

## CHILDREN IN DIFFICULT CIRCUMSTANCES

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### ABSTRACT

*In India and in other countries of the world, there have been occurrences of circumstances and situations that compel the children to experience difficulties and problems. One of the most common areas to get the children indulged in difficult circumstances are the severe conditions of poverty, illiteracy, unemployment and financial problems; they borrow loans and when they are unable to pay the loans they force their children into difficult circumstances for money. The main purpose of this research paper is to look into the areas that inflict difficult circumstances for the children; when children are engaged in manual work, labors, then they do encounter difficulties, when children drop out of school and discontinue their studies then they do get indulged into difficult situations such as violence, aggression and hostility. There have been number of children in India who reside on the streets, they either do not have a home or have been evicted by their family members due to some reason, these children either have never been to school or have dropped out early; they are deprived of education, health care facilities and skill development opportunities. Child pornography, child prostitution and trafficking of children have been the areas that have lead to exploitation of the children. Families belonging to socio-economically backward sections of the society, underprivileged groups, deprived sections and poverty stricken families normally would like their children to get engaged in jobs at an early age to assist their parents in meeting all the requirements, therefore, they get engaged in different jobs such as domestic helpers, helpers in restaurants and tea stalls, cleaners etc. in these kinds of jobs, they are sometimes mistreated and face extreme intricacies. Therefore, there have been various reasons that impose difficult circumstances for the children, but laws, rules and policies are required to be adequately framed and implemented so that all the children are able to acquire care and protection.*

**Keywords:** *Difficult Circumstances, Child Labor, School, Street Children, Sexual Exploitation, Jobs*

### INTRODUCTION

There have been children in difficult circumstances, but the main goal should be to ensure that the best interest of each child is sustained in all the policies, programs, plans, interventions and strategies. It is essential to create a safe, supportive and a protective environment for the children within and outside the home. There have been number of occurrences and situations that impose difficult circumstances for the children such as neglect, mistreatment, injury, trafficking, sexual and physical abuse of all kinds, pornography, corporeal punishment, torture, anguish, exploitation, conflicts, disputes, violence, aggression, hostility, cruelty, and degrading treatment. It is vital to address the survival, development, protection and participation rights of the children in difficult circumstances; children belong to different

categories such as orphans, street children, beggar children, migrant children, children affected by man made and natural disasters, drug addicts, children of nomads, refugee children, slum and migrant children, children of commercial sex workers, children of prisoners, children affected by or in armed conflict, transferred children, homeless children, young children in charge of siblings, children born as eunuchs or brought up by eunuchs, and all other children in need of care and protection (The Primary Teacher, 2011).

To meet the special needs of the children in difficult circumstances and those in situations of particular vulnerability it is essential to make sure that all the laws are equally applicable. It is vital to formulate appropriate rules, regulations, policies and laws in order to ensure the protection and care for all the children. Young children have the right to study, play and get involved in all the other activities of their interest and enthusiasm. Priority should be given to the non-institutional services for the rehabilitation of children by restoring them to their families and making sure that they are safe at home; safety of the child is ensured through foster care, adoption, sponsorship, and providing primary consideration to the best interest of the child (The Primary Teacher, 2011).

## **CHILD LABOR**

The categories of child labor include the range and kind of circumstances in which children work. The categories of child labor have been stated as follows: (NCPCR, 2001).

**Child Labor** – Under this group comes those children who are doing paid or unpaid work in mines, factories, establishments, workshops, stores or in the service sector such as domestic labor. The Ministry of Labor, Government of India has employed the term child labor only for children who are engaged in hazardous jobs.

**Street Children** – The children who live on and off the streets, they work as rag-pickers, beggars, shoe-shine boys, clean the vehicles that wait at traffic signals, or as newspaper vendors. These street children reside on street crossings, pavements, underneath flyovers, railway platforms, bus stations, parking lots, markets and other public places. They are at the mercy of their employers or the police. They have no permanent base and are often on the move.

**Bonded Children** – These are the children who have been pledged by their parents for trivial sums of money or those who work to pay off the inherited debts of their fathers. In some states this is an acute problem. Bonded children are difficult to assist because they are unattainable; if a merchant has brought them, or a middle class housewife has paid for them they cannot escape and have to spend their lives in servitude.

**Working Children** – These are the children who are part of family labor in agriculture or in home-based work. If children work 12-14 hours a day along with their parents at the cost of their education, it is same like working for their employers. This is the largest category of children who are out-of-school and are working full time. Girls are expected more by their parents to take up work which is completely inconsistent to their strengths and abilities.

Children used for sexual exploitation – Thousands of children, both boys and girls have been exploited to serve the sexual craving of men from all kinds of social and economic backgrounds. Sexual exploitation mainly takes place in factories, workshops, streets, bus stops, railway stations and homes where children work. Children are powerless to resist any form of abuse by their employers, either as perpetrators or intermediaries. Through sexual exploitation, the physical health of the children gets affected; there is danger of HIV/AIDS and sexually transmitted diseases and psycho-social damage caused makes it one of the most hazardous forms of child labor.

Migrant Children – In India, millions of families which usually belong to scheduled castes, scheduled tribes and other backward classes are forced to leave their homes for several months every year in search for better livelihoods. Children are forced to drop out of schools and they are normally employed at worksites; migrations are large and growing and numbers of children who are below 14 years of age also do get affected by migration.

Children engaged in household activities – Large number of children especially girls are engaged in household activities, some are employed as domestic helps for wages, some work in their own houses which is not normally seen as an economic activity. The work duties that they perform are taking care of younger siblings, cooking, cleaning and other household activities. If children are not sent to schools and are forced to work in the house, they would ultimately join the labor force as one of the above categories of child labor.

## REASONS FOR DROPPING OUT OF SCHOOL

The main reasons behind school dropout are as follows: (Reasons for Dropout Amongst Children Living in Slum Areas of Delhi, n.d.)

1. The migration of families especially to their villages, looking for work is one of the prominent reasons for school dropout. They are affected by the agricultural cycle; hence they migrate to different areas in search of work and their children dropout of schools.
2. In some of the cases, when a child has gone to his/her village and is absent for a considerable period of time, the school strikes off the name and do not allow reentry into the class, hence it results in school dropout.
3. Transporting and commuting to schools has been another major issue, families feel that there is no school nearby and sending their children to distant schools is time consuming and unsafe, this problem is mainly regarding girls.
4. Some of the children who suffer from problems such as dyslexia, learning disability or other issues cannot be looked upon adequately; the teachers are not aware regarding how to deal with special children and look upon these problems only as medical issues. When the children's special needs cannot be taken care of by their teachers then the result is school dropout.
5. Family issues is another concern of school dropout, in cases of two girls, their mothers fell sick and in order to take care of their younger siblings they dropped out of school; in

other cases, when both parents are working in order to take care of their younger siblings, children are unable to attend school. Lack of proper care giving facilities results in school dropout.

6. Child labor has been one of the main reasons for school dropout. Children dropout of school to start working in order to assist their family to earn a living.
7. In some cases, the children are mistreated in school. For example, a case came up when the child was beaten up by a school teacher, he returned home covered with shoe marks and was hospitalized. Vulnerability is high among both boys and girls; harsh and inconsiderate treatment on the part of the school staff results in school dropout.
8. School dropout takes place when the child has lack of interest in studies, when he is not able to understand the concept, when he feels demoralized due to homework assignments or tests then he loses willingness to study and hence the ultimate outcome is school dropout.
9. In some cases, the child is hard working and studies with interest and enthusiasm; but when it is the time for examinations he fails and these results in de motivation of the child and the ultimate outcome is school dropout.
10. Finally, the crucial reason which has resulted in school dropouts is financial problems. School is expensive and costs money, some children are very intelligent and are willing to study further but they lack the funds and adequate resources to study hence the ultimate outcome is school dropout.

## DIFFICULT CIRCUMSTANCES FOR STREET CHILDREN

Children in difficult circumstances, particularly the street children, have to struggle for their existence each and every day; they have problems in getting food, looking for a safe place to sleep during the night, protecting them against the violence that intimidates them on a continuous basis. In such kinds of circumstances, it is complex for them to become aware of the dangers of catching HIV/AIDS. Street children are mostly illiterate, they are unaware, they only desire for good food and obtaining some money, hence, there is no one to get concerned about the hypothetical future illness when the future is uncertain. This is the dispute that can be solved to some extent by implementation of some prevention programs and actions. Children who reside in the streets are 120 million all over the world who suffer exclusion and precariousness. Victims of stigmatization and discrimination, they are more exposed than others to HIV/AIDS and suffer the results in double ways. The reason for this has been that they have been rejected within the streets and live on the peripheries of the society, they are disregarded and their requirements are concealed. Street children are affected by HIV/AIDS or are exposed and intimidated by it; they are still further marginalized and held responsible. Stigma and discrimination connected with HIV and AIDS are the utmost obstacles to preventing additional infections. Despite the catastrophe, silence prevails and action is time consuming because of stigma and denial and,

ultimately, because of the fears of the individuals about exposing themselves to the difficulties (Children in Difficult Circumstances, 2002).

All street children are escaping from the scarcity, promiscuity and violence that exist within the household. Some of them still have slack connections with their biological families and occasionally go to their houses during the evenings. But increasing numbers of them are left to themselves and spend all their time in the street, struggling against the daily battle for survival. Poverty, broken homes, breakdown of social networks, conflicts and disputes, prevalence of illiteracy or dropping out of school, exposure to all the risks and abuses, drugs, physical and moral violence, sexual abuse, and prostitution are some of the difficult situations that prevail in the lives of street children. Living in gangs, they are subject to the laws of the group and are in jeopardy of developing risk behaviors in their day to day lives. Street children are thus predominantly represented to the epidemic because of the stigmatization of which they are sufferers, of their contact to unprotected sex, usually in exchange for food, security or money and the use of illegal drugs (Children in Difficult Circumstances, 2002).

## SEXUAL EXPLOITATION OF CHILDREN

This area deals with the exploitation of the children for some commercial purposes, these children belong to the category of children in difficult circumstances, namely child prostitution, child pornography and the trafficking of children for sexual exploitation. In some of the cases, the children are also trafficked for more than one purpose. Research shows that in South Africa, children are trafficked by their own parents into slavery or prostitution to pay off a debt. Research has also indicated that in some parts of India, when a family has large number of members and they are poverty stricken and face problems in meeting the daily needs of all the members, they trafficked their own children for money or food grains. These people normally are uneducated, unaware and for them money and sufficient food and other necessities matter the most to meet the daily requirements. The parents who treat their children in this kind of manner, then all the parental rights get suspended and the child may be placed in alternate care; it is observed that children are not trafficked and should be provided with education and sufficient care (Children in Especially Difficult Circumstances, n.d.).

The principle approach to child prostitution is that the child prostitute is not a criminal; he or she should not be regarded as a bad person but rather is the child that is in need of care and protection. There have been occurrences of circumstances and situations that compel the child into prostitution and when a family is in debt or face acute poverty or any other severe problems. There have been instances, when these children are removed from any kind of prostitution and get motivated and influenced towards leading a good life with acquisition of education that is needed for ones development. Children's court has the discretion to offer that children attend a rehabilitation program; this program should include activities that are essential for ones skill development, this would enable the young children to find employment after the successful

completion of the rehabilitation program. There have been children who get influenced by prostitution to a much greater extent, these children leave prostitution on a voluntary basis, and even they should have access to the rehabilitation programs to develop their skills (Children in Especially Difficult Circumstances, n.d.).

## CHILDREN IN JOBS

When understanding children in difficult circumstances, it is vital to understand the kinds of jobs that these children are engaged in, these jobs give them little money which is not enough to meet their daily requirements or the requirements of their families and impose difficult and sometimes hazardous circumstances for them. These children mostly get employed in the informal sector such as shoeshine boys, beggary, car washers, domestic helpers and so forth. These children belong to deprived, poverty stricken families, their parents would like them to acquire education but their circumstances compel them to get engaged in employment opportunities. The children who are fortunate enough find jobs as domestic helpers in the households of wealthy families, they learn different things such as preparation of meals, some even attend school, they get good money, food, clothes and are treated with kindness and sympathy (Protection for Children in Especially Difficult Circumstances, n.d.).

On the other hand, there have been children who are engaged in different kinds of jobs but they are not treated in an appropriate manner and hence face difficult situations; research has indicated that some of the women mistreat the children employed as domestic helpers, they are beaten, they are not given enough to eat, they are made to work long hours, they get very little sleep and are communicated with in a harsh manner. Young children become helpless when they suffer these kinds of situations but still continue to work as they need money, but eventually they are rescued, taken to the rehabilitation center where they are treated kindly and also learn to develop their skills (Protection for Children in Especially Difficult Circumstances, n.d.).

## DISCUSSION

There have been various conditions that prove to be extremely difficult for the children; these are child labor, dropping out of children from school, difficult circumstances of which street children are a part of, sexual exploitation of children and children in different jobs. Child labor is when children are engaged in jobs and employment settings such as bonded labor, migrant children, children employed in household activities, children used for sexual exploitation, and children working in the agricultural and the industrial sectors. These kinds of jobs are most of the time unmanageable for children who are below 14 years of age, they feel depressed and frustrated within their jobs, but they are extremely helpless and have to do these kinds of jobs to make some money. These jobs do inflict difficult circumstances for the children and they get bounded to their employers and are entitled to follow their instructions; these instructions may be communicated to them in a polite as well as in a stern manner.

There have been prevalence of circumstances that force children to discontinue their education and drop out of school; these are migration of the families, learning disabilities, financial problems, family issues, child labor, mistreatment, and lack of interest in studies. When children drop of schools due to some problems, they normally experience household conflicts, violence and aggression, these kinds of situations never leads to satisfaction and peace of ones mindset and proves to be extremely de motivating and discouraging to the children. Employment settings, family issues, learning, acquiring skills development training, migration, child prostitution, trafficking and bonded labor are some of the areas that may cause difficult circumstances for the children.

To prevent the children from falling into the distressed situations, it is essential to formulate the strategies leading to their welfare, nutritional requirements, health, livelihood, care, protection of their families, provision of free education, training and skills development programs and basic civic amenities. Orphan children or children residing in destitute conditions may become homeless, in such cases; there should be creation of a mechanism known as foster care or adoption within the framework of the norms and principles laid down by the Supreme Court of India. Care and protection of the children is considered to be the main areas and special consideration has been given to the girl children. The fulfillment of the main requirements of food, shelter, and provision of security and care to the children from exploitation, child prostitution and trafficking is essential and should be taken into consideration. It is essential to mobilize the families, civil society and the community to respond to the needs of the children in difficult circumstances and to assist them in having access to the protective and developmental services for the children.

## **BIBLIOGRAPHY**

Abolition of Child Labor in India. Strategies for the Eleventh Five Year Plan. (2001). National Commission for the Protection of Child Rights. Retrieved November 1, 2016 from [http://www.indg.in/primary-education/education-as-fundamental-humanright/ncpcr/abolition\\_of\\_child\\_labour\\_in\\_india\\_strategies\\_for\\_11th\\_5\\_year\\_plan\\_submitted\\_to\\_planning\\_commission.pdf](http://www.indg.in/primary-education/education-as-fundamental-humanright/ncpcr/abolition_of_child_labour_in_india_strategies_for_11th_5_year_plan_submitted_to_planning_commission.pdf)

Chapter 12 Children in Especially Difficult Circumstances. (n.d.). Retrieved November 1, 2016 from [http://www.ci.org.za/depts/ci/plr/pdf/salrc\\_rprt\\_02/pr110chapter12.pdf](http://www.ci.org.za/depts/ci/plr/pdf/salrc_rprt_02/pr110chapter12.pdf)

Children in Difficult Circumstances. (2002). Retrieved November 1, 2016 from <http://unesdoc.unesco.org/images/0012/001293/129349e.pdf>

Protection for Children in Especially Difficult Circumstances. UNICEF. (n.d.). Retrieved November 2, 2016 from [http://www.unicef.org/djibouti/FUNDING\\_PROPOSAL\\_UNICEF\\_DJIBOUTI.pdf](http://www.unicef.org/djibouti/FUNDING_PROPOSAL_UNICEF_DJIBOUTI.pdf)

Survey Report. (n.d.) Reasons For Dropout Amongst Children Living in Slum Areas of Delhi. Department of Human Development and childhood studies. Lady Irwin College. Retrieved November 2, 2014 from [http://www.prathamdelhi.org/pdf/out\\_of\\_school.pdf](http://www.prathamdelhi.org/pdf/out_of_school.pdf)

The Primary Teacher. (2011). *NCERT. 36 (1) & (2)*, 1-118. Retrieved November 1, 2016, from [http://www.ncert.nic.in/publication/journals/pdf\\_files/primary\\_teachers/PTJan-APr2011.pdf](http://www.ncert.nic.in/publication/journals/pdf_files/primary_teachers/PTJan-APr2011.pdf)

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