



CHILD LABOUR: A REVIEW OF RECENT THEORY AND EVIDENCE WITH POLICY IMPLICATIONS AND ITS MAGNITUDE AND EFFECT

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Abstract

Children are the greatest gift to mankind and Childhood is an essential and impressionable period of human development as it has the potential to the future growth of any community. Children's future external option sets and future individual productive capacities are both diminished when they are forced to work before they are developmentally and physically ready to do so. The undertaken paper is conducted to evaluate the objectives to examine the causes of child labour from the perspective of contemporary theory and data, to evaluate various child labour standards and their policy ramifications and to appraise the scope of the problem, its impact, and the measures taken by governments to address it. Using secondary data and qualitative analysis the paper have found the results that states eliminating child labour is crucial to building a society where everyone is free and treated equally. The world's population is maintained in a sustainable way, and it is crucial that youngsters get a good education. The development of current laws covering child work must also be implemented with the appropriate measures. When it comes to the government's function and the agencies it employs for monitoring, there can be no wriggle space. Further, the enforcement of current laws and the application of appropriate consequences and punishments for violators are also essential. There has to be a comprehensive investigation by law enforcement, aggressive prosecution by lawyers, and judicial backing for all of these efforts. To prove that society does not accept child labour, this scenario demands the entire weight of the law and medical treatment.

Keyword: Children, International majors, Policies, Recent theories, evidences

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1. INTRODUCTION

The most significant theoretical works on child labour and its policy implications are summarised in this study. Significant findings from the material are placed in context using the child labor viewpoint, and a simplified model is offered as the foundation for the study. It also examines the existing data on the impacts of the different therapies to determine their effectiveness and limitations within the aspect of child labour (Thévenon, & Edmonds, 2019). Child labour solutions must be integrated into broader human capital and poverty reduction measures, and the paper concludes by underlining the need of doing so from a policy perspective.

1.1 Background

Child labour is a hot subject in economics today since it leads to a number of social and economic problems. These problems include a depressed labour market and lower adult salaries, as well as a lack of protection for children from abuse and neglect. The right to an education is also denied to children who must work to help support their family. Significant developmental delays and chronic occupational problems are common among young individuals who started working at a young age (Unicef, 2020). Many laws are passed with the goal of doing something else, but they often have unintended repercussions that might be used to address or affect child labour. The theoretical impact of these rules on child labour is, however, unknown.

Several widely adopted international conventions, such as Convention No. 138 of the International Labor Organization on the legal minimum age, Convention No. 182 of the International Labor Organization on the worst forms of child labour, and the United Nations Convention on the Rights of the Child, establish the legal boundaries that define child labour. There is considerable wriggle area in the conventions that may be used at the discretion of national authorities. Consequently, there is no standard statistical assessment of the amount of child labour and no globally agreed legal definition of child labour (Reljanovic, 2018).

To show that there is no one explanation for the widespread problem of child labour, this article will analyse some of the most recent theoretical

and empirical research on the topic. Therefore, efforts to eradicate child labour will have to tackle a broad range of systemic challenges, such as economic inequality, market failures, and a lack of access to quality education.

2. LITERATURE REVIEWS

As per Chatterjee, & Ray, 2019, although it has been eradicated in developed countries, child labour is still common in less developed countries. Although export-oriented businesses have reduced or stopped documenting their use of child labour, this practise is nevertheless prevalent in the rural informal sector, notably in the agricultural and domestic service sectors. Understanding the causes and outcomes of child labour is essential for reducing its prevalence, if not eliminating it completely.

Singh, & Zammit, 2019 have explained that the terms "child work" and "child labour" are often used interchangeably. However, the ILO divides working-age kids into three groups: regular workers, child labourers, and kids in dangerous jobs. Children in employment is the most inclusive of these three groups since it includes both paid and unpaid work done by children and teenagers. Examples of the latter include working as a cleaner for a stranger's household and making goods for one's own (private) use. However, work done by a youngster inside his or her own household does not count as productive economic activity. Also, what we consider to be economic activity includes less-than-legitimate pursuits as well. Since it no longer encompasses all young people who work, the term "child worker" is more limited than its forerunner.

According to Servais, 2022, children who are older than 11 and only spend a few hours per week in light work are not considered to be child labourers since, by definition, such employment does not preclude a child from attending school or getting vocational training. Also, this does not apply to children above the age of 14 who are not working in a hazardous environment. In conclusion, a "dangerous job" is defined as one that directly or indirectly exposes young people to risks. There is a threat to the child's physical and mental health, as well as to his or her physical and emotional safety. For instance, the relevant ILO accords elaborate on the different categories of juvenile workers in further detail.

Genç, 2022, have mentioned that young children were often enslaved and forced to labour in factories, farms, and kitchens during the early phases of the industrial revolution. They spend their days toiling in workplaces where working conditions are sometimes dangerous. The company preferred to hire young people since they were less expensive and simpler to train than older workers. Laws prohibiting the employment of minors date back to 1833 and 1844, respectively. The purpose was to free youngsters from laborious activities that stood in the way of their education, and there was an underlying message that children should not work. Despite this, many children continued to work illegally. Despite being eradicated in the developed world, child labour is on the rise in developing countries due to factors such as rapid population growth, high unemployment, inflation, poverty, famine, weak leadership, corruption, and poor wages. It is particularly common in countries with low per capita income for children to work in sectors of the economy such as agriculture, manufacturing, fishing, construction, domestic service, and street selling. In addition, many children are employed by unlicensed businesses that provide a dangerous and low-paying work environment.

2.1 Research Gap

Evaluating the evidence generated by rigorous evaluations on the impact on child labour of labour market programmes, conditional and unconditional transfers, and microcredit, among other social programmes and interventions, will be the primary focus of this paper, which aims to fill a knowledge gap identified in previous research.

2.2 Research Question

- i. What are the causes of child labour from the perspective of contemporary theory and data?
- ii. What are the various child labour standards and their policy ramifications?
- iii. What are the scope of the problem, its impact, and the measures taken by governments to address Child labour?

2.3 Importance of the Study

The paper's critical examination of knowledge gaps that should be addressed in evaluations makes it of the highest importance. This study provides a short overview of the growing body of theoretical and empirical research on the

economics of child labour in order to highlight the underlying similarities among the numerous contributions to this topic.

2.4 Research Objectives

- i. To examine the causes of child labour from the perspective of contemporary theory and data.
- ii. To evaluate various child labour standards and their policy ramifications.
- iii. To appraise the scope of the problem, its impact, and the measures taken by governments to address it.

2.5 Scope and Limitation

The purpose of this study is to examine the policies aimed at eliminating child labour in an effort to address the myriad of causes of child labour, including but not limited to economic hardship, market failures, and a lack of educational opportunities.

This study is limited to exploring the scope and impact of Recent Theory and Evidence with Policy Implications within the context of Indian law.

3. RESEARCH METHODOLOGY

The followed chapter describes the strategies and methods that were used to analyse the study's aims and hypotheses. Assuring that all of the research aims and hypotheses are taken into account is the goal of this chapter, which lays out the many investigating functions and comprehensive processes employed for the research issue. This chapter presents a framework for comprehending anti-child-labor laws with the goal of addressing the many factors that contribute to the plight of children in the workforce, such as poverty, market failures, and a lack of educational possibilities.

3.1 Research Method & Design

The data-gathering phase of any scientific or sociological study is crucial, and the researcher has to choose a method that will enable them to get the results they want or accomplish their goals. Data gathered by a researcher from secondary sources are information that has already been gathered, or is a derivative of primary data. Journals, papers, government publications, public sources, etc., are typical locations for such information. Research in the social sciences relies heavily on secondary sources. The researcher's methodology dictates the parameters of the research environment. A

better understanding of the results was achieved via the use of a qualitative research technique as opposed to a descriptive one.

3.2 Research Approach

The conversation is a vital part of every research effort, no matter its focus. Research strategies such as induction, deduction, and abduction should be elaborated upon in the dissertation's methodology chapter. This study will use a hybrid method, combining inductive and deductive reasoning to examine the hypothesis theory included in the statement model. For this analysis, we will combine generalisation with hypothesis testing. A new theory will be created as a consequence of this. Therefore, the descriptive pattern of analysis is applied anytime the observation is being considered, as a result of these processes.

4. ANALYSIS OF STUDY

Qi. What are the causes of child labour from the perspective of contemporary theory and data?

Market analysis can help determine the demand and supply of child labour. Demand-side variables encourage firms to hire youth. Many factors contribute to the exploitation of children in the workplace, including production technology, the structure of the labour market, weak legislation and its poor implementation, children's endowments for a specific work, low wages for more working hours, a lack of medical insurance or pensions, and children's low bargaining power. If the child's parents or breadwinner want them to work is a supply side factor. Poverty, lack of public utilities, lack of educational facilities, lack of parental education, a huge population, a lack of employment, etc. are supply-side factors (Progga, et al., 2020).

Poverty causes child labour, although to what degree is debatable. Many families hire their children to earn money. Comprehensive data show poverty's dynamics. Child labour is expected to increase as a country's economy expands.

Home Safety vs. Low earnings prevent families with children from replacing a sick, wounded, or jobless breadwinner. Studies reveal that children who have experienced parental separation and divorce are more prone to participate in harmful behaviours.

Forcing kids to work might worsen income inequities.

Parents examine their children's demeanour and grades while hiring. Parents are more inclined to send a kid to work if he or she is unhappy or failing in school (Chatterjee, & Ray, 2019).

Insufficient nutrition and bad health affect child labour. Nutritional deficits contribute to poor academic performance and dropout rates. They join a rising group of out-of-school adolescents who are already overworked.

Economic constraints Child labour indicates a faulty economic structure. Due to a shortage of funds, many families now educate their children at home rather than in a public or private school. If both parents are well-educated, the youngster may feel pressure to follow suit. Most factory kids were raised in low-income homes where neither parent graduated high school. Educated parents are more inclined to value education. Parental education seems to reduce child labour. The mother's education predicts a child's academic achievement more than the father's.

High education expenses, limited access to excellent education, lack of alternative career possibilities for children, unfavourable employer attitudes, high demand for family-provided services, geographical isolation, and inefficient government policies keep children in the labour (Zhuang, 2019). Most of the world's poor live in rural regions, thus children often labour there.

Qii. What are the various child labour standards and their policy ramifications?

International Labour Organization (ILO) Conventions

The International Labor Organization (ILO) has been in existence since 1919. The International Labor Organization (ILO) ensures that all individuals, regardless of gender or geography, have access to fair and equitable working conditions. ILO agreements and guidelines established worldwide labour norms. ILO's Minimum Age Convention (1973) (No.138) and Worst Forms of Child Labor Convention (1999) address child labour (No.182). India is now a full Core Conventions member after ratifying both (De Stefano, 2021).

The Minimum Age Convention, 1973 (No. 138)

The Minimum Age Convention (No. 138) took effect in June 1976. The International Labor Organization Convention aims to end child labour by requiring member nations to adopt and execute national measures. State Parties must set a legal minimum age for work to fight child labour. The Convention stipulates the minimum age at 15, while state parties might decrease it to 14. 15-year-olds may do light work under the Convention. The Committee of Experts monitors compliance with the Convention. State parties must report on progress every three years. The GSP regulates 15 major norms, including Minimum Age (Van Daalen, & Hanson, 2019).

Recommendation No. 146 emphasises the importance of implementing measures to reduce poverty, increase access to decent employment for adults so they aren't forced to employ their children in harmful work, guarantee free and equal access to quality education for all children, offer vocational training, and strengthen social safety nets and birth registration systems.

Worst Forms of Child Labour Convention, 1999 (No. 182)

The International Labor Organization (ILO) ratified Convention 182 on June 17, 1999. Convention 182 lists the five worst types of child labour that must be eliminated. This includes slavery and using minors as serfs or indentured slaves. Using force or persuasion to make someone work (even forcing children to fight).

Prostitution, pornography, and child pornography are illegal. A minor recruited or utilised for unlawful activity, especially drug production or trafficking (Landman, 2020). "Child labour" is when youngsters are forced to work in dangerous conditions. To assist its State members eliminate child labour, the ILO created IPEC in 1992. It outlines victim assistance and remedies for each kind of IPEC Child Labor Guidelines violation.

Operate with risky machinery, equipment, and tools; carry heavy loads; be exposed to hazardous chemicals, agents, or processes; or work in dangerously high temperatures, excessive noise, or vibrations.

Declaration of Rights of Child, 1959

The League of Nations' 1924 Geneva Declaration was the first to recognise children's rights and adults' responsibilities for them. After WWII, the UN was created. However, after 1948's Universal Declaration of Human Rights, the Geneva Declaration needs to be enlarged. They decided to develop a second Declaration on the Rights of the Child to address the idea that mankind owes the Child its best. In 1959, the UN General Assembly overwhelmingly passed Resolution 1386, which contained the Declaration of the Rights of the Child (XIV) (Liebel, & Invernizzi, 2019). The Declaration of the Rights of the Child outlines basic themes including:

- No racial, religion, or nationality-based discrimination.
- Right to social, emotional, and physical development protection.
- Right to name, nation.
- Healthy nutrition, adequate housing, and healthcare.
- A disabled kid is entitled to special education and care.
- Free leisure and education.
- First-aid rights in all circumstances.
- No abuse, cruelty, or exploitation.
- Right to be raised with compassion, tolerance, international friendship, and worldwide brotherhood..

United Nations Convention on the Rights of the Child (UNCRC), 1989

The UNCRC outlines children's political, civil, economic, social, and cultural rights, which members must uphold. The Convention's 54 provisions detail children's rights and what governments should do to protect them. UN approved CRC in 1989. It became effective in 1990 after 20 ratifications. Only the US opposed it. All parties are required under the treaty to provide children's basic requirements and help them reach their full potential (PUTERI, Nisyak, & Halim, 2022).

Qiii. What are the scope of the problem, its impact, and the measures taken by governments to address Child labour?

Scope of the problem and impact

Child labour is a global concern for economies and societies. It affects learning, health, and

growth. Inexperienced juvenile labourers are unlikely to understand the hazards they face. Their occupations limit their youth. Child labourers sometimes work long hours without compensation and lack education, entertainment, socialisation, personal development, and family love and support (ZAMFIR, 2019). Child labour has far-reaching social and economic implications. Below are important outcomes.

- Injury to cognitive, emotional, or social maturation:
- Poverty that persists from generation to generation:
- Implications for Academic Performance:
- Lack of work opportunities for adults leads to diminished negotiating strength.
- Wellness of children and families:

Pyrotechnics, matchworks, electroplating, Beedi rolling, glass making, and brassware/locks sometimes employ minors. Many children working in these situations develop life-threatening conditions by puberty.

Child labour harms a child's health and well-being. Children who work have more time for school. Many young people try to combine education and job, but this is detrimental.

UNICEF estimates 250 million children (ages 5-14) are working, and that number will climb. International Labor Organization: 165 million 5-14-year-olds are working globally (ILO). Many of these youngsters labour long, hazardous hours without food or breaks. Anemia makes people more susceptible to job hazards that might cause lifelong disability or death (Metsing, 2020).

Child labourers often lack vitamin B-complex, iron, and protein, which affects organ development and hormone production (adrenals, corticoids, sex hormones, and growth hormone). Children who work in the labour sector often have stunted development, poor nutrition, mental instability, behavioural issues, night blindness, a pale yellow appearance, a cleft lip or chin, and other kinds of malnutrition.

Measures taken by governments to address Child labour

The Child Labor (Prohibition and Regulation) Act of 1988 bans the employment of minors and regulates their treatment at work.

1996 Child Labor Amendments The Amendment Act bans under-14 workers.

The amendment demands safety precautions for these workers and restricts the employment of adolescents (ages 14 to 18) in dangerous industries (FrascoZucker, & Rausky, 2021).

India approved two ILO child labour accords on June 12 to mark World Day Against Child Labor.

National Policy on Child Labor (1987) focuses on assisting youngsters who have previously been exposed to risk on the workplace.

The Juvenile Justice (Care and Protection of Children) Act of 2000 and its 2006 revision recognise working children as vulnerable and in need of care.

Child labour is specifically addressed in sections 23 (cruelty to children) and 26 (needing care and protection) (exploitation of juvenile employee).

The government developed pencil.gov.in to enforce child labour regulations and end child labour (Ranasingh, & Islam, 2022).

The Right to Education Act of 2009 requires states to provide free, obligatory education to children aged 6 to 14. Article 21A of the Indian Constitution protects the right to education, therefore classroom teaching may address child labour.

The amended Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act punishes bonded labourers harshly.

The new legislation punishes anybody who forces a child to beg, handle human waste, or carry animal carcasses.

Under the proposed National Policy for Domestic Workers, domestic helpers will earn at least Rs.9,000 per month.

Every police station in the nation prioritises juvenile detention and women and children's protection.

BachpanBachaoAndolan, CARE India, Child Rights and You, the Global March Against Child Labor, RIDE India, and Child Line are striving to end child labour in India (Bhaimali, 2022).

5. RESULTS

It is unfortunate that child labour persists across the globe despite efforts by the United Nations, the International Labor Organization, and individual governments like India's. The inability to reduce the number of children being exploited in the workforce is a direct result of the widespread poverty that contributes to and is exacerbated by child labour, as well as the enormous demand for cheap child workers in the agriculture, mining, carpet-weaving, garment, and brick kiln industries.

If we want to create a society in which everyone is free and treated properly, then the end of child labour must be a top priority. There has to be more study on why businesses recruit minors. Providing a good education for kids and growing the global population sustainably are both essential. The aforementioned description and development of existing laws protecting minors from forced labour must also be put into practise, and we must take the required measures toward doing so. It is important to establish the role of government and the agencies it employs for oversight.

Furthermore, existing laws must be put into practise, and offenders must be met with appropriate sanctions and punishments. Authorities must investigate thoroughly, attorneys must seek the harshest penalties possible, and the courts must support all of these initiatives. This kind of situation requires the full weight of the law and medical care to show that society does not tolerate child labour.

6. CONCLUSION

Child labour harms public health. Child labour must be addressed from several perspectives. Poverty is a major cause of child labour, according to the ILO. There aren't enough jobs for students to receive an education, therefore they must labour. Some cultures support child labour as a way to develop children's personalities and skills. In certain societies, children's job follows their parents'. Socioeconomic inequality, inadequate governance, and international treaties are major causes of child labour. Effective strategies focus on teaching children and their families, sponsoring early childhood development programmes, organising public education task

groups in rural regions, improving adult earnings, and discouraging customers from buying items created using forced child labour. All children's rights must be protected, and policies and procedures must support ILO criteria for ethical behaviour.

6.1 Future Scope

Future research should focus on coming up with ideas for how the government can change urgent legal rules to better deal with child lobbying issues. Future research should also look at what is known about the international trafficking of children for work and what changes need to be made to the laws about this. More research is needed on the factors that influence firms to hire underage workers.

6.2 Suggestions

- International policies should be mandated to ensure that all children, particularly those from low-income working families, have access to free, high-quality education.
- Formal education should continue after elementary school is completed.
- If a kid is living in a unique location, they should be given extra support and the freedom to travel without incurring extra costs for the local community.
- One other element that needs investigation is social isolation.
- If child labour laws are strictly enforced and funding for schooling is increased, the cycle of poverty that pushes children to work may be ended.

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