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**Practitioners' Perspectives of Child Migrant Labour and Child
Exploitation within Cotton Seed Fields: Cases from Gujarat,
India¹**

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ABSTRACT

Using the cotton seed farms of Gujarat, India, as a case study, this article explores the causes and effects of child labour. The case study was undertaken with the support of local Indian NGOs – Action Aid Jaipur, PRAYAS and the DRMU. Interviews were conducted in order to analyze the extent of the problem of migration, bonded labour and feminisation of labour. Issues of poverty and the lack of implementation structures are primary concerns in relation to the problem. Given the broader impact of these factors, a key contention of this article is that those multinational corporations involved in the cotton industry and operating in developing countries should abide by more ethical working practices and avoid the use of children as workers. It also concludes that the current practices and modes of exploitation of migrant farm workers are unacceptable.

KEYWORDS

Child Labour, Migration, Child Rights, Exploitative Labour

1. INTRODUCTION

Statistical estimates on incidences of child labour often vary. However, it is thought that globally, there are 352 million economically active children between the ages of 5 and 17 years. Of this, it is also thought that at least 211 million are under the age of 14, and a further 8.4 million are working in the worst form of child labour as defined by Article 3 of the International Labour Organisation Convention (ILO 182, 2002). Within academic discourse, there are also growing engagements with children welfare from the perspectives of childhood theories, children's geographies and 'child rights' (Holloway & Valentine, 2000; Venkatesworth *et al.* 2005; Goldhagen & Landown, 2008). Despite increasing condemnation of child labour, there is still scepticism about its total eradication in the immediate future (Sharp, 1996; Dessy, 2001).

The agriculture industry is one of the worst offenders for child labour, employing some 150 million children (Human Rights Watch, 2008). In many countries across the globe, children are being enlisted to work for long hours, carrying out hard tasks in often very distressing conditions. What is also evident is that the perversity of the continued use of child labour appears to coincide with times of great economic progress. As Greider aptly notes 'the great paradox of this economic revolution is that new technologies enable people and nations to take sudden leaps into modernity, while at the same time they promote the renewal of once forbidden barbarianisms.' Greider goes on to lament that amid the newness of things, exploitation of the weak by the strong also flourishes' (Greider, 1997 cited in Bourdillon, 2006).

The cotton industry in India is dominated by western multinational corporations (MNCs) and as demand for cotton has doubled since the 1980s so have profits, with sales reaching \$2.6 billion in 2008 (Cotton Corporation India, 2008). However, seed prices are kept stagnant and this encourages demand for cheap labour (New Internationalist, 2007). International legislation surrounding child labour includes the international ILO Convention No. 138 on Minimum Age and No. 182 on the Worst Forms of Child Labour. India has not ratified these Conventions, but has its own Child Labour Act 1986. However it is legal for a child to work in agriculture, making the regulation and protection of cotton workers particularly challenging.

This article explores the dynamics of child labour within the context of migrant child labour and the implications for child right legislations and exploitative labour/employment of children within the cotton seed farms of Gujarat, India. The study on which this article is based draws on field data generated through interviews and examination of field reports by NGOs in Gujarat. This region produces one of the highest yields of hybrid cotton in India (Cotton Corporation India, 2008). Farmers recruit children from the neighbouring state aware that the wages are too low for local adults. Development practitioners actively working in the Gujarat locality have established that children are engaged in various forms of bonded labour and exploitation (DRMU, 2008). The numbers involved are perceived to be growing as NGO reports suggest that about 32.7% of the workforce was found to be less than 14 years old with another 42.3% classified between 15-18 years old. Children, especially girls, are becoming more favoured in agriculture because they are more passive, will work harder and complain less, receive lower wages than boys and are frequently abused (DRMU, 2008). Besides exploring these issues, the overall aim of this article is to contribute to the current discourse on child labour-right within the context of seasonal labour migration by assessing the patterns and dynamics of child migration and exploited labour within the cotton seed fields in Gujarat, India.

2. OVERVIEW OF EXISTING LITERATURE

The term 'childhood' refers to the early stages of an individual's life. However, definitions have considerable geographical, gendered and cultural implications (Holloway & Valentine, 2000). It is often difficult to draw a line between childhood and adulthood. Some theorists consider childhood as merely a continuous part of adulthood (see Bourdillon, 2006). They argue that different cultural and material conditions will result in different childhoods. Although protection and support is accepted, work is seen as normal as children develop. Stegemen (2004) takes a predominant modernization approach claiming that children in the developed world create a model of childhood for all countries (Stegemen 2004). The UN defines a child as anyone under the age of 18 years (UNICEF, 2008). However, a child under the age of 5 is not considered old enough to work.

2.1 THE DEFINITION OF CHILD LABOUR

'Work' is loosely defined as any 'economic' activity undertaken outside the household; whether paid or unpaid, legal or illegal, rural or urban (ILO, 2006). Although this is criticised for blurring what is 'household' work compared to other types of activities (Weiner et al, 2006: 34). The International Programme on the Elimination of Child Labour (IPEC) only considers children between 5-17 years old within their child labour estimates (IPEC, 2002).

Defining 'Child Labour' is problematic as there is more than one definition influenced by perception of childhood, social attitudes and national law. However, definitions which vary most revolve around the child's mental, physical or moral development. (Desai & Potter, 2002 p.216) IPEC also considers dignity and 'potential' - including schooling and 'playtime' (IPEC, 2008). At its most broad, 'child labour' is any 'economic' activity that takes place for at least 11 hours per week (Betcherman, et al, 2004). This definition is often used in statistical data but is generally vague. Bourdillon (2006) argues that using categorisation by age to judge appropriate work (as per the ILO Convention No.138) simplifies the matter and does serve the interests of the child.

When researching the discourse surrounding 'child labour' there is a divide between those who take a totally negative stance against it and those who believe that child employment can be beneficial. Bourdillon (2006) makes an important point regarding Weston (2005), who defines 'child labour' as work done that is 'harmful to the child or otherwise contrary to their best interests.' The problem is that harm is relative. Bass (2004) for instance, argues that 'not all child labour is bad' (Bass, 2004 cited in Bourdillon, 2006), a view that many share. Edmonds and Pavcnik (2005) point out that there is often a misconception that all work is harmful to a child; the outcome of this negative connotation is that any positives are ignored. Ennew et al (2005) also note that the term 'child labour' is manipulated to the social, political and ideological convenience of a variety of organisations. No one single definition currently covers all children's work, thus researchers must consider each child individually.

2.2 CHILD LABOUR VERSUS CHILD WORK

There is considerable discourse on the distinction between 'child labour' and 'child work'. At its most basic definition, 'child labour' is waged and 'child work' is the unwaged activities that children do in the course of their everyday lives (Sharpe, 2006). Often those endorse this distinction argue that the latter form of work is a positive part of the socialisation process. The World Bank considers work within the protection of a family beneficial to a child's development, and theorists such as Liebel (2004) favour the positive element of 'light work with limited working hours.' Wiener *et al.* (2006) dismiss this argument as weak, arguing that 'light' work includes carrying firewood and water, animal husbandry and helping in the field.

Individually, the tasks may not be time consuming but it is rare that a child will only partake in one activity.

The international NGO, Action Aid holds the view that ‘child work’ becomes ‘child labour’ when it shifts from ‘developmental’ to ‘economic’ (see Desai and Potter, 2002). The ILO defines ‘child work’ as all paid and unpaid, part or full time activity done in the household or for the market (IPEC, 2008). However, Weiner *et al.* (2006) argue that these organisations are not concerned with work contributing to households. They also chastise activists who glorify children as carers and heads of households, as these activities affect the child’s development and schooling. Sharpe (2006) in his article on ‘child labour’ versus ‘child work’ discusses girls who were working legally in Morocco as garment workers but were made to stop when an international policy caused public protest to the employment. The girls’ main complaint was that nobody had asked them what they wanted. Who knows best when it comes to a child’s welfare? Children are not always the passive exploited individuals that they are portrayed to be.

2.3 CHILD RIGHTS AND EXPLOITATION OF CHILDREN

In the last decade, several international instruments seeking to protect the welfare and rights of children have been adopted. These include the ILO Convention (No. 138) on Minimum Wage 1973 and the ILO Convention (No. 182) on the Worst Forms of Child Labour, 1999. The ILO Minimum Age Convention states that national law must determine minimum age, but work that could jeopardise health should not be done by persons less than 18 years, and ‘light work’ should not be done by children less than 12 years in a developing country. India is yet to ratify the ILO Conventions, but it has enacted its own Child Labour (Prohibition and Regulation) Act 1986. This Act regulates working conditions and prohibits the employment of children below the age of 14 in factories, mines and in other forms of hazardous employment.

There have been many critics of these Conventions, particularly regarding minimum age as an international standard. Despite criticism there is yet to emerge a comprehensively acceptable legal framework with the capacity to protect the rights and welfare of children. The term ‘child rights’ is a relatively new notion which acquired international legal significance with the adoption of the Convention on the Rights of the Child in 1989. This Convention covers all those below the age of 18 years old. The regime of rights it formulates include sufficient ‘nutrition, free primary schooling, health care, freedom from discrimination, the right to free expression and safe access to play’ (Amnesty USA, 2008). Ruwanpura & Roncolato (2006) argue that more ‘social-cultural’ perspectives are needed to assess child rights. They reason that calendar years for age are not always appropriate in societies that categorize persons by different means such as ‘life experience,’ and note the difficulty when persons do not know their exact age.

It is worth noting, however, that discrimination as a lived reality must be factored in the discourse of child rights. This is because working children often experience a great deal of it. In other ways too, some children will experience discrimination from birth as a result of poverty or their families social categorisation as part of a lower caste/class. Children of the poor are more likely not to have been registered at birth, which may ultimately lead to problems with schooling and legal employment (Anti-Slavery, 2002). Young migrant labourers are particularly at risk of discrimination and exploitation because they are away from home and completely dependent on the employer. Girls, as discussed above, are unequal in many societies leading to lack of education, early marriages, sexual abuse, lack of rights

and freedom (World Bank, 2001). In South Asia and in West Africa caste/class plays an important factor in how children are treated. Weiner (1991) found that teachers believed that lower caste children were not as mentally capable as those from higher castes, and therefore did not provide the same standard of schooling. Child labourers, particularly migrant children, are at risk of health problems both physically and mentally. The difficult conditions and hazardous environments can lead to injury, whilst exploitation can give rise to mental health issues such as depression (Anti-Slavery, 2002).

2.4 POVERTY AND SEASONAL CHILD MIGRANT LABOURERS

Poverty in developing countries ‘robs people of their freedom...[it is] another form of violence done to vulnerable people of the duress under which their choices are made’ (Kingbury *et al.*, 2004). When vulnerable families choose to send their children to work in order to make ends meet, it is understandable but it is often referred to as ‘borrowing from the future for present consumption,’ since present needs harm the development of the child in the future (Betcherman *et al.*, 2004; ILO, 2005). This creates an ‘inter-generational transfer of poverty’ (DRMU, 2008) whereby the downward spiral of exploitation and poverty is passed from adult to child. The child who does not go to school and accepts poor working conditions will grow up into an adult with the same lack of opportunities, leading to a ‘false consciousness’ says Weiner (1991) where the individual will see the ‘exploiter as their benefactor.’ Families particularly in rural communities will send their children off to work for seasonal labour believing that the rewards will outweigh the negatives (ILO, 2005).

Until recently, child migration was only considered within family movements. However, research now engages this in a much broader context, particularly in situations of poverty (Assan, 2008). In their discussion on who migrates within a household and the reasons why, Lawson (1998) and Young (2003) talk about the importance of intra-household dynamics. Interestingly, evidence shows that children often move independently in search of employment for self or for the household. Lorraine Young’s study of rural-urban migration of Ugandan street children, and Albertine de Lange’s research on the rural-rural migration of children in Burkina Faso’s cotton fields describe children’s choice to move often separating them from their parents. In fact, in Burkina Faso, the boys do not even tell the parents they are leaving (Lange 2006). Young describes the importance of migration within sub-Saharan Africa as a means of increasing household survival. However the study on Burkina Faso found that the boys migrated for individual needs such as a new bicycle. This individualistic nature is a result of modernizing influences and a decrease in family solidarity.

The children who migrate to the cities are often attracted to the idea of a better life after hearing stories from neighbours and friends (Nieuwenhuys 1994; Silvey 2000; See also Englund, 2002 cited in Young, 2003). Work done by migrant children is often harder and in poorer conditions. However, unhappy children cannot come home due to lack of funds and fear of the employer. In Burkina Faso, like India, it is seen as shameful to return empty handed (Lange, 2006). Children wish to support their families and feel the sense of adventure when migrating. Migration has become a norm. It is imperative that children are seen as agents of their own decisions with their own social, cultural and economic backgrounds.

The current international political economy is blamed for the prevailing patterns of child labour (Ruwanpura & Roncolato, 2006). Neo-liberalists argue that economic development increases demand for labour (both adult and child) at the macro level, however, child labour has a negative impact on the economy as it reduces the development of human capital and the productivity of the future labour force (Jones, 2005). Bhattacharya (2001) blames global

trading agreements which allow MNCs to work within developing countries, exploiting children in employment to maximise profits.

Child labour is a global issue, yet until recently the Indian Government had no data on the number of child workers in cotton fields. Whilst the state of Rajasthan now accepts the problem, Gujarat does not. With the children involved in the process being driven underground, this phenomenon has become increasingly difficult to examine as the children involved become more vulnerable. The State authorities seem oblivious to this reality and this seems to perpetuate the vicious cycle of poverty (Myers, 1991; Weiner, 1991; Weiner *et al.*, 2006). Sadly most peasant parents often see this type of work as a safe occupation (IPEC, 2004).

3. BACKGROUND AND OVERVIEW OF GUJARAT

The majority of the population in India (almost 70%) live in rural areas (Indian Government, 2008). The country now has the second largest growing economy after China and second largest labour force in the world - over 5 million people, 60% of which work in agriculture (Indian Government, 2008). The sector makes up 28% of the country's GDP. Sadly, India's wealth is not spread evenly and a quarter of the population earn less than 40 cents a day. In 2004/2005 about 27.5% of people were living below the poverty line (Economy Watch, 2008). It is out of this poverty that issues such as child labour arise.

Figure 1: Map of Gujarat



Source: taken from geocities.com (2010)

Gujarat is a state in western India, it borders Rajasthan to the North. The population is 50.6 million (2001 census) and the official language is Gujarati (Government of Gujarat, 2008). The region has an agricultural economy and is one of India's main cotton producing regions (National Cotton Council 2008). In recent years, there has been a rapid increase in international private investment and use of hybrid cotton seeds. The development of the region means that local labour will not work under poor conditions offered by the cotton farmers resulting in demand for seasonal tribal migrants mainly children, who come from Rajasthan. Some estimated 200,000 under 14 year olds every year migrate to the cotton fields. (DRMU 2008) Yet the Gujarat Government flatly denies child labour in the industry.

4. SAMPLED LOCAL ORGANISATIONS AND METHODOLOGY

4.1 SAMPLED LOCAL ORGANISATIONS

The DRMU is the migrant workers union for tribal communities in Southern Rajasthan. Its objectives are to strive for better wages, social security and human rights for all workers in the informal sector. Since 2006 it has been working to end child labour within the cotton industry and has actively raised workers' rights amongst civil society, the media and the Gujarat State (DRMU, 2008). However opposition has been faced from the local community and political bodies who oppose the recruitment of workers into the union. The second sampled local organisation active in this area is PRAYAS. Founded in 1988, PRAYAS is now one of India's largest NGOs serving 50,000 children across 7 states. Their aim is to protect the rights of children, women and young people. As well as providing welfare programs and conducting research, they are trying to create a greater link between the Government and the seed companies (PRAYAS, 2008).

The third sampled organisation is Action Aid. It is one of the largest international NGOs in the world, and aims to make partner organisations and communities aware of their rights (Action Aid, 2008). The regional office in Jaipur serves the whole of Rajasthan, and provides a vital link between the national and international campaigns. They are supporting the DRMU with their research and also lobbying the Government to examine current legislation and make MNCs take responsibility. Local NGOs provide a fascinating and vital insight into grass-root development work which is essential for this study.

This article uses triangulation – gaining a comprehensive perspective from both quantitative and qualitative sources. Child labour is a sensitive subject and the recent governmental and NGO focus in India has driven it underground. It is not easy for researchers to go into the field and gather data. The field data work was generated through interviews conducted in Rajasthan with local NGOs working with communities and households operating seasonal migration involving children into cotton seed fields' base in Gujarat. Quantitative data given by the DRMU is corroborated by national sources and international reports as well as academic journals and newspaper articles.

4.2 QUALITATIVE DATA

The research consisted of interviews with officials of all the three NGOs which are actively working on the subject of child migrant labour and child rights in the local areas sampled. The organisations include – Action Aid (Jaipur), PRAYAS and the DRMU. The DRMU are the main researchers in the area and have conducted extensive empirical studies on the subject in the sampled state. Identification of the selected organisations was done through snowballing and networking with international organisations which led to contacts with Action Aid UK and India, who in turn facilitated further links with other national and local NGOs operating in Gujarat and Rajasthan (in Jaipur). Analysis of the qualitative data was

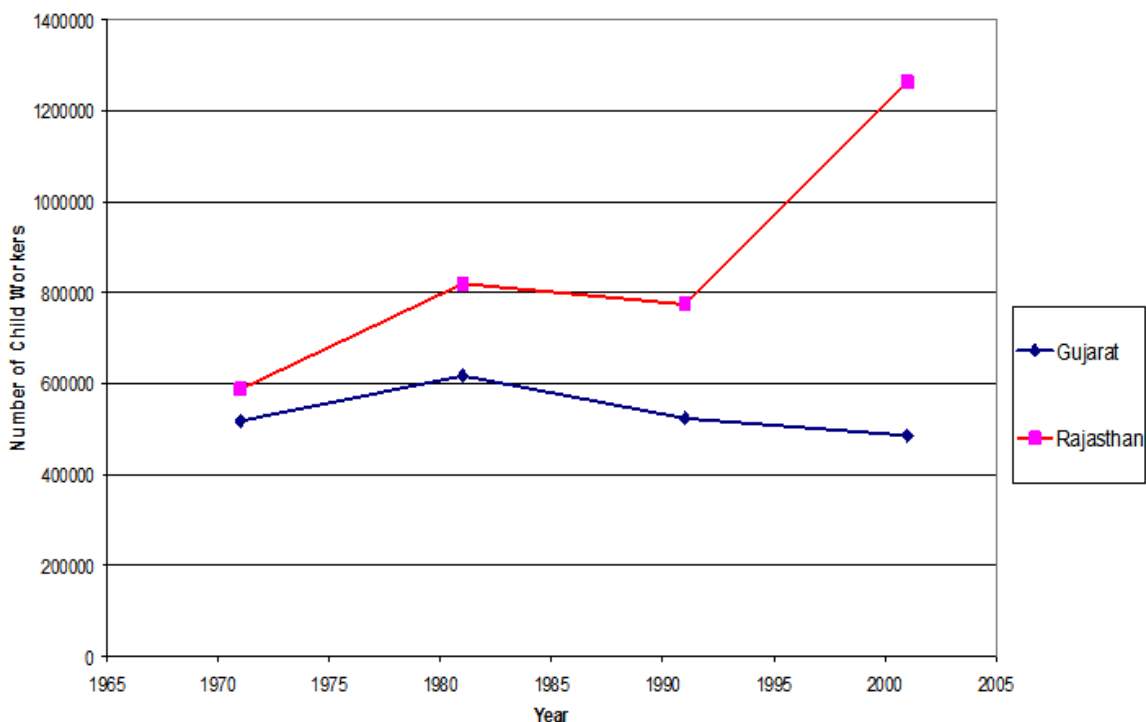
done through categorisation of the transcripts into theme and issues with concept mapping and relationships established (Limb & Dwyer, 2001). From this, answers to the key research questions were drawn and corroborated with findings from secondary data.

5. RESULTS

5.1 THE PREVALENCE OF CHILD LABOUR

There will hardly be a definitive number on child labour because of its underground nature. Vijay notes that 'child labour is invisible' and that 'neither the Government nor the NGOs have had the proper data in their records.' However, the Indian Census does contain child labour statistics from the last 30 years. The graph below shows an interesting comparison between Rajasthan and Gujarat. Whilst in Gujarat there has been a slight decrease in child labourers, Rajasthan's number has increased significantly. This could be due to rapid economic development in Gujarat or it could show the importance of looking at where the workers are from not where they are working, for it is known that in this case study the workforce is made up virtually entirely from Rajasthan tribal migrants.

Figure 2: A Comparison Numbers of Child Labourers for Rajasthan and Gujarat



Source: Census India.net (2010)

The exact number of children working in the Gujarat farms is not known due to issues such as transportation of the children at night and the frequent practices of farmers hiding the children from inspectors. However, Sudhir explains how the NGO's obtain an estimate:

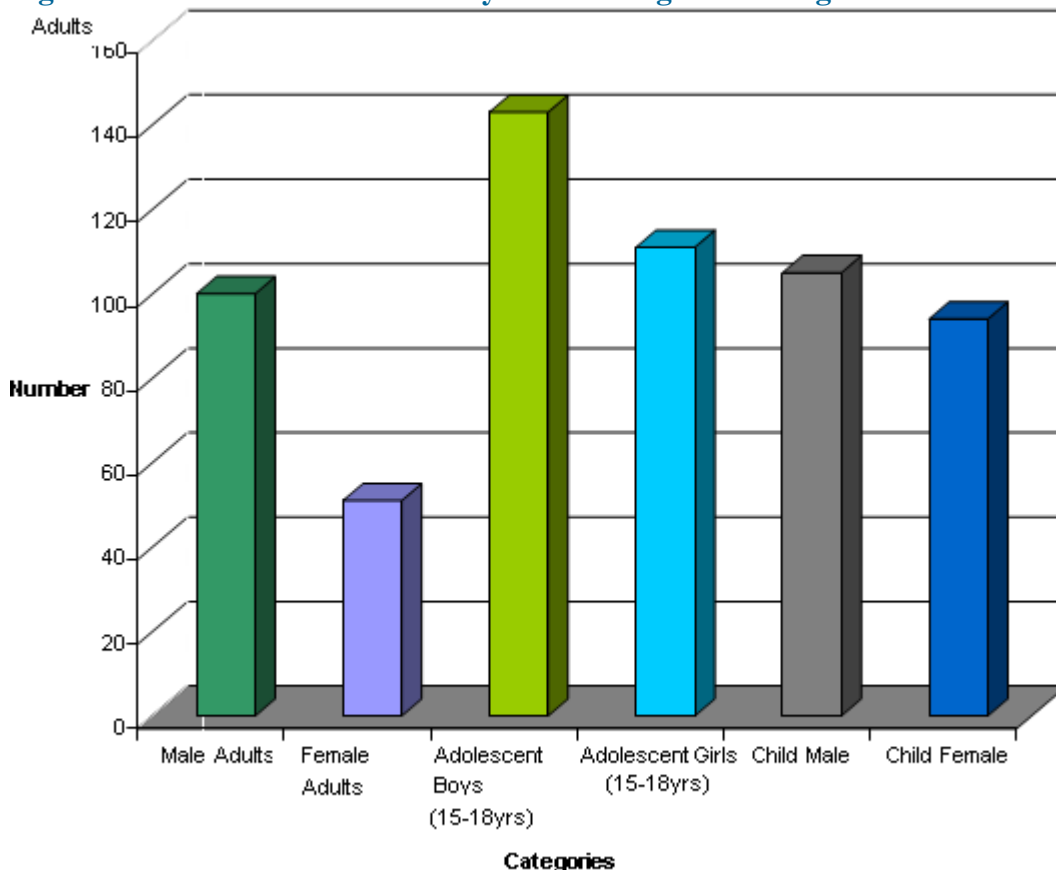
'The way we get our estimated number is by looking at the areas in Gujarat in which the cotton production is taking place... So we have the area of cultivation, it's a very well known number that is easy to find out. So when you know the number of acres

you know the number of people that are needed per acre; that is also very well defined.'

Currently, the State of Gujarat has approximately 25,000 acres of cultivated land and each acre of land needs 10 labourers; therefore an estimated 250,000 workers are needed in Gujarat alone. The DRMU estimate 37% of total labour is children and so it is thought that there are 92,000 child workers (DRMU, 2008:13). Sudhir notes that 'the number of children is large... if you said 5 children were going no one would listen...if you say 50,000 are going then people will sit back and listen, they can't ignore them.'

The graph below depicts the distribution of labour by categories of sampled workers and shows that the use of children greatly outweighs the use of adults, 75% to 25% respectively. The survey teams found child labour on all the farms inspected, 81% employed up to 8 children and 54.8% of farms employed up to 4 children less than 14 years old. On two of the farms investigated, child labour made up 82-85% of total labour. Interestingly, boy labour outweighs that of girls which is different to what was expected. On those farms where official statistics could not be collected, children were seen running into hiding.

Figure 3: Distribution of Labour by different Age/Sex Categories.



Source: DRMU, 2008

5.2 DISTRIBUTION OF CHILDREN BY AGE AND GENDER

Figure 3 presents data illustrating the prevalence of child labour in the cotton seed farms. This is collaborated by Weiner (2005) who found child labour to be widespread across India.

In the DRMU survey of 99 workers, 31 were children up to the age of 14 years and 47 were aged 15-18 years. Using the age definition of a child as all those up to the age of 18 years, a total of 78.8% of the sample are children. The graph below illustrates that the largest categories are those between the ages of 12-13 years (55.9%). This suggests that these children leave school much earlier than expected compared to what is required under the compulsory basic education programme.

Table 1: Distribution of Children by Age and Sex.

Age (in years)	Girls	Boys	Total (%)
10	16.67	15.38	16.1
11	16.67	7.69	12.9
12	27.78	27.78	32.3
13	27.78	15.38	22.6
14	11.11	23.08	16.1

Source: DRMU, 2008

UNICEF also found that 5 out of 10 girls in India are not completing the compulsory 8 year schooling and those that drop out invariably go into employment (UNICEF, 2005). The key factors for using children seemed to be the ‘tradition’ of child labour and the ‘nimble fingers’ myth that children can do the work best. The children will also work much harder and for less wages than adults. These make children an obvious choice for farmers. This study has found that boys currently outnumber girls (57.6%).

Opinion Box 1: Girl Labour Issues in Cotton Seed Employment.

Sudhir

“...there is a feminisation of labour happening; it is there because girls work harder... they won’t complain easily, they won’t fight.”

Vijayalakshmi

“...they are very vulnerable [and] at the mercy of the employer. Sometimes the employer beats them or abuses them.”

Mary

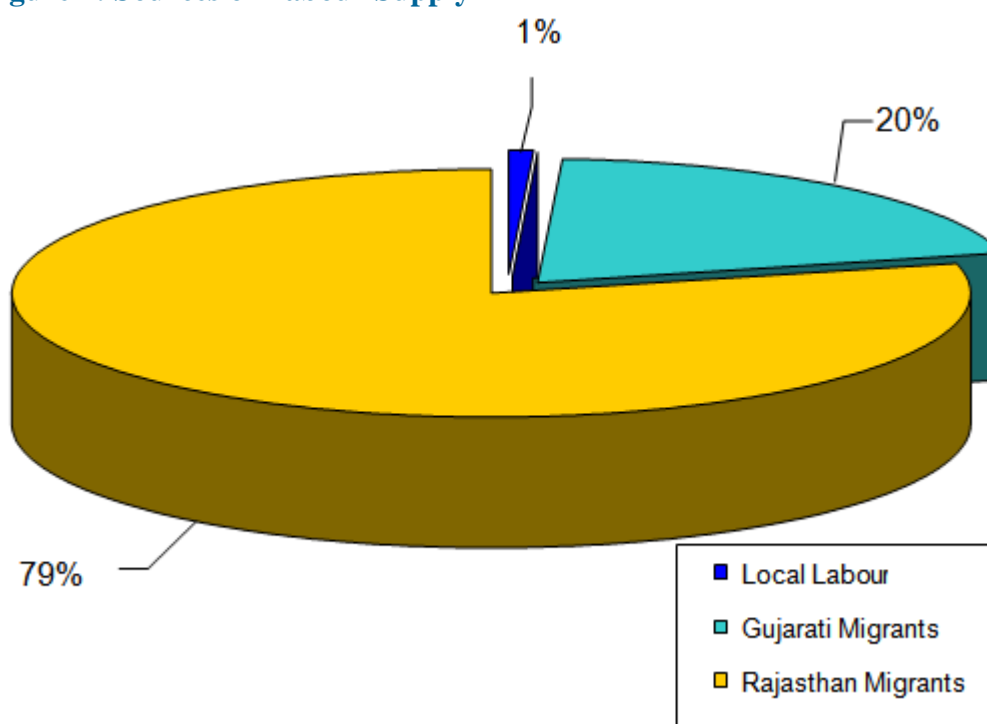
“...the farmer may start beating the children if they are not working properly, he may start abusing them, sexual abuse is frequent with girls...”

As shown above, the NGOs explained how girls face more hardship because they will not fight against maltreatment, and sexual abuse is common. Horror stories of girls being passed from farm to farm to be abused were shocking. Girls often won't admit what has happened for fear of being ostracised and there is often community pressure to settle cases outside of court, either for political reasons or perhaps to 'save face' in the family. Whilst this trend persists the farmers will continue their despicable behaviour.

5.3 TRIBAL COMMUNITIES AS LABOUR SUPPLY

BT cotton seed is very labour intensive and needs large numbers of workers, yet local labour use is negligible. The majority of labour is taken up by Southern Rajasthan migrants from the tribal communities. The graph below shows how disproportionately large the difference is between local and migrant labour.

Figure 4: Sources of Labour Supply



Source: DRMU, 2008

The reason behind the disparity appears to be socio-economic. The migration for work has continued for generations and connections from the villages to the farms are strong. The tribal communities are on the margins of society and face the most social disadvantages; they often lack alternative employment, quality education and have a tradition of working early in life. Parents may have no choice but to send their child to work (DRMU, 2008: 51). Sudhir explains that 'nobody well off will send their children to work...it's only the tribal children who are migrating. So there is an issue of poverty.' Neera Burra (1995) found a similar problem where children from 'schedule castes, lower castes, or the Muslim community' had to work (Burra (1995) cited in Weiner *et al.*, 2006: 243).

Figure 5: Boys being transported in Jeep:



Source: DRMU (2008)

The photographs are proof that children, of not more than 15 years old, are being transported in jeeps to work in the cotton fields where there is no shade or shelter. This evidence helps to visualise the age of the children and the work that they do.

Figure 6: Girl in Cotton Field with Flower in Mouth



Source: DRMU (2008)

5.4 THE USE OF 'METS'

Labour recruitment is done through the use of middle men called 'Mets.'

Vijay says:

'Mets are older children, who the farmer, when 18, 19, 20 years, they hire because he knows from where he will get the children. He [the Met] will contact with the families, and the families know that person, so they believe they can trust him.'

The role of these 'Mets' is to provide labour to the farms, agree wages with the parents and transport the children. It was an assumption prior to the research that the recruiter would be someone much older from outside the community. The fact that the opposite is true shows how ingrained the relationship is between the cotton field work and the tribal community.

5.5 SECURING EMPLOYMENT AND EMPLOYMENT CONDITIONS

A worrying discovery was that the 'Mets' secure the work of the child for the season based on an advance payment arrangement to parents. The advance inadvertently binds the child to the farm and restricts their movement. If a child leaves early then often they will not receive any wage. This method of securing a workforce, lack of freedom and payment at the end of working period can be considered a type of 'bonded labour,' under the national Bonded Labour (Abolition) Act 1976. However Sanjeev explained by saying, 'I would say yes, they are bonded labour but legally the Government will not accept it.'

Whilst in India it is legal to employ children in agriculture the conditions under which these children work is far from humane. The following section discusses working conditions that were found during the DRMU inspections and worker questionnaires. The DRMU has worked tirelessly to improve wages for workers. Sudhir says:

'When we started work it was 50 rupees [a day] in Gujarat, minimum wage...and we got it pushed up to 50 rupees on the farms. Now the Government has pushed it up to 100 rupees...but the farmers still are only paying 60% of the minimum wage.'

The fact that the workers are paid so little violates the legal entitlements provided for by the national Minimum Wage Act 1948. The workers should be 'legally entitled to 75 rupees for a 10 hour day, plus over time' as noted by Sudhir. The NGOs also say that whilst it is impossible to stop the children working, it is vital to improve working conditions. As seen in Cambodia where policy makers accept that in certain levels of poverty child labour is inevitable and try to create more 'acceptable' workplace regulations (Betcherman *et al.*, 2004 cited in Kim, 2008). According to the farmers, they pay what they can afford and the reason for the low wages is the low seed rate which has not been increasing proportionally with the wages. Interestingly, there has been recent news reports of farmers getting trapped in debt due to the production costs of the BT cotton, so this could be true (Branford, 2008).

The children work many hours more than the legal requirement and farmers are in violation of the Indian Child Labour Act (1986). All NGOs attest to this. The DRMU study found that the children work in shifts, some starting as early as 5am. They work until 11am-noon then sign off for lunch. By 2-2.30pm they are in the fields again and work until 6.30-7pm (DRMU, 2008). These working hours are typical of those found in other Indian studies such as Custer (2002), Bhargav (2006) and Burra (1995).

The following conditions were found from the DRMU workers' questionnaire:

- 100% of workers have no toilet facilities.
- Almost 100% of workers sleep on the ground
- 96% of workers must pay own medical costs.
- 95% of workers cook outside, which is difficult in the rain.
- 76% of workers have no access to medical facilities.
- 70% of workers have to wait before the work starts and do not get paid during this period.
- Over 50% of workers live in male and female together.
- 33% have no drinking water on or off the field.

Sudhir reported that intoxicants were being used to keep the children placid, although this was not verified. The children travel hundreds of kilometres for work. The DRMU found 93.5% of workers had travelled by jeeps at night. The NGOs are calling the movement of the children 'trafficking' as it is the consented illegal movement of workers into exploitation (ILO, 2002). Vijay notes that 'it is definitely a form of trafficking, but the only difference I would say from the actual form of trafficking is that, they are destined to come back at the end of the three months.' However, the issue is more complex. As Mary notes, 'yes we are calling it trafficking now, but the problem is we do not have an Act to enforce this.' Until India passes a trafficking act there is no law under which farmers can be penalised. It is clear then, from the discussion above that child work of this kind violates many aspects of the national Child Labour (Prohibition and Regulation) Act 1986.

5.6 IMPACT OF MIGRATION: LOSE OF RIGHTS AND ACCEPTANCE OF CHILD LABOUR

This section examines the impact of migration on individuals and communities. The parents want their children to be schooled. As Mary explains 'they want to send their children to education but there is a parallel need to feed their families.' Edmonds (2005) and Lieten, 2005 (cited in Bourdillon, 2006) also found that failure to attend school was due to poverty not lack of cultural values. The decision to send children to work is made easier by the poor quality education in the rural areas. Sudhir describes the shocking reality:

'The quality of education in the region is very poor, if the children go to school they end up learning hardly anything. After 5 years' education, there are cases where a child can't even read and write. It's very common.'

Evidence shows that once a child starts working, they will end up dropping out of school permanently. This leads to a lifetime of low wage labour and as they grow up into adulthood. It is found that they too, will send their children to work. The DRMU calls this an 'Inter-transfer of Poverty' (DRMU, 2008). In the DRMU survey, 36% of children had experienced verbal abuse and 12% had been abused physically (for case studies of abuse). Girls, as described previously, are frequently sexually abused. Any abuse can leave a permanent mental scar. As Mary explains, 'there are physiological impacts as the children lose their freedom and their self-confidence and there are obviously serious mental consequences if there has been abuse during the time on the farm.' The children are 'silent sufferers' accepting their lives of drudgery as established by Burra's (1995) research on domestic labourers in India.

India has ratified the UN Convention on Child Rights (1989) which seeks to protect children, that is, all those up to the age of 18 years old. Vijay explains how children involved in the kind of work reviewed breaches this convention:

‘It’s not about money, what about their right? They are not getting education, so denial of the child’s right, they are not getting the proper food, is the second denial of the child right and third, is the health.’

Acceptance of the problem varies from region to region, and from person to person. A typical case is that of Monsanto, an American ‘seed giant’ who owns most of the Bt Cotton share in India. All NGO respondents felt that this company should be held accountable for the child labour in the industry. The company claims that responsibility lies with the national Indian sub-contractors and not with themselves as primary employer. On Monsanto’s ‘Corporate Responsibility’ webpage it states that it is committed to abide by the ILO Convention 182 on Worst Form of Child Labour but does support employment of children as long as it does not interfere with education. The company’s own inspections found child labour on only 10% of the farms, a vast difference to the DRMU survey which found it on more than 90%. However, the farmers are forewarned about the inspections. The company has set up a ‘child protection programme’ but seems not to be enough.

Whilst the Government of Rajasthan has accepted the presence of child labour in the cotton industry, the respondents noted that the Government of Gujarat is yet to acknowledge it. It was reported during the fieldwork that during inspections, Government officials accept bribes when finding children. Mary explains that ‘when the Government inspectors find children they ask for money, or the farmer will pass something to them and they will keep quiet.’ Corruption had not been considered but it makes sense that in the current rising social consciousness about child labour that the farmers are willing to pay for silence.

The Government of India fully accepts the problem of child labour and adopted a National Child Labour Policy in 1987 following the national Child Labour (Prevention and Regulation) Act of 1986 (Indian Embassy, 2008). They have since implemented a number of initiatives. Vijay says ‘it [the Government] knows about it, and it is also active on it... particularly...the Childs Rights Commission; because it’s not a local phenomena, it’s a national phenomena.’ The National Commission for the Protection of Child Rights established in 2007 was highly commended by all respondents. The issue is therefore not with Governmental attitude but with internal structures. As Vijay further notes ‘there are lots of initiatives, but...the structures of implementation are often the same ones that create child labour.’ This problem needs to be addressed if tangible success is to be attained.

6. CONCLUSION

The tribal communities of Rajasthan have a tradition of migration but sending children to work increases school dropout rates and creates a cycle of poverty, effectively condemning them to a lifetime of low wage and menial labour (Action Aid, 2005; Young, 2002). The child migrants face physical abuse coupled with the reported frequent cases of sexual abuse for girl workers. This has culminated in the mental scarring of victims. The estimates suggest that in Gujarat with 25,000 acres of cotton cultivated land and 10 labourers needed per acre, 92,000 out of the 250,000 workers are children (DRMU, 2008). The suggested 1% child labour that Monsanto gives is based on other NGO findings and global estimates. The Government has gaps in its data and relies on NGOs figures.

The children are recruited for seasonal work through advance cash payment given to the parents with a promise of full payment at the end of the season. Child migrant workers who choose to leave the fields and return home before the end of the season are not paid. This clearly reflects a compromise of their rights and a form of bonded labour under the national Bonded Labour (Abolition) Act 1976. It is clear that NGOs can only do so much to tackle the

issue of child labour. All the sampled organisations are working within the communities, promoting awareness and education. Action Aid and the DRMU are trying to build links between the Government and the cotton seed companies and also lobby these companies to take more responsibility to address the problem. A strategy to address this pattern is to raise the wages of adult labourers and encourage recruiters to join union movements. DRMU have been successful in advocating for wage increases which has seen a recent rise from 30 to 60 rupees. This is still less than the minimum wage of 100 rupees.

The sampled NGOs commended the Indian National Commission for the Protection of Child Rights for its acknowledgement of the problem of child labour and associated abuses. However, mere acknowledgement is not enough to address the problem. The hurdle has been the refusal of the regional Gujarat Government to accept that child labour exists in the cotton fields. This requires pragmatic effort from the central government to encourage regional governments investigate and address issues relating to the rights and exploitation of children. The lack of enforcement of existing legislation, penalising the seed companies and agents who recruit child labourers within the rural communities has been highlighted by this study as problematic.

Monsanto has a well written corporate social responsibility code of practice and claims to uphold the ILO Convention 182 on the Worst Forms of Child Labour. It should therefore use its power and resources as a multinational corporation to redress the phenomenon by encouraging its suppliers to abide by ethical codes of practice towards the elimination of exploitative child labour (ILO, 2006). An important policy strategy is to introduce socio-legal education at the organisational level to improve knowledge and awareness of the situation. All administrative agencies should be encouraged to enforce the national legislation strongly and improve quality of education and vocational training so that there would be a real opportunity for viable skill acquisition and sustainable alternatives to rural employment.

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