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Abstract

Bonded labor, which is characterized by a long-term relationship between employer and employee, is usually solidified through a loan, and is embedded intricately in India's socio-economic culture—a culture that is a product of class relations, a colonial history, and persistent poverty among many citizens. Also known as debt bondage, bonded labor is a specific form of forced labor in which compulsion into servitude is derived from debt. Categorized and examined in the scholarly literature as a type of forced labor, bonded labor entails constraints on the conditions and duration of work by an individual. Not all bonded labor is forced, but most forced labor practices, whether they involve children or adults, are of a bonded nature. Bonded labor is most prevalent in rural areas where the agricultural industry relies on contracted, often migrant laborers. However, urban areas also provide fertile ground for long-term bondage.

Keywords

Human rights, Slavery, Contemporary slavery, Debt bondage, India

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Bonded Labor in India

By Devin Finn

Introduction: Types of Widespread Forced Labor

Bonded labor, which is characterized by a long-term relationship between employer and employee, is usually solidified through a loan, and is embedded intricately in India's socio-economic culture—a culture that is a product of class relations, a colonial history, and persistent poverty among many citizens. Also known as debt bondage, bonded labor is a specific form of forced labor in which compulsion into servitude is derived from debt. Categorized and examined in the scholarly literature as a type of forced labor, bonded labor entails constraints on the conditions and duration of work by an individual. Not all bonded labor is forced, but most forced labor practices, whether they involve children or adults, are of a bonded nature. Bonded labor is most prevalent in rural areas where the agricultural industry relies on contracted, often migrant laborers. However, urban areas also provide fertile ground for long-term bondage.

Characterized by a creditor-debtor relationship that a laborer often passes on to his family members, bonded labor is typically of an indefinite duration and involves illegal contractual stipulations. Contracts deny an individual the basic right to choose his or her employer, or to negotiate the terms of his or her contract. Bonded labor contracts are not purely economic; in India, they are reinforced by custom or coercion in many sectors such as the agricultural, silk, mining, match production, and brick kiln industries, among others.

Researchers of bonded labor in India seek to understand its long-standing practices through an examination of contemporary forms of labor coercion, their origins and relationships to poverty and inequality, and implications for policymaking. Child labor, agricultural debt bondage, and bonded migrant labor are persistent forms of modern slavery that fall under the Indian constitutional definition of forced labor. While child labor and bonded labor in India are typically addressed separately in the literature, many researchers focus on the causes and consequences of pervasive child labor in the world's largest democracy.

Child laborers face major health and physical risks: they work long hours and are required to perform tasks for which they are physically and developmentally unprepared. Child labor is deeply entrenched as a common practice in many sectors and states, due in part to India's economic emphasis on exports in recent years. According to a current estimate, a quarter of Indian children ages six to fourteen—roughly two hundred million children—are working, and a third of the remaining seventy-five percent are bonded laborers (Sooryamoorthy 1991: 31). The largest single employer of children in India is the agricultural sector where an estimated twenty-five million children are employed; and the second largest employer of Indian children is the service sector where children work in hotels and as household maids. An additional five million Indian children are employed in other labor-intensive industries.

Origins and Causes of India's Bonded Labor Problem

Bonded labor stems from a variety of causes, which are highly debated in the literature: an ingrained legacy of caste-based discrimination, vast poverty and inequality, an inadequate education system, unjust social relations, and the government's unwillingness to alter the status quo all exemplify a few such causes. Additionally, India's colonial background and caste system have made it difficult to delineate the history of laborers' "unfreedom," as termed by several authors, and to understand legal and actual differentiations between slavery under British rule and debt bondage and child labor today.

There are many cultural reasons for the persistence of child labor in India. An expectation that children should contribute to the socioeconomic survival of the family and community, as well as the existence of large families, land scarcity, and inadequate enforcement of labor laws are contributing factors to this problem. In urban areas, following the migration of families to overpopulated cities, the disintegration of such families due to alcoholism and unemployment often results in a proliferation of children living on the street, becoming laborers, and entering into prostitution.

Legal Restrictions and Enforcement

The domestic legal treatment of individual labor rights, which are clearly articulated but seldom enforced, reflects India's blurry history with slavery. Article 23 of the 1949 Constitution of India outlaws both the trafficking of human beings and forced labor, but the legislation defining and banning bonded labor was only approved by Parliament in 1976. The Bonded Labour System Abolition Act of 1976 stipulates that the monitoring of labor violations and their enforcement are responsibilities of state governments. The Indian government has demonstrated a severe lack of will to implement this ban on bonded labor. Such pervasive non-enforcement may be attributed to several factors, including government apathy, caste bias, corruption, a lack of accountability, and inadequate enforcement personnel.

The Supreme Court of India has interpreted bonded labor as the payment of wages that are below the prevailing market wage or the legal minimum wage. As a response to complaints of human rights violations, the Court relies on Public Interest Law (PIL) whereby citizens are able to petition India's courts if they believe their rights, or the rights of their fellow citizens, are being denied. The Supreme Court's two major examinations of child labor in 1991 and 1997 resulted in PIL rulings that emphasized the role of poverty, and promoted children's education. However, the Court refused to ban child labor outright, citing its role as a judicial and not a legislative body.

The Indian government has not yet actively linked economic development to human rights violations at work. A recent government measure to raise the minimum wage for children exemplifies a lagging commitment to the eradication of child labor in particular, by essentially legitimizing children's work obligations and conditions. Nevertheless, the decision of the Supreme Court to establish a rehabilitation and welfare program for working children, in addition to the efforts of the National Human Rights Commission, have been instrumental in sensitizing policymakers to the serious problem of child labor.

Analysis: Forced Labor and Policy Options

Interpretations of child labor as an ingrained consequence of poverty, an impediment to genuine democracy and development, and a caste-based practice reinforced by deep-seated biases, inform the range of policy recommendations. The challenge of effective policy design echoes the paradox of India's steady rise as an economic and technological powerhouse, despite the persistence of poverty and underdevelopment. Development and human rights-minded analyses of child labor as an economic phenomenon dominate the literature concerned with policy solutions. Economic-based research on bonded labor in India centers on the links between fertility, poverty, and access to education, while bearing in mind the policy options available to the government.

The struggle emerges in the debate—which receives limited official policy attention—over whether to enforce the ban on child labor, attempt to curb it, or maintain the status quo. Economists attribute the persistence of bonded labor and child labor to a variety of factors: long-standing caste-based discrimination, inequality, a lack of educational opportunities, high fertility levels among poor Indians—overall, to poverty as a self-reinforcing cycle. Others challenge the position that child labor will be eradicated after poverty has been eliminated. As labor—the engine of the country's increasing technological sophistication and growth—drives India toward a more equitable future, the state may gradually move away from its traditional roots and move in the direction of ensuring human rights protections for all citizens.

Some analysts argue that poverty alleviation is the government's most promising approach to the eradication of bonded child labor, given the self-perpetuating patterns of illiteracy, inferior or nonexistent education, and children's prevalent work participation. Welfare programs and the provision of incentives for families not to send their children to work are components of suggested strategies to fight child labor. Other researchers disagree with the notion that the link between poverty and child labor is inevitable; their approach highlights the "human security" approach to economic and social development, in which case ensuring the rights of the child is a social and state responsibility.

The case for compulsory primary education, made prolifically by Myron Weiner, suggests that change must come from within the Indian legal framework, and must be supported by official attitudes, in order to overcome profound class divisions and to achieve the government's broader free-market goals. Efforts to make primary education compulsory would require an interpretation of education as not only a constitutional principle, but also as a fundamental right enforced by the state. This perspective views education as the main alternative to lifelong labor for all Indians, and as a building block in the construction of a diverse, educated human resource base capable of supporting a more open and competitive economy.

Exploitation of children working in dangerous conditions not only results in constraints on a child's health and development, but also solidifies his or her fate as an unskilled, low-paid worker. A greater focus on female education would precipitate a decline in both fertility—seen as a self-reinforcing cause and effect of child labor—and in children's work participation.

The debate amongst analysts of the economics of forced labor, particularly of bonded working children, revolves around whether work can be eradicated completely—or whether current labor conditions in India are acceptable given the economic demands of underdevelopment. The suggestion has also been posited that "learn and earn" policies, which combine work and school,

may be feasible. For the most part, the government fails to enforce extant laws. Whether child labor should and can be completely outlawed and the ban enforced, or whether the economic system in India can realistically allow for all children to attend school, have remained at the crux of the debate for some time.

Conclusion: Culture, Human Capital, and Change

Bonded labor in India can be viewed as a product of social, historical, economic, and cultural factors. The redress of child labor, agricultural debt bondage, and other violations will require an authentic commitment by the Indian government to adhere to its constitutional ban of these practices, and to overcome class-based prejudices. The Western notion of social responsibility outside of family loyalties does not exist in India. Certain Hindu beliefs such as the notion that a person's role and purpose are determined by his or her status in society have informed attitudes about governmental and social responsibilities regarding labor violations. Within a few generations, poor, low-caste Indians enter and perpetuate a cycle of poverty and illiteracy; children often abandon school and join the workforce. The effects of an increasingly sophisticated and prosperous India have not reached its poorest and least educated citizens. What remains to be seen is whether India—as its development and economic trajectories improve—will invest meaningfully in the protection of human rights and of its labor force, which is a challenge that other rising giants like China also face.

Annotations

Agarwal, Ranjan K. 2004. "The Barefoot Lawyers: Prosecuting Child Labour in the Supreme Court of India." *Arizona Journal of International and Comparative Law* 21(3): 663-713.

Annotation: The Indian Supreme Court's reaction to human rights violations is expressed in part through the practice of Public Interest Law (PIL), whereby citizens are able to petition India's courts if they believe their rights, or the rights of their fellow citizens, are being denied. Despite India's international commitments against bonded labor, constitutional guarantees against hazardous child labor, and the enactment of the Child Labour Act and the National Child Labour Policy in 1986, India cannot claim adequate enforcement of prohibitions. Officials at various levels continue to exploit legal loopholes. The Supreme Court's two major examinations of child labor in 1991 and 1997 resulted in PIL rulings that "sought to balance the child's economic needs against his or her fundamental rights"; they did not ban child labor outright. While some critics argue that the judiciary has not gone far enough to eradicate child labor, the Court asserts that its responsibilities are not legislative: it will not make laws or change existing laws.

Arnold, Rose M. 1967. "Hindu Values and Indian Social Problems." *The Sociological Quarterly* 8(3): 10.

Annotation: In a sociological analysis of the impact of Indian cultural values on severe social problems, the author cites particular Hindu beliefs and hierarchical structures to explain

inattentiveness to long-standing rights violations. A belief in the concept of *dharma*—the idea that a person’s role and purpose are determined by his status in society—results in an acceptance of the status quo and an absence of concern for individual welfare. These themes result in a lack of genuine attention to social problems such as poverty, prostitution, child labor, and poor working conditions. The notion of social responsibility, outside of family loyalties, does not exist in India. The traditional hierarchy places women below men in the social strata. According to Arnold, women’s roles and natures dictate that they will undergo suffering and punishment. The article is valuable to readers with a desire to understand cultural explanations of forced labor, which include a tension between Hindu social ideals and social reality. Such explanations provide insight into the Indian government’s lagging enforcement of abundant legal restrictions of human rights violations such as bonded labor.

Baak, Paul E. 1999. “About Enslaved Ex-Slaves, Uncaptured Contract Coolies and Unfreed Freedmen: Some Notes about ‘Free’ and ‘Unfree’ Labour in the Context of Plantation Development in Southwest India, Early Sixteenth Century-Mid 1990s.” *Modern Asian Studies* 33(1): 121-157.

Annotation: This article places Indian agricultural debt bondage in a wider context of the practice in Asia, employing plantation labor in southwest India as a case study. The article is a discussion of ‘free’ and ‘unfree’ labor in a long-term historical context, from pre-colonial years (early 1500s) to the post-colonial period (the 1990s). The author critiques two approaches that have emerged in the literature—that plantation work was beneficial to, and knowingly chosen by laborers, and conversely, that workers’ debt contracts and highly regulated labor environments prove that coercion and poor conditions defined their plantation experiences. The author adds a third perspective: that estate workers were, and are, simultaneously free and unfree, due to the often conflicting strategies of laborers, planters, and the government. A multi-faceted, historical understanding of agricultural forced labor requires a willingness to concede that abolition of slavery in India and other legislation did little to clarify or improve laborers’ status and conditions.

Baland, Jean-Marie, and James A. Robinson, 2000. “Is Child Labor Efficient?” *Journal of Political Economy* 108 4): 663-679.

Annotation: Child labor constitutes “a facet of poverty.” The authors argue that by precluding children from obtaining an education, their human capital accumulation and future earnings potential are impaired, and their social and cognitive skills are diminished. The labor that is substituted for education also increases children’s health hazards. Child labor as an economic choice made by families is not “pareto efficient” (no individual can be made better off without another being made worse off) in two ways: when used by parents as a substitute for income, or as a substitute for borrowing. Studies of policy implications show that an effective ban on child labor may engender economic improvement because endogenous changes in wages may make parents and companies better off.

Bardhan, Pranab K. 1983. "Labor-Tying in a Poor Agrarian Economy: A Theoretical and Empirical Analysis." *The Quarterly Journal of Economics* 98(3): 501-514.

Annotation: Based on empirical data and econometric analyses of rural India, it is determined in this piece that agrarian bonded labor may intensify with the growth of capitalist agricultural development. Technological advances in agriculture and the tightening of labor markets may increase voluntary labor-tying contracts. However, the mechanization of some agricultural processes, and the introduction of seasonal migrant labor, may help reduce employers' dependence on bonded labor. Data collection problems may weaken the empirical evidence of this study, such as a failure to recognize those who have entered into implicit contracts with employers as bonded laborers, as well as a failure to recognize semi-attached (short-term) laborers as bonded laborers. The article provides an alternative analysis to existing development literature—in which supply and demand models fail to address significant segments of the labor force—and challenges economists' treatment of bonded labor as a signal of economic stagnation.

Basu, Arnab K., and Nancy H. Chau. 2004. "Exploitation of Child Labor and the Dynamics of Debt Bondage." *Journal of Economic Growth* 9(2): 209-38.

Annotation: In the context of an agrarian economy with overlapping generations engaged in debt bondage and child labor, the author examines the principal-agent interaction between landlords and tenants. Studies identify reasons why households put children to work to service outstanding debts, only to realize later that the children's work has been exploited, and that the household has been made worse off as a result. Debt bondage is often inherited by subsequent generations, thereby contributing to the cycle of debt, bonded child labor, and poverty. Basic labor rights, such as freedom of association and the right to organize, complement efforts to eradicate forced labor. However, the use of standard disincentives to eliminate bonded child labor such as trade sanctions on countries that condone it, ultimately generate negative impacts on agrarian households.

Basu, Kaushik. 2000. "The Intriguing Relation Between Adult Minimum Wage and Child Labour." *The Economic Journal* 110(462): 50-61.

Annotation: The author tracks the impact of rising and falling adult wages in poor and developing countries, where poverty and labor exploitation are the norms, on child labor. One argument made is that if an increase in wages is achieved by means of a minimum wage law, it can cause some adults to be unemployed and compel them to send their children to work, which in turn displaces more adult labor and sends more children to work. The article serves as a helpful companion to analyses of child labor that seek to understand the underlying economic logic and policy options behind the practice of child labor in an economically developing state such as India.

Beeman, Mark, and Geeta Chowdhry. 2001. "Challenging Child Labor: Transnational Activism and India's Carpet Industry." *The Annals of the American Academy of Political and Social Science*. 575(1): 158-175.

Annotation: The authors purport that transnational movements have become an important component of an emerging international civil society. They examine the success, in particular, of mobilization around the issue of child labor in India's carpet industry. Although the intersection of child labor with the carpet trade was utilized effectively by Indian and German activists to bring about changes in child labor use, the more significant impact has been the creation of Rugmark, a label that certifies child-labor-free carpets and provides services for the rehabilitation and education of children who work in the industry. The authors document progress by citing the carpet industry's provision of schools, health care facilities, and improved working conditions for laborers, but express concern that the factors that motivated the changes in the industry's child labor practices were linked more centrally to a fear of losing material benefits than to norm-driven social responsibilities.

Bhukuth, Augendra. 2005. "Child Labour and Debt Bondage: A Case Study of Brick Kiln Workers in Southeast India." *Journal of Asian and African Studies* 40(4): 287-302.

Annotation: A study conducted in Tamil Nadu state's brick kiln industry demonstrates that child labor is extremely common in this sector. In the interlinked credit-labor market, employers do not directly employ children, but they have implemented a system that compels parents to use their children in order to improve productivity. In such an environment, parents use child labor to improve their own bargaining power.

Brass, Tom. 1999. Towards a Comparative Political Economy of Unfree Labour: Case Studies and Debates. London: Frank Cass.

Annotation: The author examines the relationship between bonded labor and economic growth in the agricultural sector, through case studies of bondage in northeastern and northwestern India, and in eastern Peru. The occurrence of unfree labor is much greater than generally estimated, and it may be increasing in specific contexts; in certain scenarios rural employers prefer a bonded workforce. The author focuses on how bonded labor contributes to workforce composition and addresses the implications for the kinds of political action undertaken by rural laborers. He does so by applying Marxist and neoclassical economic theories to the role of bonded labor, and by looking at unfree labor in the context of debates over capital, modes of production, and class struggle.

Breman, Jan. 2007. Labour Bondage in West India: From Past to Present. New Delhi: Oxford University Press.

Annotation: Contracted slavery during the British colonial era in the Gujarat state acquired the characteristics of a patron-client regime that can be fairly described as "bondage" and not as a

relationship based on “indebtedness.” *Halipratha*, or bonded servitude, can be explained as a relationship between master (*dhaniamo*) and servant (*bali*) that is motivated primarily by economics—the master needs more labor, and the laborer needs to achieve some degree of economic security, and to a lesser degree, the establishment of social status. Colonial authorities viewed bonded labor as a natural social force. Despite later advances in the Gujarat economy toward a more capitalist system, an increase in migrant labor, and the monetization of economic exchange, a deeply embedded hierarchical culture of debt payment and domination governed the social and economic interactions of master and servant and ensured that those of low socioeconomic standing remained in that position.

Chandrashekhar, C.P. 1997. “The Economic Consequences of the Abolition of Child Labour: An Indian Case Study.” *The Journal of Peasant Studies* 24(3): 137-179.

Annotation: Through an examination of the child labor-based industry of match production in Tamil Nadu state, the author advances the uncommon argument that the abolition of child labor would result in higher earnings for adult workers. In developing countries, banning child labor is often viewed as practically infeasible because it would prevent economic activities that exist only because of access to such labor. Abolition would reduce the earnings of poor households, whose survival strategies in the context of adult unemployment depend on incomes derived from the practice. In contrast, the author asserts that any adverse impact that a ban on child labor may have on the viability of commercial production can be absorbed through a reorganization of the industry concerned. However, the abolition of child labor could have adverse consequences for those sustaining their households at near subsistence levels. State welfare expenditures to help raise employment and wages would be necessary to overcome these constraints on eradicating child labor.

Cox, Katherine. 1999. “The Inevitability of Nimble Fingers? Law, Development and Child Labor.” *Vanderbilt Journal of Transnational Law* 32(1).

Annotation: Rising incidences of bonded child labor demonstrates that efforts to eradicate it have been unsuccessful. The causes of child labor worldwide cannot be directly attributed to poverty and underdevelopment, but must be considered in light of other educational, cultural, and economic factors. Cultural attitudes favor child labor over compulsory primary education. Furthermore, economic development will not result directly from a reduction of child labor. The international community has responded pragmatically to child labor, recognizing that eradication of the practice is a slow process. The international framework, while it recognizes the need for a multi-dimensional solution, centers on economic development. In turn, governments resist implementing real changes; they cite poverty and inequality as elements of a vicious circle preventing labor and other human rights violations from being uprooted.

Dreze, Jean and Amartya Sen. 2002. "Democratic Practice and Social Inequality in India." *Journal of Asian and African Studies* 37(2): 6-37.

Annotation: The authors examine the role of democratic practice in contemporary India, defining human rights as key to the integrity of democracy. The achievements and limitations of Indian democracy are assessed in light of functional institutions, public participation, and equity, with special attention given to the adverse effects of social inequality on democratic practice. The authors argue that while the quality of democracy is often compromised by social inequality and inadequate political participation, democratic practice itself is an important tool for eliminating these obstacles. The paper's relevance to practices of bonded and child labor emerges in its discussion of human rights, violations of which compromise the integrity of democracy. The authors draw particular attention to class discrimination as grounds for these violations, and to the difficulty of bringing human rights issues into mainstream politics due to class differentials.

Hanchinamani, Bina. 2001. "Human Rights Abuses of Dalits in India." *Human Rights Brief* 8(1). <http://www.wcl.american.edu/hrbrief/08/2dalits.cfm>

Annotation: A report on the oppressed social status of the "untouchable" Dalit class, members of which typically comprise the bonded workforce, the article reviews the domestic and international laws that govern their treatment. Despite the 1950 constitutional ban on untouchability, Dalits, members of the lowest class in the traditional hierarchy, continue to experience severe abuse and segregation by law enforcement officials and upper caste members. Limited progress has been achieved by domestic anti-discrimination laws and "scheduled caste" provisions—in particular, the 1989 Prevention of Atrocities Act that outlaws forcing Dalits to become bonded laborers. India is in violation of the U.N. International Covenant on Civil and Political Rights and the 1958 International Labor Organization Convention, among other global agreements. Racial and socioeconomic differentiation and lack of mobility in Indian society are symptoms and causes of bonded labor. The article includes a review of the legal norms that should apply to discrimination against Dalits.

Human Rights Watch. 1996. *The Small Hands of Slavery: Bonded Child Labor in India*. New York: Human Rights Watch/Asia. <http://www.hrw.org/reports/1996/India3.htm>.

Annotation: The report adds "societal apathy" to a litany of conditions that allow debt bondage to thrive in India, including a history of caste-based discrimination, a lack of social welfare and employment opportunities, and an unequal education system. Existing Indian laws such as the 1976 Bonded Labour Slavery Abolition Act outlaw all forms of debt bondage and forced labor, but are not enforced. The Indian government has failed to take meaningful and persistent action toward the eradication of child labor practices. The report makes detailed policy recommendations to the government, United Nations agencies, and international lenders regarding ways to combat bonded child labor. It also enumerates a range of specific international and domestic laws that have been developed since 1930, with which India mainly does not

comply. The prevalence of the bonded labor problem reinforces the need for a more updated report following this 1996 survey based on two months of field research.

International Labour Organization. 2005. A Global Alliance Against Forced Labour. In *International Labour Conference 93rd Session*. Geneva: ILO.
<http://www.ilo.org/public/english/standards/relm/ilc/ilc93/pdf/rep-i-b.pdf>.

Annotation: This ILO conference paper, its second global report on forced labor, provides a descriptive and analytical overview of forced labor based on commissioned studies and general academic literature. The report includes estimates of forced laborers, broken down by region (led by Asia and the Pacific) and form of forced labor; the ILO does not disaggregate any of its estimated figures to the country level. The 92-page document details the legal domestic and international frameworks addressing forced labor, degrees of law enforcement, ILO assistance to member-states, and the creation of a Special Advanced Programme to Combat Forced Labor. Bonded labor in India in particular, and South Asia in general, receives consideration with regard to sectoral trends, poverty and caste discrimination, and laborer rehabilitation efforts. As the only extant, empirically-based overview of forced labor worldwide, the report is a valuable research tool. Although framed as part of the organization's "fair globalization" initiative, the report fails to present the continued proliferation of forced labor in the last thirty years as explicitly linked to the globalized economy.

International Trade Union Confederation. 2007. Internationally Recognised Core Labour Standards in India. In *WTO General Council Review of the Trade Policies of India*. Geneva. http://www.ituc-csi.org/IMG/pdf/India_report_final.pdf.

Annotation: As an up-to-date assessment of India's participation in international labor law, and as part of a regular series on monitoring labor standards in the context of trade, the World Trade Organization report is helpful for the reader who is attempting to gain a clear understanding of contemporary legislation and enforcement. Bonded labor, while prohibited by domestic and international law, continues to be prevalent in India, and enforcement is lacking. The report recommends a country-wide census and survey to obtain accurate data and identify the scope of bonded labor and progress on its eradication.

Kambhampati, Uma S. and Raji Rajan. 2006. "Economic growth: A panacea for child labor?" *World Development* 34(3): 426-445.

Annotation: Through an analysis of the National Sample Survey of India and state-level data, the authors conclude that economic growth serves to increase rather than decrease child labor, because the demand for child workers rises with higher levels of expansion. State-level net domestic product (NDP), village wages, and household incomes are presented as the conduits through which growth influences the supply side of the child labor market. The authors separate out the effect of economic growth on the supply of child labor from its impact on the demand of child labor, by including variables like average village wages, state NDP per capita, and

household incomes that directly capture these supply side effects. The article directly addresses the consensus of some scholars and policymakers that poverty is the main cause of child labor. Instead of a clear link between higher growth and reduced child work, an inverted U-shaped relationship results wherein child labor initially increases with growth and subsequently declines.

Kanbargi, Ramesh and P.M. Kulkarni. 1991. "Child Work, Schooling and Fertility in Rural Karnataka, India." In Child Labour in the Indian Subcontinent: Dimensions and Implications, edited by R. Kanbargi. Delhi: Sage Publications India.

Annotation: The authors test the applicability of the hypothesis that the economic value of working children is a determinant of fertility behavior in developing countries in the context of India. A study in rural Karnataka examines the interrelationship between child labor, schooling, and fertility. The authors focus on the actual work inputs of children, the correlations between children's economic activities and their school attendance, and the effect of child labor and school attendance on the population's reproductive behavior. Results indicate that the gross association between child labor and fertility is positive, but the association between child schooling and fertility is negative. The direct effect of child labor on fertility is insignificant. Universal education for Indian children may lead to lower fertility and smaller families, but the likelihood of successfully implementing this policy—given the proclivity of even smaller families to retain children at home for work—is low.

Khan, Ali. 2001. "The Dignity of Labor." *Columbia Human Rights Law Review* 32(2): 289-382.

Annotation: Inspired by the human rights movement, positive law in recent years has attempted to dismantle embedded Hindu ideologies that characterize child labor as a product of racial servitude and caste discrimination. The author presents an unconventional interpretation of children's work, arguing that the new positive law should not seek to universalize the prohibition of manual labor for every child, irrespective of his caste, class, or race. The author asserts that current laws fail to recognize the inherent dignity of manual labor, and takes into account the realities of poor classes and lagging educational access in India. The deconstruction in international law of "traditional, fatalist concepts" that exclude the working child from intellectual opportunities and confine children to manual labor is supported. Contemporary positive law should discard the ancient prejudice against physical labor and affirm the inherent dignity of labor. Furthermore, a manual labor ethic should be universalized and incorporated into primary and secondary education, so that children develop a respect for manual labor in their formative years.

Kovasevic, Natasa. 2007. "Child Slavery: India's Self-Perpetuating Dilemma." *Harvard International Review* 29(2): 4.

Annotation: Bonded child labor in India amounts to commodification, viewing children as goods—"assets that provide debased and dehumanized sustenance"—exchanged between a child's parent and employer. Entrenched social and economic causes of bonded child labor

include the persistence of a traditional social hierarchy and the cyclical nature of poverty and under-development. Alleviation of inequality and a lagging education system, as well as reform of social relations, are required to eradicate child labor. Poorly enforced child labor laws cannot trump long-standing practices that leave child laborers with no option but to work, regardless of the conditions, their ages, and the law. Policy recommendations include India's compliance with international child labor laws, the creation of incentive and accountability mechanisms for adherence to regulations by Indian industries and employers, and improved cooperation between federal and state governments.

Lerche, Jens. 2007. "A Global Alliance Against Forced Labour? Unfree Labour, Neo-liberal Globalization and the International Labour Organization." *Journal of Agrarian Change* 7(4): 27.

Annotation: In this critique of the International Labor Organization's (ILO) 2005 report, "A Global Alliance Against Forced Labour," the author analyzes the recent international focus on combating forced labor. The ILO's treatment of the subject is evaluated through the results of empirical research in India and theoretical discussions of forced labor. Current unfree labor relations are best understood in the context of neo-liberal globalization, labor relations in general, and country-specific conditions. The analysis includes an extremely valuable, detailed summary of various unfree labor practices in India and an insightful discussion of the influence of globalization on the development of India's anti-labor policies since the 1970s. Distinctions must be made carefully among types of unfree labor relations, particularly in India. These types of unfree labor relations include bonded labor, child labor, and forced labor, the latter of which is defined by international (ILO) conventions as work "exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."

Majumdar, Manabi. 2001. "Child Labour as a Human Security Problem: Evidence from India." *Oxford Development Studies* 29(3): 279-304.

Annotation: Examining bonded child labor in India from the perspective of "human rights, capabilities, and securities," the author provides an alternative framework to the common, economics-based approach to understanding child labor. The author nods to Amartya Sen's argument that human development is intricately linked to the protection and promotion of human capabilities and the ability of individuals to choose what they do with their lives. Child development—including emotional, cognitive, physical, and moral growth—is threatened by the obligation to work. The article underscores the centrality of education reform, addressing the lack of state-sponsored educational opportunities caused by child labor. The correlation between poverty and child labor is not inevitable; the author challenges the belief that sending children to work is a built-in economic necessity. Child labor as a consequence, as opposed to a cause, of a defective school system in India is also explored. Ensuring the rights and human security of the child is not only a parental but also a social responsibility.

Omvedt, Gail. 1980. "Caste, Agrarian Relations and Agrarian Conflicts." *Sociological Bulletin* 29(2): 142-170.

Annotation: Agrarian relations in India have historically been shaped by caste structure, a factor at the root of twentieth-century agrarian conflicts in both colonial and independent periods. The author's analysis illustrates two major types of struggle: the *antisamindari* struggles of the middle-caste cultivating peasants, and the struggles of the Dalit laborers for wages, land, and freedom from forced labor (*vetbbegar*). The struggles of the untouchable Dalit workers, while neglected in most historical and sociological research, constitute a primary form of modern class conflict and provide a basis for understanding the origins and persistence of bonded labor. Laborer demands for pay and for cultivable land currently under government, village, or other jurisdiction are complicated by problems of local-level organization. Although the author's documentation of class and labor struggles extends only until 1980, the article presents Indian agrarian workers' struggles for land ownership and freedom as a key element of the history of modern slavery.

Pandhe, M.K., ed. 1979. Child Labour in India. Calcutta: Indian Institute for Regional Development Studies.

Annotation: Comprised of a series of official and semi-official reports on the status and legality of child labor in India, this book provides a resource to researchers interested in an in-depth investigation of laws and practices up to 1979. Dated information limits the book's usefulness. However, two reports on child labor in a variety of sectors in Delhi and Bombay illustrate the pervasiveness of the practice through interviews with children and detailed observations of their work and treatment. International Labor Organization (ILO) conventions on minimum age of employment, prohibition of night work, and required medical examinations are included in their entirety, as are relevant excerpts from the 1959 United Nations Convention on the Rights of the Child, which India has not ratified. Government statutes on child labor in various industries are summarized; Indian laws do not meet ILO standards, and in most cases the government does not enforce them.

Prakash, Gyan. 1990. "Conclusion: Freedom Bound." In Bonded Histories: Genealogies of Labor Servitude in Colonial India. Cambridge: Cambridge University Press.

Annotation: The value of studying the history of bonded labor in India is in uncovering a colonial legacy of false freedom in the evolution and persistence of debt bondage as a legitimate practice. The British colonialists' abolition of slavery in 1843 ostensibly stemmed from a worldly sense of progress and individuality, by that time guiding ideals in the minds of colonial administrators. However, the lack of freedom that abolition purported to end did not have a basis in the dependence between masters and slaves. The status of slaves was simply "reconstituted" through the British-approved contractualization of labor relations between landlords and laborers: the practice criticized as slavery nominally became debt bondage. The author's reading of history points to the relationships between capitalism and the abolition of slavery, and between the appearance of legal rights and actual freedom.

Ramanathan, Usha. 2000. "The Public Policy Problem: Child Labour and the Law in India." Edited by B. Schlemmer, *The Exploited Child*. London: Zed Books.

Annotation: Insufficient attention to adult wages and employment, the notion that poverty is "self-inflicted," and the perception that a child is an "asset" enable the persistence of child labor. The minority status of child workers, coupled with illiteracy, makes children vulnerable to exploitation. Abolition of child labor has not entered the sphere of public policy or legislation on the part of the Indian government; creating and effecting deterrence through prohibitive law as opposed to industrial regulation is imperative. If the objective is protection and freedom of the child from "hazardous employment," abolition is the only option that will restore legitimacy to child labor law.

Singh, Manjit. 1997. "Bonded Migrant Labor in Punjab Agriculture." *Economic and Political Weekly* 12(2).

Annotation: According to the author, the capitalist system takes advantage of the disparities in wealth and equality between the Bihar "hinterlands" and the productive Punjab, perpetuating a cycle of bondage and poverty. Based on field research undertaken in two Punjab districts in 1980-81 and revisited in 1990-91, this short article provides a clearly outlined case study within which to analyze common bonded labor practices. The author discusses the social relations of production and the use of migrant slave labor to finance the growth of capitalist agriculture and the "green revolution" in Punjab. The persistence of the system highlights an overall pattern: the tendency of the capitalist system to rely on rural, socioeconomically inferior areas for growth. The article is of value to those interested in the cultural and structural causes of agricultural labor and socioeconomic transformations.

Sooryamoorthy, R. 1998. "Child Labour in Kerala: The Work and Working Ambience in the Capital City." *Journal of Third World Studies* 15(2): 31-52.

Annotation: Despite the Indian state of Kerala's remarkable quality of life and demographic trends, which include significantly higher life expectancy and literacy rates and a lower population growth rate than the rest of the country, it has not been successful in preventing child labor. Found most typically in the coir and fish processing industries, children in Kerala—located on the southern coastal tip of India—form approximately four percent of the state's workforce. The author of this article undertook a detailed study on the work and working environment of 734 child laborers in the capital, Thiruvananthapuram, in 1996. The result is a comprehensive, nuanced report on working children, who are found to be older when they begin work (age thirteen), and better educated, than those in other areas. Child labor is much less prevalent in Kerala; the neat sample size and limited industry range permit an intricate description of children's types of work, hours, income and expenditures, family situations, and school dropout rates.

Srikantan, K. Sivaswamy. 1991. "Demographic and Social Dimensions of Child Labor in India.", Child Labour in the Indian Subcontinent: Dimensions and Implications, edited by R. Kanbargi. Delhi: Sage Publications India.

Annotation: Utilizing data from the 1981 Census of India, the author provides a decomposition of working children by sector, location, and gender. Poverty alleviation is the government's best policy option to eradicate child labor—given the self-perpetuating patterns of illiteracy, inferior or nonexistent education, and children's work participation. Specific policy responses such as that of providing families with government subsidies and incentives to withdraw children from work encounter major obstacles in implementation and distribution. According to the author, the Indian government should combine productive employment generation programs and child labor reduction legislation to decrease the incidence of child labor. Exploitation of workers in dangerous conditions and industries results in constraints on children's health and development, and solidifies their fates as unskilled, low-paid workers. The author stresses that a greater focus on female education, as well as "improving the quality of children desired," would precipitate a decline in both fertility (viewed as a self-reinforcing cause and effect), and in children's work participation.

Srivastava, Ravi. 2005. Bonded Labour in India: Its Incidence and Pattern. Special Action Programme to Combat Forced Labor. Geneva: ILO.
http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang-en/docName--WCMS_081967/index.htm

Annotation: Comprised of a compilation and assessment of the contemporary evidence on bonded labor in India that has appeared in secondary sources, this report demonstrates that new forms of bondage have emerged in modern agricultural and informal sectors of the economy. Social movements, economic modernization, and state intervention have helped to engender a reduction of bonded labor in traditional agricultural settings and in caste-based, long-duration relationships. The report includes recent academic literature, data from the Government of India, the National Human Rights Commission, other human rights organizations, and press reports—all of which contribute to a widely varied bibliography. The review of Indian constitutional law and Supreme Court rulings on the nature of bonded labor is exceptionally specific. As an up-to-date survey of the incidence of labor bondage, a widely differentiated practice that is difficult to quantify and verify, the report provides a clear and comprehensive overview.

Swaminathan, Madhura. 1998. "Economic Growth and the Persistence of Child Labor: Evidence from an Indian City." *World Development* 26(8): 1513-1528.

Annotation: Examining features of child labor in an area of high economic growth in Gujarat state in western India, the author demonstrates that growth over a fifteen-year period was associated with an increase in the number of child workers. A detailed account of the activities and occupations showed that children worked at manual, grueling, repetitive, and low-skilled jobs. When economic expansion was accompanied by deregulation of the labor market, children

were exploited. Income from child labor did not make a significant difference in the reduction of household poverty, and the skills children gained were not specialized or useful in the long term without a basic education. Legal definitions of hazardous labor practices fail to take into account the damages to children's development of all forms of work. For these reasons, the author concludes that economic growth alone is not sufficient to eradicate child labor.

Thorner, Daniel and Alice. 1962. Land and Labour in India. Bombay: Asia Publishing House.

Annotation: This 1962 volume provides a comprehensive survey of the relationship between agriculture and labor in India since 1760, and demonstrates its implications for the economy and for workers. The authors discuss Indian bonded laborers as those whose bargaining power is virtually non-existent, and who do not possess the right to refuse to work under their masters' terms. The chapter on employer-laborer relationships in agriculture provides a detailed categorization of seven types of agricultural laborers (four free and three unfree, based on duration of work and type of contract), and articulates the importance of the distinction between free and unfree labor as critical to an analysis of the market for agricultural labor in India. This dry volume, considered somewhat seminal in its field, contains interesting, although outdated, statistics and agricultural survey data. It is particularly helpful to the researcher of Indian labor and agriculture, placing forced labor in broad economic and historical contexts.

Weiner, Myron. 1996. "Child Labour in India: Putting Compulsory Primary Education on the Political Agenda." *Economic and Political Weekly*. 9-16 Nov.

Annotation: An unspoken consensus exists among India's political leaders that education should not be made compulsory, since parents should have the right to use or sell the labor of their children. This is a policy that is frequently suggested in order to end child labor in India. The Indian government falls behind most other Asian countries in terms of spending on primary education, having concentrated a disproportionate share of educational resources on higher education, which has benefited the middle classes while leaving the rural and urban poor "educationally impoverished." No country has successfully ended child labor without first making education compulsory; India has ninety million children outside of the educational system. A move toward universal education must originate in the Indian legal framework, and official attitudes must change in order to overcome profound class divisions. This shift would be a means to achieving the government's broad, free-market goals by building a human resource base capable of supporting a more open and competitive economy.