). According to the 1999–2000 NSS, there are 10.3 million children working in the age group 5–14.
4. The term "nowhere children" comes from D.P. Chaudhri, "A Policy Perspective on Child Labour in India with Pervasive Gender and Urban Bias in School Education," *Indian Journal of Labour Economics*, 33, No. 2, 1997.
5. For an empirically grounded study on wage exploitation and work conditions facing child laborers in India, see Neera Burra, *Born to Work: Child Labour in India* (New Delhi, Oxford University Press, 1995).
6. The seminal study in that regard is Myron Weiner, *The Child and the State in India* (Princeton, N.J.: Princeton University Press, 1991).
7. For example, the southern state of Kerala reported a rural child labor rate of 0.5 percent in 2001, compared to 7.7 percent for its wealthier neighbor, Andhra Pradesh.
8. For a highly informative survey on primary education in India, see Public Report on Basic Education (New Delhi: Oxford University Press, 1999).
9. For a detailed review of the empirical literature on child labor in developing countries, see Eric V. Edmonds "Child Labor," in *Handbook of Development*

*Economics*, Vol. 4, eds. T.P. Schultz and J. Strauss (Amsterdam: Elsevier Science, forthcoming).

10. For a discussion of how standard compliance systems do not live up to the expectations even for governing labor standards in the formal sector, see Richard Locke, Matthew Amengual and Akshay Mangla, "Virtue Out of Necessity?: Compliance, Commitment and the Improvement of Labor Conditions in Global Supply Chains," *Politics and Society*, forthcoming.
11. A. N. Sharma, R. Sharma, and Nikhil Raj, "The Impact of Social Labeling on Child Labour in India's Carpet Industry" (New Delhi: ILO/IPEC Working Paper, 2000).
12. According to the National Family Health Survey II, nearly 40 percent of children withdrawn from the primary school cited an "unfavorable learning environment" as the primary reason for dropping out.
13. In his seminal study of child labor in India, Myron Weiner pointed out that free and compulsory primary schooling is, among other things, the primary means through which the modern state protects children from the vagaries of the labor market.
14. The 2008 Annual Status of Education Report (ASER), based on a nationally representative survey conducted by Pratham, a leading education NGO in India, finds that almost 44 percent of 5th graders enrolled in government schools do not even have a 2nd grade reading level.

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