

Relation between Parental Education and Child Labour Cases: A legal Study

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Abstract

Objective: To assess the relation between the child labour and parental education. To prove that it is also important to educate the parents. To find the root cause of children working child labour. **Research questions:** How parental education can help in reducing the child labour cases? What are the root causes of lack of education? **Research type:** Doctrinal.

Keywords: Child labour, parental education, and child education.

1. Introduction

Undoubtedly India has made a great progress and it is one of the fastest growing economies in the world. However, studies show a different side to this progress in the last five decades. It shows that the share of wealth in the top 1% and the top 10% in the economy has increased since 1961, and it certainly looks like a brighter side. However, the average share of wealth in the bottom 50% has decreased. The world inequality database shows that the average economy share of top 1% in 1961 was 11.87%, which went up to 31.55% by 2020. For top 10% it was 43.18% till 1961, which went up to 63.68% by 2020. But the story is not the same for every group in the society. The Average share of wealth in the bottom 50% was 12.29% till the year 1961, and in 2020 it went down to 6.12%¹.

In developed countries some people still have the mind-set that child labour used to happen in past during Industrial revolution. However, the ILO's study shows a completely different picture to the world². It is mainly because of the economic compulsion by parents due to which child labour takes place in the society³. A study conducted on 565 respondents (children) showed that they had to work 15 to 18 hours a day for generated income for their family. Even after investing so many hours on daily bases, 815 respondents were getting paid only Rs. 50/- per month. On the other hand, there were 35 respondents, who received Rs 100 per month⁴.

As per the International Labour Organisation (ILO), child labour is defined as his work that effects the childhood of a child, including their potential and dignity. Something that affects them mentally, physically, socially, and even their dignity. ILO has also mentioned that child labour is a work that interferes with the schooling of the child, and deprives them from the chance to attend the school⁵.

There are number of factors due to which child labour still exists. As per International Labour Organisation, there are total 152 million children who are involved in the child labour. The Census of India – 2011, revealed that in total there are total 10.1 million children are working, who are between the age of 5-14 years. As per some studies there are two major reasons behind the child labour. One is lack of education and the other is poverty⁶. By several studies poverty is considered as the root cause behind the child labour⁷. However, there are also several other determinants of child labour as per a study, such as, poverty, the socialisation of children, lack of proper system, livelihood of the family, and several others. Most of the participants in this research mentioned culture as the main reason behind the child labour⁸. However, research has shown that parental education plays an important role in reducing the child labour cases. This is where it becomes necessary to explore this factor.

2. Objectives

- To assess the relation between the child labour and parental education.
- To find the root cause of children working child labour.
- To prove that it is also important to educate Adults.

3. Research Methodology

For this research doctrinal legal research was conducted. Only those studies were considered which were written in English Language.

4. Legal Provisions in India to Protect Children:

The Constitution of India has addressed the issue of child labour in number of articles. Part – 3 of the Constitution provides Fundamental Right to every citizen of India, which includes, protection of life and personal liberty (Article -21), Right to Education (Article – 21A), Prohibition from forced labour (Article – 23) and Prohibition of employment of children in factories (Article – 24). On the other hand, there are number of acts based on the provisions of constitution like, the child labour and Adolescent Labour (Prohibition and Regulation) Act, 1986, the Juvenile Justice (Care and Protection of Children) Act 2015, The Right of Children to Free and Compulsory Education Act, 2009, The Commissions for Protection of Child Rights Act, 2005, The Immoral Traffic (Prevention) Act, 1986 and many others. However, still child labour persists in India.

5. Literature Review

Child Labour is persisting in India and around the world from a long time. It is clear that education plays an important role in reducing the child labour cases. However, studies have also shown that parental education in decreasing the tendency of child labour cases. On the hand, it is also seen that Mother's education plays a more important role in reducing child labour cases⁹. A study in Bangladesh has shown parental education plays a vital role in reducing the child labour and improving the children's education¹⁰.

Study shows that three factors effect child's future job, those are child's inherent ability, education of parents, and parents attitude towards education¹¹. Further another research paper shows an eye opening data. That parents who have themselves experienced child labour, have 10% more chances to send their children to work¹². Some studies from Bangladesh shows the evidence that parental education increasing the chances of a child

¹ Ghatak, M., Raghavan, R., & Xu, L. (2022, September). Trends in economic inequality in India. In *The India Forum* (Vol. 19).

² Swepston, L. (1982). Child labour: Its regulation by ILO standards and national legislation. *Int'l Lab. Rev.*, 121, 577.

³ Naidu, M. C., & Ramaiah, K. D. (2006). Child labour in India-an overview. *Journal of Social Sciences*, 13(3), 199-204.

⁴ Bearden, W. O., Sharma, S., & Teel, J. E. (1982). Sample size effects on chi square and other statistics used in evaluating causal models. *Journal of marketing research*, 19(4), 425-430.

⁵ ILO, What is Child Labour, www.ilo.org, <https://www.ilo.org/topics/child-labour/what-child-labour>

⁶ Das, K. S. (2022). Child labour and its determinants in India. *Children and youth services review*, 138, 106523.

⁷ Bhat, B. A., & Rather, T. A. (2009). Child labour in the handicrafts home industry in Kashmir: A sociological study. *International NGO Journal*, 4(9), 391-400.

⁸ Adonteng-Kissi, O. (2018). Causes of child labour: Perceptions of rural and urban parents in Ghana. *Children and Youth Services Review*, 91, 55-65.

⁹ Mukherjee, D., & Das, S. (2008). Role of parental education in schooling and child labour decision: Urban India in the last decade. *Social Indicators Research*, 89, 305-322.

¹⁰ Ahmed, S., & Ray, R. (2011). Trade-off between child labour and schooling in Bangladesh: the role of parents' education.

¹¹ Mukherjee, C., & Pal, R. (2016). Role of parental expectations in determining child labour and schooling. *Department of Economics, Lund University Working Papers*, (2016: 6).

¹² Wahba, J. (2006). The influence of market wages and parental history on child labour and schooling in Egypt. *Journal of Population Economics*, 19, 823-852.

to specialise in study¹³. There is no doubt that even the socio-economic conditions of parents have a relationship with child labour¹⁴. But lack of parental education is something that can still not be ignored.

A study was conducted in Pakistan and Nicaragua regarding child labour by using the national household data. Several factors were identified, due to which a child falls behind in school, and pushed into child labour. These factors were structure of the family, economic condition, parental education and several others¹⁵. In many cases it has been seen children participate in child labour with the support of their parents¹⁶. Study shows that poverty and education are the two factors which are contributing in the child labour cases. Education is going to help the parents understand the negative consequences of the child labour. Education can even help to end the cycle of poverty in the family, by providing the necessary skills and knowledge¹⁷. However, on the other hand studies have shown that even mass media can play an important role in educating the parents who are not educated enough to know the consequences of child labour¹⁸.

6. Main Factors behind Child Labour

There are number of factors that are behind child labour cases. It is necessary to understand all these factors, so that we can work on the root cause of child labour cases.

6.1 Poverty

Poverty is considered as the root cause of child labour by several studies. Due to this reason parents don't have any other choice, then to send their children for labour. As per the study it has been seen that 82% of child labour is done because of poverty, 5% due to own interest, and only 13% is forced. That means if only poverty is going to be reduced, than a huge number of child labour cases are going to drop down¹⁹.

A research conducted in Bangladesh showed the evidence, that poverty plays a role in deciding whether a child will work or not. For these families keeping a child away from labour is certainly a luxury they cannot afford even if they want to²⁰. The conditions in which these children work is also not suitable for them. This is because they work for 10-12 hours a day in many cases, and poverty is considered as the main cause of this struggle²¹.

6.2 Lack of Education or Illiteracy

As per ILO, Child labour includes that child who is frequently deprived of the education they deserve. On the other hand, as per the Homer Folks, the chairman of the US National Child Labour Committee, child labours are those who do not get the minimum desirable education they deserve²². Research has also shown that child labour has negative effect on the education of a child. That means even if a child wants to move towards education, then child labour might act as a barrier²³.

6.3 Cultural and Social Norms

Research has shown that social norms play an important role in the decision making of the individual. It shows that the decision that parents are going to send the child for labour, depends a lot on the social norm²⁴. One of the research even showed that there are number of norms that leads to child labour practices in the family. Some of those norms are gender norms, and norms on succession²⁵. A research conducted in India in the year 2022, showed that social norms play a big role. It shows that there are different social norms in India that play a role. It acted as an evidence that there are different types of social norms existing in India.

A 2016 research shows that there are multiple sources of child labour in India. Some of them are social norms, the economic structure, and no return to rural basic education²⁶. Number of studies shows that social norms have an impact on the economic decisions. Social norms create two effects, one is the acceptance of a certain type of activity or behaviours. Second is the gender inequality in decisions that are made related to work, and school²⁷.

6.4 Cheap Labour

In several cases it has been seen that child labour is a result of cheap labour. It is nothing but a branch of slavery that ruins the future of children. Generally it is mentioned that cheap labour leads to child labour, or poverty leads to child labour. However, if we go back in the history, then it is clear that capitalism has played a big role behind the demand of cheap labour. It is due to this demand of the cheap labour there has been a rise in the demand of child labour²⁸. As per the history it has also been seen that during the British Empire the children between the age of 5 and 13 were targeted for the purpose of slavery²⁹.

7. How education plays a role?

Education certainly plays an important role in the life of a child. It has been seen that early education has a positive impact on the cognitive ability of the child³⁰. Research has shown that education gives way to a much better lifestyle, and also to a good health. It has been seen that individuals who are healthier, invest more in education, and are much better learners of new skills³¹. Several other studies have also shown that education has a positive effect on the health³².

¹³ Khanam, R. (2008). Child labour and school attendance: evidence from Bangladesh. *International Journal of Social Economics*, 35(1/2), 77-98.

¹⁴ Elegbeleye, O. S., & Olasupo, M. O. (2012). Parental socio-economic status as correlate of child labour in Ile-Ife, Nigeria. *Educational Research and Reviews*, 7(8), 201-206.

¹⁵ Rosati, F. C., & Rossi, M. (2001). Children's working hours, school enrolment and human capital accumulation: Evidence from Pakistan and Nicaragua. *Florenzia: Centro de Investigación Innocenti, UNICEF*.

¹⁶ Anker, R. (2000). The economics of child labour: A framework for measurement. *Int'l Lab. Rev.*, 139, 257.

¹⁷ Vinod, A. (2023). How Education Influences Child Labour. *Issue 2 Indian JL & Legal Rsch.*, 5, 1.

¹⁸ Hossain, M. F. (2020). Impact of mass media to creates awareness among the poor parents against child labor. *Asian J. Soc. Sci. Leg. Stud.*, 2(6), 122-128.

¹⁹ Naeem, Z., Shaikat, F., & Ahmed, Z. (2011). Child labor in relation to poverty. *International journal of health sciences*, 5(2 Suppl 1), 48.

²⁰ Amin, S., Quayes, M. S., & Rives, J. M. (2004). Poverty and other determinants of child labor in Bangladesh. *Southern Economic Journal*, 70(4), 876-892.

²¹ Ahmad, A. (2012). Poverty, education and child labour in Aligarh City-India. *Studies on Home and Community Science*, 6(3), 165-172.

²² Bhat, B. A. (2010). Gender, education and child labour: A sociological perspective. *Educational Research and Reviews*, 5(6), 323.

²³ Rahman, M. M., & Khanam, R. (2012). Child labour: the effects of globalisation. *Journal of Applied Business and Economics*, 13(4), 59-71.

²⁴ Goto, H. (2011). Social norms, inequality and child labor. *The Journal of Socio-Economics*, 40(6), 806-814.

²⁵ Abdullah, A., Huynh, I., Emery, C. R., & Jordan, L. P. (2022). Social norms and family child labor: a systematic literature review. *International journal of environmental research and public health*, 19(7), 4082.

²⁶ Krauss, A. (2013). Understanding child labor beyond poverty: the structure of the economy, social norms, and no returns to rural basic education. *World Bank Policy Research Working Paper*, (6513).

²⁷ Chamarbagwala, R., & Tchernis, R. (2006). The role of social norms in child labor and schooling in India.

²⁸ AHMAD, R. (2013). Cheap Labour= Child Labour.

²⁹ Morgan, K. (2007). *Slavery and the British empire: from Africa to America*. Oxford University Press.

³⁰ Barnett, W. S. (1998). Long-term cognitive and academic effects of early childhood education on children in poverty. *Preventive medicine*, 27(2), 204-207.

³¹ Groot, W., & Van Den Brink, H. M. (2007). The health effects of education. *Economics of Education Review*, 26(2), 186-200.

³² Adams, C. A. (2002). Internal organisational factors influencing corporate social and ethical reporting: Beyond current theorising. *Accounting, Auditing & Accountability Journal*, 15(2), 223-250.

It has been seen that lack of education and poverty goes parallel to each other. In the complex industrial society we live in, it is necessary to have a certain educational qualification, because that is going to determine the income level, and occupation of an individual³³.

In 2014, an article was published in the New York Times, it showed that American workers who have a college degree are getting paid 74 per cent more than those who only have high school degree³⁴. Studies have shown that the income of a household increases with the increase in the education of an individual. That means with the level of education even the level of earning increases. Further research has shown that the literacy is having a positive impact on the household income of a family. Data shows that the annual return on the education is 11.5 percent. Research conducted in Africa clearly shows that at all the levels of education there is an income gap between the urban and rural household. Also, in the rural areas, the school education provides a return as there is an add on of partial secondary income³⁵.

A research conducted in Uganda between 1992 and 1999, among different age group shows a remarkable data that proves the positive effect on education on the income of families. The individual with the primary education (except for the people 40 years or more) get a positive return. At the same time, those with the secondary education have an even higher return. Research further shows that the education also creates an impact on the employment. Based on international evidence it shows that education provides not only employment, but also better income. In Tanzania, a research showed that urban men with the highest level of education have 26 per cent more chances of getting employed, then those men who are not educated³⁶. Number of research has proven that better education provides better earning, and lesser chances of unemployment. At the same time, they also become a part of more prestigious occupations, then compared to those who have lesser education. This research provides the proof that education plays a huge role in providing more employment opportunities, and more financial security³⁷.

8. Effect of Parental Education on Child Labour Cases

Research has shown that the parental education in India does play a big role in reducing the child labour cases. Due to this it creates a link between the family and its income³⁸. If we make the comparison of the research conducted on the same subject in Pakistan, then the data of Pakistan Social and Living Standards Measurement 2019-2020, shows that parental education reduces the child labour cases³⁹.

A research conducted by Understanding Children's Work Programme in the year 2017, showed that parental education has a huge role to play in the reducing the child labour cases. Study in this research showed that with the rise of each level in the parental education, the chances of a child to go to work decreased, and the probability of higher school attendance increased. This clearly proves that education of parent creates a positive intergenerational impact, that stops the child labour from getting transferred in the next generation⁴⁰.

A paper published by World Vision in the year 2016, assessed number of factors that are responsible for the child labour. One of the main factors behind was the low parental education that lead a child to work. It even sheds light on the fact that low parental income also leads to the child labour⁴¹.

8.1 Impact of Mother's Education on Child Labour Cases

While focusing on the parental education it is also necessary to know the impact of mother's education on child labour cases. Research has shown that mother's education reduces the probability of a child going for work. On the other hand mother's participation in work increases the chances of a child working outside the home⁴². A study conducted in Pakistan shows that parental education has a positive effect on a child's education, however, it is seen that mother's education has a more positive relation with the schooling of a child, and negative relation with the child labour. It was also observed that with the increase in the size of the household, the chances of a child going to the school decreases, and the probability of labour increases⁴³.

9. Countries with Free Education System for Adults

There is no doubt that free education is a part of right to life, because it helps an individual, and his family to fulfil the basic human rights. There are number of countries which provide free education even for the adults. Some of them are Norway, Sweden, and Turkey. These countries offer either tuition free education or low cost tuition rates⁴⁴.

10. Conclusion

It is great to have Article 21a in the Constitution of India that provides the fundamental right of free education to the children between the ages of six to fourteen years. However, free educational rights even for adults must be provided in the fundamental rights. So, that even parents from financially weaker household can get the education that will help in reducing the number of child labour cases. Free education is a part of Article 21, that means free education comes under right to life, and due to this reason age limit cannot be set on this fundamental right.

³³ Glick, P. C., & Miller, H. P. (1956). Educational level and potential income. *American Sociological Review*, 21(3), 307-312.

³⁴ <https://www.nytimes.com/2014/09/11/business/economy/a-simple-equation-more-education-more-income.html>

³⁵ Garcia, M., & Fares, J. (2008). The effect of education on income and employment. *Youth in Africa's labor market*, 39-47.

³⁶ Garcia, M., & Fares, J. (2008). The effect of education on income and employment. *Youth in Africa's labor market*, 39-47.

³⁷ Card, D. (1999). The causal effect of education on earnings. *Handbook of labor economics*, 3, 1801-1863.

³⁸ Mukherjee, D., & Das, S. (2008). Role of parental education in schooling and child labour decision: Urban India in the last decade. *Social Indicators Research*, 89(2), 305-322.

³⁹ Muhammad, M., Shirazi, N. S., & Kayani, Z. (2024). Parental education and child labour: evidence from Pakistan. *International Journal of Education Economics and Development*, 15(1-2), 285-298.

⁴⁰ <https://www.cocoinitiative.org/sites/default/files/resources/Understanding-Child-Labour-Trends-2017.pdf>

⁴¹ https://www.worldvision.org.uk/media/bfuhxvvnv/child-labour-economic-growth-report_oct2016.pdf

⁴² Self, S. (2011). Market and non-market child labour in rural India: The role of the mother's participation in the labour force. *Oxford Development Studies*, 39(3), 315-338.

⁴³ Khan, R. E. A. (2003). Children in different activities: child schooling and child labour. *The Pakistan development review*, 137-160.

⁴⁴ <https://www.sparxservices.org/blog/free-education-for-adults>