

Child labour in District Pulwama of Jammu and Kashmir A sociological study

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I. Introduction

The problem of child labour is not a concomitant feature of modern society only. In fact, the problem has been there since the very dawn of human civilization. The reasons responsible for this phenomenon are varied and have been changing as the years rolled on. Avenues of child labour over the years have broadened. As a matter of fact, the problem is vexed and wide spread and is not a characteristic of any particular type of economy. Any work, whether manual or mental, which is undertaken by a child, who is below 14 years of age, for monetary consideration, is called child labour. According to Francis Blanchard (former director of ILO) "Child labour includes children prematurely leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequently

deprived of education and training apprentices that could provide them a better future". According to Homer Folks, the chairman of the US National Child Labour Committee, the term 'child labour' is generally used to refer, "any work by children that interfere with their full physical and mental development, the opportunities for a desirable minimum of education and of

their needed recreation". Child labour is a global phenomenon and a harsh reality. Child labour is both an economic and a social evil. In assessing the nature and extent of the social evil, it is necessary to take into account the character of the jobs on which the children are engaged, the dangers to which they are exposed and the opportunities of development which they have been denied.³ Thus, child labour is recognized by the sociologists, educationists, development workers and medical professionals as hazardous and injurious to the child, both physically and mentally. Child labour is a pervasive problem throughout the world. Industrialized economies especially of Europe, North America, Australia, etc. have by now reduced it to a large extent.⁴ The problem of child labour as faced by the developing economies today has indeed serious dimensions. Africa and Asia together account for over 90% of the total child employment. Though there are more child workers in Asia than anywhere else, a higher percentage of African children participate in the labour force. The International Labour Organization (ILO) estimates that the number of children aged 5 - 14 years in the year 2000 who were economically active was 211 million, while the number classed as child labourers was 186.3 million. Of these 120 million are estimated to be in full-time work.⁵ Since ages, the prevalence of child labour phenomenon is common in India. It has the largest number of world's working children. According to the Ministry of labour and other NGO's estimate, there are 55 million children in labour force at present. According to their estimates there are 25 million children employed in agricultural sector, 20 million in service jobs (hotels, shops and as servants in home) and 5 million in the handloom, carpet making, gem cutting and match making industries. 91% of child labour in India is in rural areas, while 9% is in urban areas. In India every third child is working child and every fourth child in the age group 5 - 15 is employed.

The phenomenon of child labour in Jammu and Kashmir is in no way different from that of the one prevailing in the rest of the country. Its evolution, growth and magnitude have followed the same pattern. The difference, however, remained in the nature of employment. Since the state is predominantly an agricultural oriented one, the children help their parents in the fields and the farms. The break-up of the child labour employed in different crafts is not available. It has been estimated that embroidery and carpet are the major crafts in the state and about 78% of the craft workers are engaged in these activities. About 89.28% of handicraft units are of household type. It is worth noting that family workers are not less exploited. History is full of instances where parents themselves turn to be the most ruthless exploiters of their own children. Work force employed in the handicrafts and handlooms in the state is dominated by the females. Males constitute less than one-third of craft work force.

In the context of child workers themselves harmful effects can be seen in the form of their improper physical development, varied kinds of illness and physical deformities, damage to the central nervous system, lack of the capacity to adjust with other persons in the society, inability to express views, etc. Karl Marx observed that "the result of buying the children and young persons of the underage by the capitalist results in

physical deterioration and moral degradation.” There are many causes of child labour, poverty, being one of the main reasons followed by illiteracy and ignorance of the parents. Child labour has given rise to a number of socio-economic problems. It is beyond any doubt that children are forced by the circumstances to do labour in tender age when they should have been in the schools. In the nut shell we should say that the life condition of child labourers in handicraft sector is pathetic and miserable and getting worst day by day.

The main aim of the present work was to study the working and living conditions of child workers in the different sectors, especially in handicrafts sector, the situational factors forcing them to take up work at a particular age, their present working conditions, relationship with employers, existing legal protection and welfare provisions, vis-à-vis their implementation, health conditions, as well as perception of the child labour.

As far as Jammu and Kashmir is concerned, the number of child labourers, kids under 14 years of age, is more than one lakh. Twenty five years of conflict have boosted this unfortunate trend. These children are being deprived of their childhood which badly affects their physical and mental strength.

The objectives of the study were to make a detailed study of child labour in the handicraft sector with special reference to their life conditions and to access the nature of exploitation faced by the children involved in labour activities in district pulwama of Jammu and Kashmir. It also aimed at exploring the causes of child labour in the handicrafts home industry in Kashmir and to examine the social implications of labour activities of child labourers in the handicraft sector. The role of government and the suggestions for the solution of the problem are also part of the objectives and will be discussed in the light of the facts of the study.

II. Methodology

Agriculture, handicrafts work and traditional occupations in this part of the state have engaged a large chunk of the child workers. The working conditions of the children in the handicraft sector are deplorable, inhuman and uncongenial for the proper growth and development of the children. Various socio-economic, geographical and demographic factors are responsible for such a high proportion of child labour in India. Cheapness of the child labour in the agricultural and handicraft sector in Kashmir has led to the availability of the child labour in abundance. This has also resulted in their low level of schooling and a greater number of dropouts. The present study is of enormous significance on the grounds that children are the most valuable asset of any nation and mankind owes to the child the best it has to give, the fundamental rights and the directive principles of state policy adumbrated in the constitution of India which prohibits employment of children below fourteen years, protects the tender age of children from abuse, forbids their exploitation and ensures justice and human conditions, children are engaged in various types of employment and a considerable number are engaged in handicrafts work, children employed in the handicrafts work are very badly exploited not only by an employer but by parents as well. The work and the working conditions qualitatively as well as quantitatively are harmful, injurious for their proper physical growth and mental, intellectual and emotional development. Since Kashmir is known for its handicraft items, the demand of these items in the local as well as outside market requires the production of these items. Employers prefer to employ children due to various reasons such as easy availability, cheapness, tender fingers for sophisticated work, easier supervision, lesser employee employer's problem, etc.

Sampling:

The study is primarily an empirical one and based on an extensive sociological investigation in the field of child labour carried out in district Pulwama of jammu and Kashmir, It was not possible to include all the population of the valley, because of the terrain and geographic location of the valley. In the present study, multi-stage sampling was used. Fifteen percent villages and towns were chosen. These villages and towns were selected for the study. All the villages and towns were arranged in serial order and thereafter through systematic sampling the required number of villages and towns were selected out of total. The reasons mentioned above for the selection of districts were also kept into consideration while selecting the villages and towns. The decision of taking fifteen percent sample was decided after considering all the aspects and that this fifteen percent was considered to be a fairly good representative sample.

List of the working children engaged in various types of works was prepared with the help of key persons, government officials, employers, senior citizens and other knowledgeable persons. Only sixty five child labourers could be interviewed for various reasons. Care was also taken to interview at least one child worker from one family. As per the objectives of the study, parents and employers too were selected using the same method. Seventeen parents/heads of the households and nine employers were enlisted in addition to that. Also six government officials and three social workers were interviewed for the present study. For statistical reasons, hundred respondents were interviewed only which include child laborers, parents, employers, social workers and government officials to give representation to all areas, fields, sexes, ethnicity and income-occupational-educational groups and sub-groups.

Tools of data collection:

Various tools for data collection are available for researchers. Suitability of these tools was examined for the present study. After discussion with the experienced researchers and social scientists it was decided that the interview schedule, observation, collateral contacts and interview techniques would be suitable for the present study. Since it is an empirical study, subjects of the study were to be interviewed for getting the relevant information as stipulated by the objectives of this study and it is always useful to have a detailed list of questions to guide the interviews instead of depending upon memory. Schedule gives an opportunity to explain the questions and elicit the desired answers and it also helps in putting the question more systematically and in the required order.

We are aware of the limitation of the words. How the words are pronounced and the facial expressions of the respondents are extremely important to understand the communication adequately. This is possible only when the researcher note down his observation along with words uttered by the respondents. Many things which cannot be said are expressed bodily which can be observed and noted by any one. It is only for these reasons that observation has been used to supplement information collected through the interview schedule. Observation was very useful for collecting information about the facilities available to the respondents in their work units and their home conditions. These observations were noted in the research diary for use in the analysis of data. Collateral contacts were also used to supplement and corroborate the information. In this process, the researcher contacted neighbors, village heads, elderly and educated people of the village and coworkers of the respondents and the relevant information was noted down.

Collection and analysis of data:

Plan of data collection was formulated to have more reliable information and responses to various questions. To start with, as planned earlier, the researcher went around the village and met various important persons including the masters of the handicraft centers to collect the basic information. The purpose of the study was explained. For the convenience of the respondents, as and when required, the objectives were clarified to allay their fear and suspicion. A research diary was also used to take care of those responses which were not in purview of interview schedule. Observations were noted and the interviews terminated with the acknowledgement of gratitude for their cooperation. After collecting information from the field, the schedules were edited and rechecked in order to put all the information in proper and suitable order. Statistical calculations such as aggregation, percentage, average, mean, etc. were made in order to present the findings accurately. An attempt was made to establish relationship between different variables such as age, sex, education, religion, occupation, income, etc. Data was analyzed/interpreted systematically with logic and in the light of the facts of other studies.

Limitations:

It was difficult to get adequate answers from the children as most of them were immature and could not follow the questions. Moreover, fear and anxiety compelled them to remain silent which led to incorrect answers in many cases. Much has to be elicited, therefore, through observation. The researcher always tried to eschew the perceived notion which may miss-represent the findings. Some of the parents hide the information that the child was not an earning member but tried to pose that they send the child to work so that he may not be a victim of any anti-social element.

III. Results and discussions

Religion provides the conditions for the values, attitudes and modes of behaviour of the people. Under the present children shows that 38 (58.46%) were Muslims and 27 (41.53 percent) were Non-Muslims (Buddhists, Hindus, etc.). Thus children of both religious communities were engaged with handicrafts work. Other characteristics such as age, education, sex, health, wages, etc. of the working children are discussed below.

Sex and age:

Surveys published by ILO reveal that the total number of working children increased dramatically and working girls outnumbered working boys. Between 1971 and 1981 there was an increase in the work participation rate of girls and a decrease in the case of boys.⁹ It is a well established fact that age plays a dominant role in shaping personality and values of responsibility to work and to participate in different walks of life. It was in the above mentioned context that sex and age group of the person was given an important position in the present study. Distribution of the child labourers according to their sex and age group is presented below in the Table 1. The study further indicated that most of the female child labourers belonged to illiterate or very less educated families. The societal preference for male children result in girls being valued less, fed less, educated less but worked harder and deprived of every opportunity to broaden their personal, social and

intellectual horizons. In most economically disadvantaged families, greater the poverty, the more aggravated is the situation of the female child. In certain families, the rules of permission and restriction on women and female children are much more stringent which allows for greater exploitation and discrimination. The notion of temporary membership in the parental home results in the perception of the female child as a burden to be passed on to another family where she remains an outsider, a household drudge, a reproductive machine and unpaid worker throughout in life. Further girl's economic participation goes unnoticed as they are employed in either family labour or domestic work or in unorganized sector, like in handicrafts work. The data confirm the impression that children usually enter the field of handicrafts work around eleven years of age. The fact remains that there is a growing tendency to send children to handicrafts work particularly female children at the age of eight to eleven years.

Education:

Education is of paramount importance for the proper growth and development of the individual. It plays an important role in one's life in the sense that it helps in shaping the right kind of life style in the human beings. It is education which turns children into a social and human the positive quality of the child and helps the individual realize his potentialities. All the children working in the handicraft sector interviewed have been to school at one point or the other. Accordingly, the child workers were asked to state their educational qualification/background (Table 2). The reasons for drop out and not completing the studies were varied and vexed. The primary reasons being less interest in studies or failing to cross a particular class or treating education as fruitless because of parental illiteracy and ignorance, poverty of the family, gender discrimination and the influence of peers, etc. To stop the trend of leaving the school, once the student fails in a particular class, the authorities are supposed to be flexible. It is disheartening to note that out of sixty five child labourers interviewed, only 13 (20%) were still attending school and the majority 52 (80%) have left the school for good at primary and upper primary levels. Thus we see that out of 65 child labourers, not even a single child has completed his/her education upto high or secondary level. In order to stop the drop out rate or to retain the children in schools, there is a need to provide vocational education to all the children after they complete their primary education.

Family background:

Family plays a very important role in shaping the child's personality. The family background of the respondents assumes more significance because it is the family where the child learns basic social skills to cope with the social norms, values and demands. It has its own pattern of interpersonal relations, acts as an agency for socialization which in terms is affected by the socio-economic conditions of the family. Within the villages under study, the pattern of respondents' families is varied. The villagers still attach importance to joint family which is

breaking up and paves way for nuclear family. In the present study an attempt has been made to collect salient features of social and economic conditions of the family with a view to examine its impact on the child. Direct observations coupled with the discussions with the parents of the child labourers yielded some material on this point. Some of the child labourers who

were having one amongst the parents dead were specifically observed and interviewed. Accordingly, we wanted to know the size of the child labourer's respective family, which is reflected from Table 3. Majority 53 (81.53%) of children belonged to families with 6 to 10 members' family strength. Only 2 (3.07%) of them belonged to families which were having 1 - 5 members. The children, who belonged to the small family category, work either because there was no earning member in the family or just to enjoy with friends at the handicraft centre and at the same time learn some skill.

Table 1. Distribution of the child labourers according to Sex and age group.

Sex	number	%	Age group	No.	%
Male	20	30.76	5-10 years	06	9-23
Female	45	69.23	11-14 years	59	9-76
Total	65	100.00		65	100.00

Table 2. Educational attainment of the child labourers and whether the children were still attending school or not.

Educational Attainment	number	%	Age group	N0.	%
Upto 5th	22	33.84	Yes	13	20
Upto 8th	43	66.15	No	52	80
Total	65	100.00		65	100.00

Table 3. Size of family and single parent families of child labourers.

No. of family	No.	Percentage	Parents alive/ dead	No.	Percentage
1-5	2	3.7	Father alive only	8	12.30
6-10	53	81.53	Mother alive only	2	3.02
11-15	10	15.38	Both alive	55	84.61
Total	65	100.00		65	100.00

Source: Field Study 2007 - 08.

Most of the children of this category added that they have to work because their father had died and being the eldest child, it was their duty to look after the family. When parents were asked to state the reasons for putting their children into work at a very tender age the lack of quality education, poverty, skill acquisition, inaccessibility of schools and cultural role/tradition were the main forces which made them to send their children into work market inspite of schools. On the other hand the employers employ them for helping poverty stricken families, skill acquisition, low payment, long hours work, having soft fingers and hands (Table 4).

Occupation and educational qualification of parents:

In rural areas children inherit their family occupation. The education of parents is of pivotal importance. The educated parents plan their families; provide best possible education and recreational facilities to their children. They are cautious about the nutritional and health requirements of their children and give them love and affection essential for their growth, development and preparation for the future life. Table 5 reflects the occupation and education level of parents of child laborers On the basis of the above data one can say that the parents were in those occupations which could hardly meet two ends of life. From the data analysis presented we can safely conclude that the old tradition of getting into the shoes of their parental occupations is being replaced to a greater extent and new occupations are being undertaken by the people of the new generations. But still the largest group comes from laboring class which tries to supplement the non-dependable income of their parents. It is only with this purpose that the present study tries to analyze families who are male dominated; education of father has been alone analyzed. The rates of literacy in (61.53%) were illiterate and illiteracy of parents acts as a cultural constraint on the progress of education among children. Many children who were in the process of acquiring knowledge were suddenly deprived of it when they were asked by their parents to go for wage labour or earn independently. The table further reveals that even the literate parents send their children to work at an early age. A good number of child labourers were in the handicraft sector because of the availability of handicraft centres in their locality. Such handicraft centres have been encouraged and supported by the government as

Table 4. Employers and parental reasons for working children.

Reasons by parents	No.	Percentage	Reasons by employers	No.	Percentage
Lack of quality education	8	47.05	Skill acquisition	9	100
Inaccessibility of schools	2	11.76	Low payment	2	22
Cultural role/tradition	2	11.76	Helping poor families	7	77.77
Skill acquisition	13	76.47	Long hours work	1	11.11
Poverty	8	47.05	For having soft fingers and hands	4	44.44
			Only option	3	33.33

Source: Field Study 2007 - 08.

Table 5. Occupation and educational qualification of the parents of child labourers.

Occupation	No.	Percentage	Level of education	No.	Percentage
Govt. job	20	31.74	Illiterate	40	61.53
Farming	9	14.28	Upto 5th Class	13	20.00
Business	2	3.17	Upto 10th Class	12	18.46
Labourer	29	46.03			
Contractor	3	4.76			
Total	63*	100.00		65	100.00

* Parents (father) of two child labourers were dead. Source: Field Study 2007 - 08.

Reaction of family members about child labourers economic contribution:

The data reveals the reality of the existing situation prevailing which allows the child laborers to have a very handsome response from the family members about their contribution. Some others bring it to our notice that the reaction about their contribution in the family was satisfactory as they were contributing to some extent in maintaining and balancing the budget of the family. The visitors of the children were often visiting the handicraft centres to know about the progress of their wards in skill acquisition.

Child labour laws and its abolition:

Government of India has enacted a number of legislations which prohibit and regulate the employment and working conditions of the child labourers in various occupations and vocations. More than ninety percent of child labourers and their parents were not aware of any such legislation. But the majority of employers knew about Minimum Age Act to employment and inspite that they were employing children for low wages, easy to handle, less employee-employer conflict, etc. A dominant majority (97%) of children under work were having no awareness of the child labor laws and their existence. There is no awareness amongst the masses about child labor laws although both parents and employers favor the abolition of child labor for various reasons including the effect of work on child's future. Lack of quality education as well as lack of concern on the part of government and civil society is primary reason for lack of awareness about child labor laws and the damaging consequences of child labor. Considering the present socio-economic conditions, one may argue that child labor should not be abolished, as many poverty stricken families fail to provide the minimum living and social requirements to their children. That is why what many people advocate not the total ban on child labor but improvement of the conditions under which they work. Eliminating child labor will save the lives of many children from its damaging consequences but at the same time will affect a chunk of population for want of economic compulsions. Thus abolition of child labor will not only increase misuses of the children and their families but it will encourage children and the members of their families to adopt unfair means to meet their needs and will divert children and adult members to delinquency and criminal activities. On the other hand we

approached the employers who were in favor of child labor and enquired from them what make them to favor child labor and the response was poverty elevation and development of child. We further approached the employers who were against child labor and asked them why not they were in favor of child labor and their opinion was that it is detrimental to health, adds to school dropout and illegal.

Role of governmental and non-governmental organizations:

About twenty five percent employers favoured the implementation of legislations strictly with same code of conduct everywhere and compulsory schooling upto fourteen years of age for the elimination of child labor. Around ninety percent employers supported to provide some training to the child labourers so that they can earn partly to meet their personal as well as family requirements. Non Governmental Organizations are also working in the field for the eradication of child labor. There is hardly any awareness found among the child labourers, parents and even employers about the NGOs. All the sampled employers responded that the NGO's should help financially to the families of child labourers and which to my understanding no NGO is in a position to provide. We further asked the employers whether they can play any role in the elimination of the child labour and the response we got is shown in below (Table 6).

Suggestions for solution:

Merely passing laws is obviously not the solution, as they need to be enforced, in which our state has a poor track

Table 6. Role of employers in the elimination of child labour.

Employers role	No.	Percentage
No employment to children	1	11.11
Create awareness	9	100.00
Inform authorities	2	22.22
Motivate them to go to school	3	33.33

Source: Field Study 2007 - 08.

Record. The poor would rather have children who work to supplement the income. There are many cases where the parents sell their children as bonded labour for a petty sum of money. Banning child labour therefore is not the solution, nor is the step by the U.S. and Europe to ban carpets from subcontinent. There is dire need to impart education to the child workers. Though child workers cannot attend normal school during the usual school hours, the only alternative is to provide them some agency of education at the time when they are free. Ignorance is one of the main problems; ignorance on the part of the parents who believe that with the children working, poverty will be eradicated and ignorance on the part of the children who do not know their rights in this country. The working conditions of the children are inhuman and the incomes given are also meager. Governmental and non-governmental organizations should organize awareness programs regarding the consequences of child labor and motivate common people, village heads, teachers and other employers, senior citizens, etc. and seek their cooperation in respective areas to serve the purpose. Attractive and free pre and primary school education system is necessary to attract children towards education instead of work and income. Community based school extension programs that is, to make people aware of benefits and necessity of education, to encourage and convince children to go to schools is essential, etc. Nongovernmental organizations (NGOs) and other related agencies have to play vital role to make aware the downtrodden communities regarding the rights of children and harmful effects of child labour. At present, the legislations in India only specifically outlaw child labour in designated hazardous industries and bonded child labour, but both Article 24 of the Indian

Constitution and Section 67 of the Factories Act explicitly direct that children below the age of 14 years are not to work in factories. In addition, the Child Labour (Prohibition and Regulation) Act 1986 forbids the employment of children in specified hazardous industries. The Supreme Court ruling of December 10, 1996, in an attempt to fill the loopholes left in previous legislation and to bring in judicial activism to social issues ordered the setting up of a fund for the child workers aimed at controlling and even-

IV. Conclusion

The problem of child labour has assumed menacing magnitude and intensity during the twentieth century and continues even in the present era. This study clearly re- has wider ramifications. Taking into consideration the causes and consequences of the problem, the situation reflects an extremely cruel social situation which engulfs socially, economically and educationally back-ward communities. The problem of child labour as existing in Kashmiri society has given rise to multidimensional problems having adverse implications on one's physical, social, emotional, moral and educational development. It is not only social apathy towards child labour but the government in this regard has also shown lack of interest; thereby the problem has become more complex and dangerous. Moreover, the problem of social control, crime and social conflict emanate from the situation without proper care and response, on the part of government and the society at large.

The research findings reveal that the problem of child labour is rooted deep in Kashmiri society, tremendous growth in population accompanied by poverty, illiteracy and ignorance, lack of quality education, etc. are the major causes responsible for child labour. It adversely affects one's personality in terms of its physical, social, emotional, moral and educational development. The study shows that no one is showing concern towards the problem of child labour. Their insecure childhood makes them more vulnerable to exploitation. They face inhuman attitude on the part of their employers. They work in very much dirty environment. Though there are various laws to abolish child labour but they always remained confined to papers as reflected by the action of the government. The present study indicates that total abolition of child labour is neither possible nor desirable so long as there is wide spread poverty, illiteracy and ignorance and unemployment, etc. Far from solving problem, its total abolition will further aggravate it.

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