



Child abuse at work place: The need for holistic interventions

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Abstract:

Children who cannot enjoy the rights meant for them are essentially at risk. This article tries to examine such risks associated with workplace, particularly in the form of abuse of children. As long as child labour in India is a stark reality, amidst unabated poverty and the failure of the civil society to enhance the income levels and there by quality of life of people with limited means of livelihoods, the free and full enjoyment of rights of the children from such families cannot be a reality, which perpetuates into violation of human rights on attaining adulthood. Social work profession should place itself in a mission mode to prevent this hazard and ensure satisfactory enjoyment of rights of the working children, by protecting them from abuse, through advocacy, lobbying, liaison and networking with the convergence of the initiatives of GOs, NGOs, Corporates and above all the entire Civil Society as a whole. This multidimensional problem of child abuse warrants a multipronged and holistic intervention.

Key words: child labour, Civil Society, socio-economic conditions

Introduction

The problem of child labour is a global phenomenon and it exists in almost all the countries of the world, the difference, if any is only of degree or form. It is very saddening to note that India is one of the nations in the world which has the unique distinction of being a large employer of child labour (Sandilya & Khan 2003). The problem of child labour not only persists but perpetuates in unorganized sector/industries in India. Therefore ILO and Government of India have recognized this problem as a 'harsh reality'. To them, it is neither possible nor feasible to stop the menace altogether under the existing socio-

economic conditions (Chandra Gupta S Sannon, 1998).

The existence and perpetuation of child labour is a blot and slur on modern welfare state which seeks to promote the all-round development of its citizens. Indeed, child labour is a curse upon the society, disgrace for the world of mankind, a malady that may wreck the economic backbone of a country. Above all, it is a disgrace for the development of whole human civilization. The future of the human world very much depends on the rights of the children and the fate of a nation inextricably intertwined with the welfare of its children. Sixty member countries of United Nations signing the Convention on Rights of the child on 26th January,



1990 is a clear evidence of their deep concern about it. It was realized by the international community that a hundred million children of the world are adversely affected by inadequate basic health facilities, shelter, education, material resources and nutrition available for their improved living (Shandilya & Khan, 2003).

Present scenario

The recent trend in the global system is to evaluate the development of any country, not in terms of their military or economic strength or the splendor of their capital cities and public buildings, but in terms of human development or the well-being of its people. Against this backdrop the existence and perpetuation of child labour has been one of the main limiting factors in the way of human development in almost all the third world countries including India. This issue of child labour is major human rights issue and at the same time it is highly emotive one, these emotions tend to be coupled with very strong views both on what the child labour problem is and what ought to be done for its elimination.

The concept and practice of child labour economically unsound, psychologically wrong and socially disastrous has posed a big threat to peace and overall world development. Therefore, the gravity of the situation and pervasive nature of the problem has attracted the urgent attention of all social, political organizations, social scientists, activist groups and governments of the world including India.

The phenomenon of child labour is a symptom of disease and is

consequence of exploitative system, operating at the national and international levels, lopsided development, uneven resource ownership correlating of large scale unemployment and abject poverty among the nations (Shandilya & Khan, 2003). Millions of children across the country are missing the joys of childhood as poverty, hunger; deprivation and unemployment of their parent's force them into adult roles. Though the magnitude of the problem has been expanding in that more and more children turn to be working children, the amount of attention the problem receives from government and various non-governmental agencies is not in tune with its size, because, the tender-aged boys and girls who are part of the problem are not in a position to present their case before the concerned authorities and, by the time they become conscious and aware of their condition and get unionized, they don't remain children but pass into the role of adult workers. Thus, the transitional nature of the problem becomes a limiting factor for its solution (Chandra Gupta S.Sanon1998).

More often than not, in the public parleys the oft repeated statement is that the child is the future of the nation. There are no two opinions that the children are the future of the nation and they should be given adequate opportunity and facilities for developing themselves into good citizens.

The United Nations Declaration of the rights of the child aims at ensuring every child to be happy in child hood and enjoy child rights for his own good and for the good of the society. The rights and freedom herein set forth calls upon parents, upon men and women as



individuals and upon voluntary organizations, local authorities and national governments to recognize these rights and strive for their observance by legislative and other measures progressively taken in according with the following principles.

Child Rights vis-à-vis Workplace:

Even though all the following principles impinge upon the quality of life of the child and through his adulthood, specific focus is given on how violation of rights of children in work place are going to hamper the creation of a progressive society.

Principle 1 enshrines that the child shall enjoy all the rights set forth in the UN Declaration of the rights of child without distinction or discrimination on account of race culture, sex, language, religion political or other opinion, national or social origin, property, birth or other status, whether himself or his family. *But the empirical evidence of the contemporary researchers proves otherwise and differential treatment on the basis of the above social denomination is a hard reality.*

Principle 2 seeks every child shall enjoy special protection and shall be given opportunities and facilities by law and other means to enable him to develop physically, mentally, morally, spiritually, and socially in a healthy and normal manner and in the conditions of freedom and dignity. It goes further to say that in enactment of laws for this purpose the best interests of the child should be the paramount consideration.

But the ruthless reality is the fact that majority of the employers who recruit child worker don't know the meaning of the terms freedom and dignity and would

frequently fail to facilitate the development of their young workforce physically, mentally morally, spiritually and socially in a healthy and moral manner. The hard work to which the children are subjected to hinders the physical development, the inhuman treatment hampers mental development, the unethical work culture results in moral morbidity and cruelty against the child workers saps the spiritual development. As a whole holistic development, i.e. developing socially becomes casualty.

Principle 3 seeks to ensure every child entitled to a name and nationality from his birth. *But in most work places child workers are rarely addressed by their name and frequently called in an abusive language.*

Principle 4 enshrines that every child enjoys the benefits of social security. The child shall be entitled to grow and develop in health; to this and special care and protection shall be provided both to him and to his mother including adequate prenatal and postnatal care. The child shall have the right to adequate nutrition, housing, recreation and medical services. *If we examine the enjoyment of the benefits of social security in work place, contrary to adult workers, child workers are the worst victims of the failure of social security mechanism, both in organized and unorganized sector, because in the organized sector they are non-existent on paper as it is illegal to recruit child workers openly and directly and in the unorganized sector, still it is a distant dream to realize.*

Principle 5 seeks every child who is physically, socially; mentally handicapped shall be given special



treatment, education and care required by one's particular condition. *In the case of working children the differently abled persons are rarely given such special treatment and often subjected to additional burdens as the differently abled persons have to prove themselves as good as the other children, to retain their job.*

Principle 6 advocates the full and harmonious development of the personality, needs, love and understanding. The child shall, where ever possible, grow up in the care and under the responsibility of one's own parents and in any case in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances, be separated from his mother. Society and the public authorities shall have the duty to extend particular care to children without a family and to those without adequate means of support. Payment of state and others assistance towards the maintenance of children's of large families is desirable.

But in reality when children are trafficked for employment for shorter or longer duration, and employer being unscrupulous in most cases, the child is at risk of satisfactory enjoyment of the particular right and often found in a state of moral danger and material abandonment. This vitiates the full and harmonious development of the personality of the children.

Principle 7 ensures every child entitled to receive education which shall be free and compulsory, at least in its elementary stage. The child shall be given an education which will promote general culture and enable the child on

the basis of equal opportunity to develop one's abilities individual judgment, and sense of moral and social responsibility and to become a useful member of society.

As differential treatment in work place on the basis of social denomination is not uncommon, getting equal opportunity of develop one's abilities is unsure and an individual's capacity to judge things correctly may be impaired with prejudices. So developing a sense of moral and social responsibility and becoming a useful member of the society is not so certain. Further as the child worker is outside the domain of school education, the child is deprived of proper socialization as well as improving skills and competencies.

Principle 7 further seeks that every child shall have full opportunity for play and recreation which should be directed to the same purpose as education; society and public authorities shall endeavor to promote the enjoyment of this right. *As the child is kept in work place for longer hours there is hardly any opportunity for play and recreation to rejuvenate one's own capabilities.*

Principle 8 says that the child shall in all circumstances be among the first to receive protection and relief. *However in any emergency that necessitates protection, the children are first to suffer and last to receive protection. When it is the subject of relief, working children have fewer chances as they are officially and legally nonexistent in a given situation.*

Principle 9 ensures every child shall be protected in all forms of neglect, cruelty and exploitation. The child shall not be subject of traffic, in any form. The



child shall not be admitted to employment before an appropriate minimum age; the child shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development. *Here the feeling of the authors is that we need not substantiate how this right is being violated as the ground reality is very much evident to every one of us.*

Principle 10 enshrines that the child shall be protected from the practices, which may foster racial, religious and any other forms of discrimination. The child shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood and its full consciousness that the child's energy and talents should be devoted to the service of one's own fellowmen. *As discrimination is a reality in work place, fostering the spirit of understanding, tolerance, and friendship among peoples, peace and universal brotherhood is at stake and use of one's energy and talents devoted to the service of fellowmen is yet to be seen.*

Conclusion

As "Problem Pandits" we unfolded before you the spectrum of violation of the rights of children vis-à-vis the work place and the nature of child abuse. However you are the "Solution Sheiks" and hence who have profound faith in you to develop strategies of advocacy, lobbying, liaising and networking in a convergence mode with GO's NGO's, Corporates and the entire Civil Society to sensitize the employers of child workers, the parents of the child workers and the institutions responsible

for sustained reduction of the problem of the child labor to direct their efforts in protecting the preciousness of childhood to build it as the human capital of the future society. Please remember, this multi-dimensional problem requires a multi-pronged approach and holistic interventions.

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