

## **Child Labour in Agriculture**<sup>1</sup>

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The World Day against Child Labor this year we devote it to children engaged in work as agricultural laborers. This is indeed is a historic decision. After years of persuasion and struggle, children engaged in agriculture work force are finally being heard and talked about. It is a cause for celebration and many child rights activists and those arguing for considering all forms of work as child labor would rejoice in this and tell the young boys and girls that it is not too far and long that they will be redeemed from work.

### **Estimate of Child Labor**

According to the Census 2001 the share of children in the 5-14 years age group in the total work force in our country is 3.15 percent totaling 12.6 million children. While there has been a decline in the numbers of children as main child workers from 9 million to 5.7 million there has been a significant increase in the numbers of children engaged as marginal workers from 2.2 million to 6.8 million. Of those who are main workers 14.7 reported attending schools and among the marginal workers 36.6 percent were in schools. This is indicative of the fact that children who are working are struggling hard to be in schools and are doing so against all odds. A large number of children are unable to work and attend schools and therefore have compromised on education to join the labor force. Children working in agriculture sector constitute two third of all child labor force in India and their percentage in rural child labor force is more than 75%. According to the National Sample Survey estimates of 2004-05, there are around 5.6 million children working in agriculture of which 2.75 million are girls.

### **Conditions of Work in Agriculture**

All along it was argued that child labor in agriculture was harmless and therefore can go on and on. Inevitably so! As if to genetically codify their distress and suffering that seeped through every cell to be passed on to the next generation and the next. Their work was never seen as being hazardous by policy makers and adults at large. It seemed these children blended with nature so well, under the blue sky, working on farms, in the fields, herding sheep and cattle, sowing and harvesting, plucking flowers, fruits, and vegetables that we did not want to disturb this poetic imagination of nature's own children and their lives of harmony and peace.

In focusing on children in agriculture on the occasion of the World Day against Child Labor we change our perception of these children and realize that the rice, wheat and cereals we consume today is made from the sweat and toil of these children under scorching heat. We understand their pain and suffering even as they inhale the fumes of

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<sup>1</sup> This address was given at the ILO Conference on the occasion of 'World Day Against Child Labour', on 12 June 2007, in Delhi.

Endosulpha, Methonyl and other deadly pesticides that shrinks their lungs, gives them dizziness and nausea causing mental depression. We say no to the damage caused to their feet and hands that dig in wet mud for hours together, peeling their skin causing sores until there is no more new skin that could appear. We express anguish that they have head aches carrying loads of bananas; vegetables and food. We recognize for instance, all those children who work in production of cotton, their bodies wrapped in violence, their spirit embedded in wasted childhood. We register the plight of migrant labor- girls and boys living in crowded makeshift camps or in cowsheds commuting from villages near and afar, in overcrowded trucks, tractors and trains to harvest soya bean, sugar cane, food crops, oilseeds and all that is consumed by us. Every time we relish cashew nuts, almonds, walnuts we remember all those children whose fingers cracked and numbed into inaction while cleaning the kernels. And when the crispy puffed rice is in the market we will think of the young boys and girls who burnt themselves tossing rice in the hot oven. We realize that children as young as 7-8 years of age start working for long hours during the day when they should have actually been in school enjoying their right to education. We show that we know that they exist, we care for them and we will act to protect them and their rights.

### **Importance of including agriculture to end child labor**

It is indeed so radical that the World Day against Child Labor is focusing on children in agriculture. By talking about children in agriculture labor would make a huge difference to the lives of all children who are out of schools in the country today. First of all it is inclusive as it subsumes the large majority of girls who begin by doing domestic chores and soon join the labor market that is diverse and pervasive. Being denied their rights they get married and become young mothers by the time they are 14 years old. Such girls would soon embark on a journey to liberate themselves from work and join schools.

Secondly by including children engaged in agricultural labor and in protecting their right to education, children are prevented from being recruited in the labor market. It is noticed that the major source of recruitment of children in the labor market is of the rural child. This market is very dynamic and fluid. Let me elaborate. A child may be engaged to work for three months in a quarry or a brick kiln industry. The same child may on the fourth fifth and sixth month work for his/her own family on the farm. In a way children in villages begin their participation as rural child labor to be recruited to work in all other activities such as managing of livestock, in forestry, fishing, plantation, mining and quarrying, manufacturing petty commodities, processing, construction, hotel workers, domestic child labor and so on. By preventing children joining the work force in agriculture, and making education a right, we are indeed arresting the recruitment of children in all other sectors that has been officially prohibited by law.

Thirdly, in emphasizing that children engaged in agriculture labor is a gross violation of child rights there is a possibility of a total abolition of child labor and realizing the goal of universalisation of school education. Overwhelmed by the magnitude of the problem and the numbers of children involved in the agriculture sector there is often a hesitance to

even start planning for addressing the issue of child labor in agriculture. Therefore the work of children in agriculture goes unnoticed and not regarded as being hazardous. Also in the name of being practical programs to tackle 'worst forms of child labor' first emerge. (An argument of practicality in other words could mean 'there is not much we can do and so let us maintain status quo'.) All those who have worked in rescuing children from work have found how impractical it is to exclude children to benefit from a program because they do not fall under the category of 'hazardous' child labor.

There is also the pernicious argument that children must work because they are so poor. As if child labor was yet another scheme of the government to provide food security. In focusing attention on children in agriculture sector these excuses are rendered superfluous and there is a message that is sent that henceforth all forms of child labor are unacceptable and no child will be allowed to be out of school.

Finally it should provoke one and all in the country to say no to child labor and not consume any products where child labor is involved and in urging the State to protect children's rights. It should arouse a moral indignation and prick the national conscience in favor of children's right to education as inviolable.

### **What must be done?**

In concrete this implies that that no child works and every child attend full time formal school and that the State's obligation to protect children's right is fully met. As it stands now Child Labor (Prohibition and Regulation) Act, 1986, prohibits child labor only in some notified processes and occupations. If it is rendered for ones own family, even this form of child labor is acceptable by law and thus not prohibited. Consequently, child labor has become invisible where the processes and occupations that have been prohibited are now being rendered in the homes of the poor. In all other sectors child labor is regulated, which means that child children may work but under certain conditions alone. Even here there is no regulation of conditions of work if the child works for ones own family. The Act does not prohibit or even regulate the conditions of work in agriculture and cultivation except those 'processes in agriculture where tractors, threshing and harvesting machines are used and chaff cutting'. In sum, by excluding all those sectors where a large number of children are engaged in work the Act provides a justification for continuance of child labor.

This is indeed an occasion to compel the government to revisit Child Labor Act 1986 and prohibit all forms of child labor. In fact with the 86<sup>th</sup> Amendment to the Constitution of India where education is a fundamental right for all children in the 6-14 years of age it is imperative that there is a corresponding amendment in the existing Child Labor Act to abolish all forms of child labor.

A commitment to total abolition of child labor must generate a concerted action of all the departments concerned such as the police, welfare, development, revenue, health along with labor and education. All arrangements must be made to identify every child who is out of school, rescue them from work and mainstream them into full time formal schools.

Getting children out of labor force certainly makes it uncomfortable for all those who have reveled in exploiting children and disturbs the existing power structure. A plan for resolving the conflicts in favor of children and addressing the backlog of children who have been denied their right to education must be in place and taken up on a war-footing. Since children at the local level are concrete names, faces and real lives and not statistics the gram panchayats are to be involved in protecting children's rights in their respective constituencies in a big way.

In opening a discourse on children engaged to work in agriculture it should provoke the ILO to expand its Convention 182 to cover all sectors of child labor that are out of school as child labor and work towards eliminating all forms of child labor with equal sense of urgency. In a way it should start looking at all forms of child labor as being equally worse. It must also get other international UN agencies to take a categorical stand in accordance with the UN Convention on Child Rights in favor of abolition of child labor and getting every child to school as a matter of right.

In giving visibility to children in agriculture there is tremendous potential for deepening of democracy in India and meeting the commitments made in our Constitution to attain equity and social justice. Indeed announcing the World Day against Child Labor to abolish child labor in agriculture is a significant step that resonates with the hopes and aspirations of millions of children in our country and in the world today.