

University of East Anglia  
School of Education and Lifelong Learning

# Children's participation in local government:

## The Makkala Panchayats of Kundapur, southern India

Thesis submitted for the degree of  
Doctor of Philosophy

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Photograph 1 Frontispiece: the faces of Kundapur

## Original material

No part of the material offered has been submitted by me for a degree in the University of East Anglia or any other University.

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## Key terms

1989 Convention on the Rights of the Child; child participation, child protection; best interests of the child; Kundapur; Karnataka; makkala panchayat; decentralization; Panchayati Raj; NGO; The Concerned for Working Children (“CWC”); grounded theory; ethnography; sociology of childhood; postmodernism; social construction; loss; burden; risk; competency; homogeneity; authenticity.

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## Abstract

The United Nations' 1989 Convention on the Rights of the Child, is the most fundamental potentiality to affect children's lives for the better, through the dynamic relationship between its provisions for child participation, protection and the best interests of the child. I investigate how the Convention is being implemented in Kundapur, in southern India. The makkala panchayat initiative has established children's councils that parallel the rural (adult) village councils which operate under the decentralizing Panchayati Raj system of local government in Karnataka State. The initiative is the innovation of Bangalore-based NGO, The Concerned for Working Children ("CWC").

Through a methodology informed by grounded theory, ethnography and the sociology of childhood, I report the opinions of the children elected to the makkala panchayats, how the makkala panchayats impact their lives and whether the Convention's provisions are being integrated into the makkala panchayats. I examine the context in which the Convention is being operationalized, the conceptualizations of children and childhood with particular consideration being given to postmodern social constructionism, childhood and The Child. The thesis divides into six themes related to the children of the makkala panchayats: loss; burden; risk; competency; homogeneity; and authenticity. An examination is made in the role of the NGO, in its capacities as facilitator and research gatekeeper.

I find the children do benefit from their participation, in both material and developmental terms, and I find drawbacks. From my findings, I offer suggestions for further avenues of research.

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## Glossary of abbreviations and translations

*Many organizations referred to in this thesis are, at the time of writing, high-profile and well known; in the thesis and in many of the references that are cited in the Bibliography, such organizations are frequently identified by their initials or similarly-abbreviated acronyms.*

AEP	Appropriate Education Programme
Art.	a numbered Article of a legal document, principally the Constitution of India and the Convention (see below), according to context
BBC	British Broadcasting Corporation
BfC	Budget for Children, a GOI initiative
Bhima Sangha	a child workers' trade union (India)
CALPA	GOI Child and Adolescent Labour (Prohibition) Act. Although drafted in 1986, the Act has not, to date, been adopted into legislation.
CARD	Centre for Applied Research and Documentation, part of CWC
CDW	child domestic work <i>or</i> worker, <i>depending on context</i>
Census India	The Office of the Registrar General and Census Commissioner, GOI
CEO	Chief Executive Officer
CIOMS	Council for International Organizations of Medical Sciences
Convention, the	the UN 1989 Convention on the Rights of the Child
Council of Europe	Council of 47 European countries, signatories to the Council of Europe Treaty of Rome 1950, and creator of the European Court of Human Rights through the ECHR
CRC	Although commonplace in the literature, this abbreviation is not used in the text, to avoid confusion between the UN 1989 Convention on the Rights of the Child and the homographic acronym for the United Nations Committee on the Rights of the Child. In this thesis, the UN 1989 Convention on the Rights of the Child is generally referred to as "the

	Convention”, the United Nations Committee on the Rights of the Child abbreviated to “UNCRC”.
CRIN	Child Rights Information Network
crore	<u>ten million</u> (10,000,000 or 10 <sup>7</sup> ), which is written in India as 1,00,00,000, equal to a hundred <u>lakh</u> (lakh is written as 1,00,000). Crore is often used in connection with money: 30,000,000 (thirty million) rupees becomes 3 crore rupees, written as ₹3,00,00,000. ( <i>see also</i> lakh and rupee)
CWC	Concerned for Working Children, The
dalit	a mixed population, consisting of numerous social groups from all over India, traditionally regarded as “Untouchables”, <i>which entry see</i>
Dhruva	A commercial arm of CWC, providing national and international consultancy services to governments, corporations and NGOs; the name comes from a devotee of Vishnu in Hindu mythology
DWCD	Department of Women and Child Development, Government of Karnataka
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
FSRN	Free Speech Radio News, operating out of Pasadena, CA, with an international reach
FTSE	female survivors of the trade in trafficking women and girls for the purposes of sexual exploitation
GDP	Gross domestic product (economics)
GOI	Government of India
GOK	Government of Karnataka
GOINIC	Government of India National Informatics Centre
gram panchayat	elected council of village representatives
IAWGCP	Inter-Agency Working Group on Children’s Participation
IDS	Institute of Development Studies
ILO	International Labour Organization
IMFL	Indian-Made Foreign Liquor

lakh	one hundred thousand (100,000; $10^5$ ). In the <u>Indian numbering system</u> , it is written as 1,00,000. Lakh is often used in connection with money: 150,000 rupees becomes 1.5 lakh rupees, written as INR 1,50,000 or ₹1,50,000 (see also rupee)
Lok Sabha	“Council of the People”, the lower house in the Indian parliament principally elected by popular vote
makkala	children
makkala grama sabha	children’s general assembly
makkala mitra	a children’s friend or ombudsman, an adult chosen by children themselves; an officer of the panchayat
makkala panchayat	children’s council
makkala sahayavani	children’s help line
MWCD	Ministry of Women and Child Development, GOI
Namma Bhoomi	“Our Land”, the name of CWC’s resource campus
NCPCR	National Commission for Protection of Child Rights, GOI
NGO	non-governmental organization
NHRC	National Human Rights Commission, GOI
NSPCC	National Society for the Prevention of Cruelty to Children
<i>nyaya</i>	“justice” (Sanskrit) ‘stands for a comprehensive concept of realizing justice’ (Sen, 2009)
OBC	Other Backward Classes, a term used from the Constitution for peoples (principally lower-ranking castes) that are socially—and therefore fiscally and educationally—disadvantaged
OED	Oxford English Dictionary
panchayat	a village council, from [Hindi, <i>lit.</i> ] (ayat) "assembly" of (panch) “five”
PRA	Participatory Rapid Appraisal
Raj	System of governance

reservation quota system for targeting government-sponsored educational, professional and welfare benefit initiatives toward the SCs, STs and OBCs; also used in relation to gender inequality, the reservation being to promote the well-being and societal advancement of women

RPI Raj Panchayati Institutions

rupee Sub-divided into 100 paise, the rupee is the official unit of India's currency, the issuance of which is controlled by the nationalized Reserve Bank of India. Formerly "Rs", the currency symbol is ₹, although in international banking INR is used. The conversion rate is, very roughly, one Indian rupee to one UK penny.

converter website (data sources)	currency	INR	Exchange date
<a href="http://www.xe.com">www.xe.com</a>	GBP	£ 1.00	₹ 99.27
<a href="http://www.google.com/finance">www.google.com/finance</a>	GBP	£ 1.00	₹ 99.60
<a href="http://www.google.com/finance">www.google.com/finance</a>	EUR	€ 1.00	₹ 82.32
<a href="http://www.xe.com">www.xe.com</a>	USD	\$ 1.00	₹ 59.87
			4-Apr-14

Table 1: Rupee exchange rates

SC	Scheduled Castes, a term used from the Constitution for peoples (principally lower-ranking castes) that are socially—and therefore fiscally and educationally—disadvantaged
ST	Scheduled Tribes, a term used from the Constitution for peoples (principally lower-ranking castes) that are socially—and therefore fiscally and educationally—disadvantaged
suo motu	"on its own motion", an action or decision taken by an authority—in India, usually a court—on its own initiative without reference to or application from parties involved
taluk	In Karnataka, a taluk is a political sub-division of a district in rural areas, comprising a collection of villages
Tesh	<i>see</i> Venkatesh
UK	United Kingdom of Great Britain & Northern Ireland

UN	United Nations
UNCRC	United Nations Committee on the Rights of the Child; <i>see also “CRC” entry above.</i>
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
USA (noun); US (adjectival)	United States of America
Untouchables	a group culturally segregated from the mainstream in India by social custom allegedly to protect traditional societies against contagion from strangers and the infected, the term is commonly associated with treatment of dalits, perceived as a defiled people. Undoubtedly racist and outlawed by the Constitution (2012) which, in this instance, is ‘more honour’d in the breach than the observance’ (Shaks. <i>Ham</i> , 1.4.16), the word and the behaviour that it encompasses are customs that have endured in India. ( <i>See also “dalit”</i> )
Venk	<i>see Venkatesh</i>
Venkatesh	The name, common in Karnataka, refers to Venkateswara, meaning “the Lord who destroys sins”, an aspect of Vishnu. There are two Venkateshes in the thesis; to avoid confusion, I have treated one as Venk (a CWC youth worker with 20 years’ experience), the other as Tesh (a makkala panchayat president)
WHO	World Health Organization

[end of Glossary]

# Chapter 1: Introduction



On my arrival in India, and before settling on developing my thesis research project, I worked in a number of situations involving children<sup>1</sup>. One of the organizations with whom I worked was the NGO (“non governmental organization”) Vidyaranaya. I attempted to assist them in their efforts to support adult and child bonded labourers. The visit that I describe here, to the India Granite Quarry Mine on the outskirts of Bangalore, gave me a privileged and first-hand contextual experience of the circumstances and hereditary nature of bonded labour in India, and, of particular interest to me, the conditions of the lives of child labourers.

During my visit I had access to the makeshift living areas, built out of tarpaulin draped over wooden frames, the only respite from the scorching heat and the monsoon rains, in which the families lived sharing their accommodation with clouds of black swarming flies.

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<sup>1</sup> ‘[A] child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier’ (United Nations’ (1989) Convention on the Rights of the Child (“the Convention”)(Art. 1)). Most countries set majority at 18 years, in counterpoint to minority, the state of being a minor. The age of majority is a legally-fixed age, concept, or statutory principle, which may differ depending on jurisdiction. I have intentionally omitted the ages of the children whom I have quoted throughout the thesis because the concept of child in a postmodernist appreciation does not see the arbitrary break between ‘adult’ and ‘child’.

Through the tarpaulin, I could vaguely make out hammocks, slung from the roof frames, inside which hung sleeping or screaming. The child labourers I met gave disturbing accounts of how they had come to be living and working here.

Stephens (1995: 9) makes the claim that, while the lives of such children, and all those children living in extreme poverty and exploitation may be far from ideal, the notion of their being ‘without a childhood’ is not only emotive but culturally insensitive. Equally insensitive to context is ascribing value to the personal circumstances of people solely in the light of minority-world<sup>2</sup> socio-cultural contexts. However, in my view, to assert that such claims of universal absolutism cannot be made, allows the pendulum to swing too far to the relativist approach. Despite that, parents were aware that this was neither a happy life nor a nurturing environment for their children and these children certainly do not share a so called “minority-world childhood” but they do experience a childhood, albeit unrecognizable or undesirable against any reasonable international moral standard.

Happiness for Ennew (1986: 18) is a key term associated with childhood innocence; he goes so far as to state it as ‘an obligation of innocence’. The most that I can claim here is that parents wanted “more” for their children; they wanted a “better” life for them. My interactions with the children themselves, however, suggested that they knew no “more” or no “better” life. That childhood happiness is therefore relative, childhood itself must be socially constructed and holds profound meaning for contemporary society. It is the consideration of social construction as a theoretical paradigm which plays a fundamental role in the evolution of my grounded theories of children, The Child, and childhood throughout this thesis.

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<sup>2</sup> Throughout this thesis I refer to minority and majority worlds. A minority of the world’s population (17%) consumes most of the world’s resources (80%), this leaves almost 5 billion people living on the remaining 20% (Worldcentric, 2014).

My mother was mostly absent throughout my own childhood, struggling with alcoholism, and with no role model of motherhood from her own mother, she knew little of it. My father worked many long hours also in absence, to provide for my brother and me. He too, had no role model but he was, and still is, a caring, loving and supportive father. I am blessed that I do have, and that he is, my role model. My parents divorced when I was young, my brother and I were separated and I moved between relatives for irregular periods of time. We were later brought together and raised by our paternal grandmother. This decision and those made while we were young were not made by discussion with us but in our best interests as defined by him and my grandmother. While at the time harrowing, in retrospect we could not have wished for a better home. The resultant psychological impact has left me however, with a passion for children's predicaments at the hands of adults, which has taken me to a standpoint that extreme forms of child abuse – and this is my prejudice – should not be visited on children. A child's voice is what I wanted to understand and I could not find what I was searching for in books or journals. My voice is here in these pages, not because I want to say something, but because I have something that I want to say.

This thesis developed out of my Master's dissertation written for the University of East Anglia in 2006 which had focused on female survivors of the sex trafficking trade. Despite the apparent differences, there is a connection between my MA dissertation and this thesis. The embryo of my dissertation was formed during my initial trips to India where I became interested in the exploitation of children and practices that deny the individual child their capacity for agency.

India is home to the largest number of children in the world.  
Nearly every fifth child in the world lives in India.

(Ali, 2013: 22)

India's 2001 census indicates that 350 million (34%) of its population are children (Census India, 2008). However, the 2001 census defines

children as persons between 0-14 years, which means children in the 15-18 age groups are excluded from this statistic. The estimate for 0-18-year-old children in 2001 is closer to 400 million (GOI, 2001; Bose, 2003: 20-44). Of these approximately 400 million children, 35 million children are considered to be in need of care and protection. In addition, the majority of India's 300 million population living in poverty (out of its 1.2 billion population) are children. Two out of every five Indian children do not complete primary school (Save the Children, 2006a).

At the time of my initial visits to India, I began my own investigation into the issue of children's rights and made contact with several children's rights advocacy organizations. I designed a Master's research proposal aimed at examining the phenomenon of child trafficking in India, in particular my proposal to interview girls survivors of sex trafficking. My research proposal was declined by the University of East Anglia Ethics Committee. I was disappointed at what I saw to be a lacuna in research ethics involving so-called vulnerable populations. Following much investigation into the subject, I discovered there to be limited academic discourse surrounding it. As a direct result of the refusal of the Ethics Committee to approve my original research proposal, my dissertation focus shifted to the ethical considerations of researching females trafficked for sex, more specifically, the question of whether such research practices protect or conversely further victimize, victims of trafficking (Harrison, 2006). My research findings, along with my own experiences during childhood, drove my interest towards the rights of children to be heard in decision-making in matters affecting them.

Another of my prejudices is that children's views are important to participatory rights' discourse and, therefore, this thesis is grounded in what I consider children see as important in their efforts to participate in matters affecting them. This is a political discourse and so, while I was in India, this interest led me to a local government sponsored initiative involving children's participation that I had heard about while working for Vidyaranaya.

India has a strong civil society movement with progressive approaches to children's roles in public action. This inclusion of children in community development has slowly gained ground and child advocates in India have gained policy prominence at local, national and international levels (Hinton et al, 2008: 282). This thesis is of one such initiative being implemented in a small district called Kundapur, in the state of Karnataka in southern India, and this is where my research fieldwork is located.

The experiment is of children's village councils, "makkala panchayats" which are structured to parallel India's Panchayati Raj system of local government. Mahatma Gandhi advocated Panchayati Raj as the foundation of India's political system and referred to it as Gram Swaraj meaning Village Self-governance (Bates, 2005a: 176).

Makkala panchayats are the first experiment at a state level  
in extending citizenship rights to children  
(George, 2013: 1).

I conducted my fieldwork in association with the Nobel Peace Prize nominee, The Concerned for Working Children ("CWC"). CWC is a not-for-profit development NGO which adopts a rights-based approach to participatory development, citizenship, democratic governance and children's affairs. CWC is the innovator of the makkala panchayat initiative and has facilitated its process since its inception in 1995.

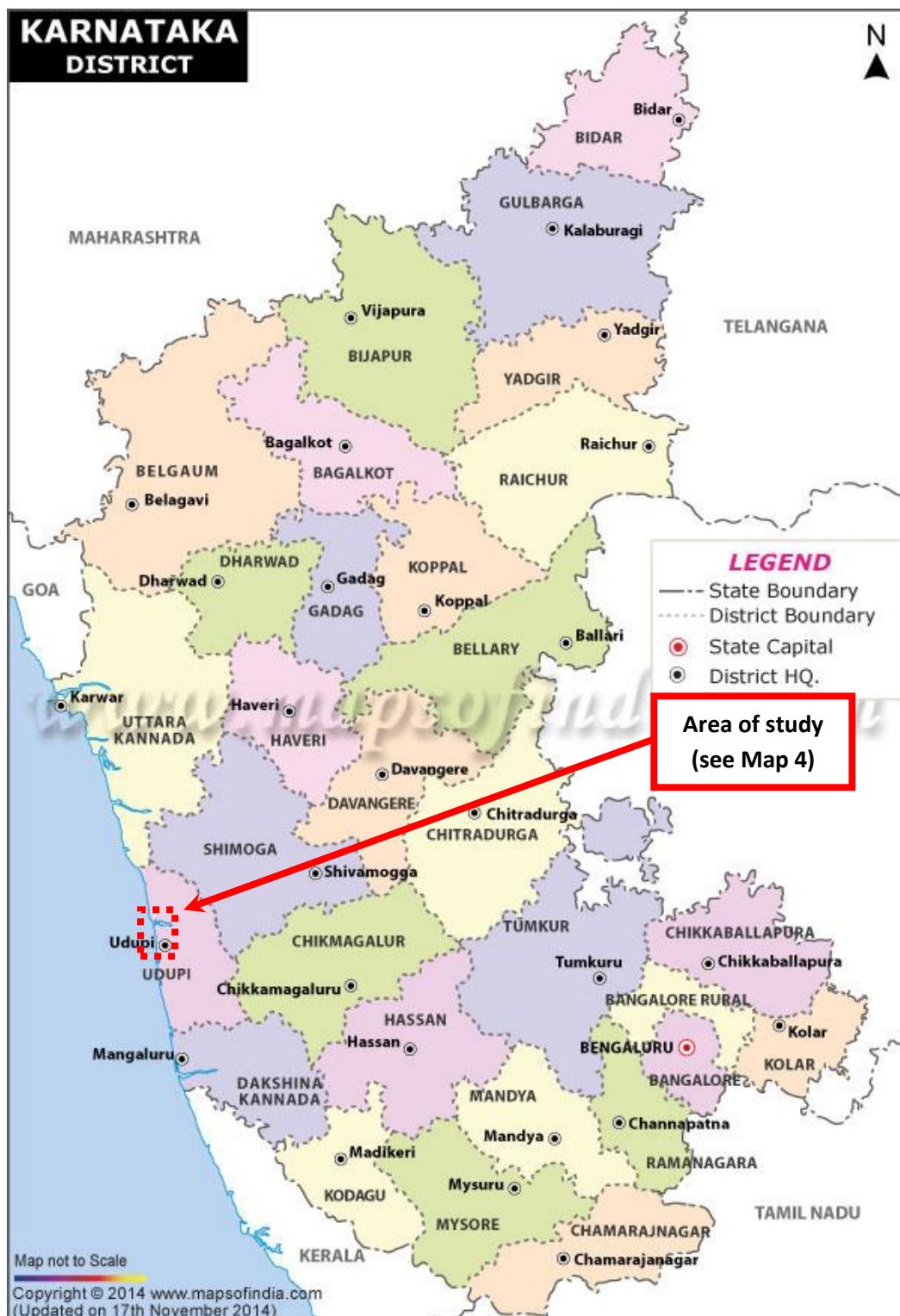
The motivation to do this research has been to address the problematic use of adult power or bureaucratic power that either helps or hinders the empowerment of children. This includes the issue of protecting children, making decisions 'in their best interests' (as defined by adults) that may, in effect, protect children as well as disempower, exploit, manipulate or instrumentalize them as well as overriding what the children actually want. This includes the framework of rights on the one hand and on the other the range of adult and bureaucratic interventions

and practices regarding the child through which these rights are mediated.

The maps following locate my area of study.



Map 1: political map of India © www.mapsofindia.com, 2014

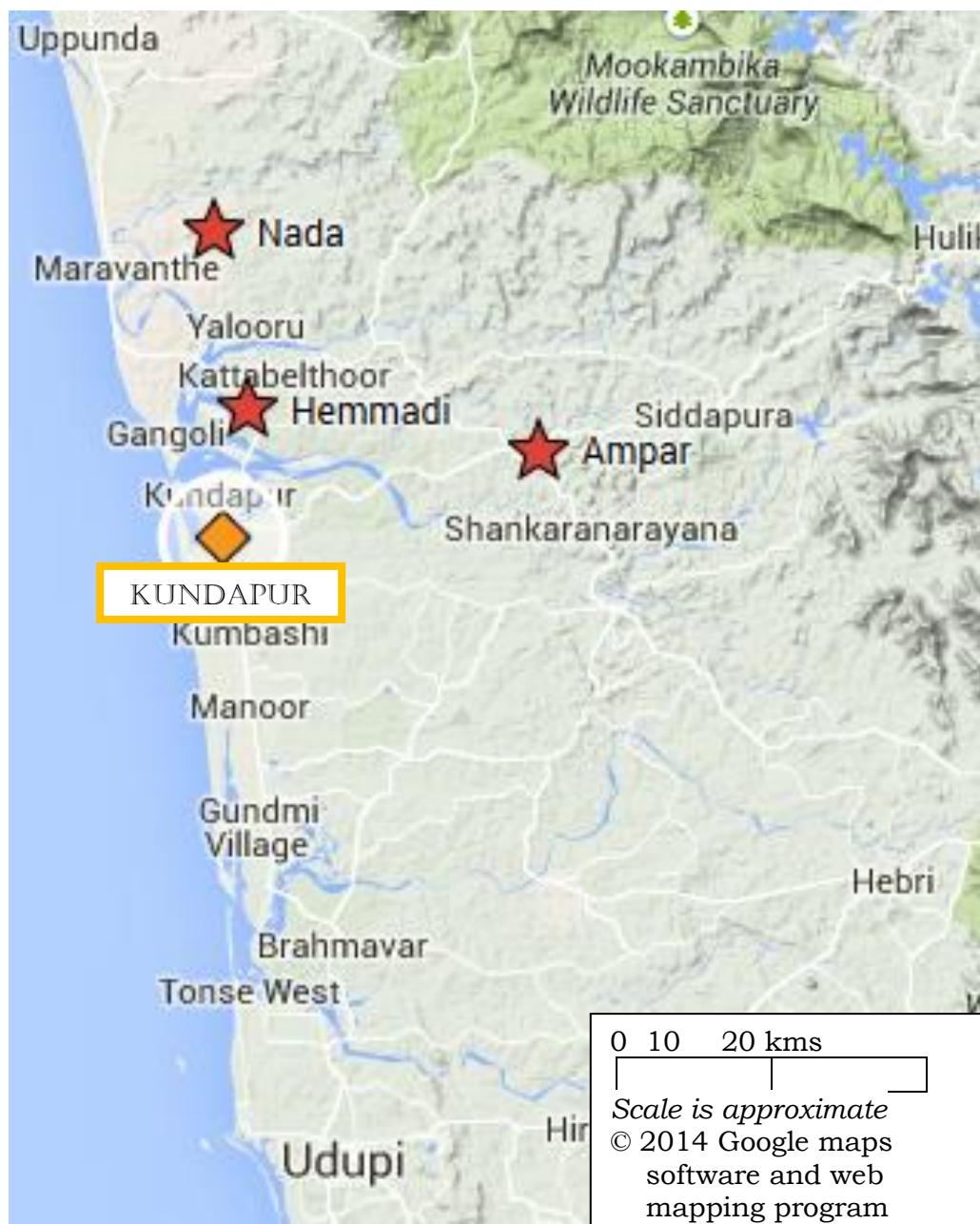


Map 2: political map of Karnataka © www.mapsofindia.com, 2014



Map 3: Udupi Zilla © www.mapsofindia.com, 2013

Kundapur Taluk is bounded on the west by the Arabian Sea and on the east by the mountains known as Sahyadri in Karnataka State. These mountains, the Western Ghats, run down the west coast of India. They are an imposing backdrop to Kundapur.



Map 4: The makkala panchayats, Kundapur and Udupi © maps.google.com software and webmapping programme, 2014

Although children are increasingly seen as social agents, the dominant view is that children are unable to make substantial contributions to society due to their immaturity and minority status. Childhood theorists counter this by emphasizing the importance of seeking children's views, an approach which underpins this study. However, incorporating children's own interests and views onto the political agenda has been described as the new challenge for social development (Williams, 2004: 5). White (2002) reminds, this new development agenda marks a major shift from the consideration of children as marginal subjects to the promotion of children as a development target group in themselves through the rubric of children's rights.

Despite an increase in children's participatory activities, there continues to be a lack of documented information available to reflect this and very few studies have been conducted to examine children's participatory processes or their outcomes (Sinclair, 2004). In particular, there is limited qualitative research examining the experiences and perspectives of the children themselves in these processes. Where it does, the focus is largely on the reasons why children do not participate in government processes rather than the reasons why they do.

In spite of a long tradition of scientific study of children and their development, little is known about the fabric of children's everyday lives – the activities, social partners, and interactions that form part of everyday experiences.

(Tudge & Hogan, 2005: 102)

Almost all children's participatory discourse refers back, at least implicitly, to the concept of power without identifying, clarifying and deconstructing what is meant by power and how power operates (Hill, 2005). Consequently, attempts to include children in political structures at local, national and global levels come up against powerful demands to protect and regulate children's social and moral development (Wyness, et al., 2004: 88).

While the limitations of participatory methods are often discussed, many questions surrounding the precise nature, politics and ethical status of children's participation remain largely unasked and unanswered (Hinton et al, 2008: 281). My research frequently reveals a vacuum of information or analysis in specific areas. Some of the most notable gaps occur in theory, since there is no theoretically or philosophically holistic approach to children's participation.

Recognizing children's right to participation is a gradual and positive change. Children's participation in the development and implementation of laws, policies and institutions is advancing piecemeal and the historical, philosophical, legal and experiential context of children's participation remains disconnected. What is needed is a greater understanding of how children's participation becomes embedded as an integral part of society. This thesis seeks to take at least an initial step towards addressing some of the voids and contribute in part to a greater level of understanding.

I analyze the makkala panchayat through the application of a theoretical, philosophical, legal and political framework. In particular, I have applied the United Nations Convention on the rights of the Child (1989) (the "Convention") as a touchstone. The Convention lays out in specific terms the legal, social and cultural rights of all children. My focus on the Convention is influenced in part, by its representing possibly the main origin of a legal notion of children's participation. It recognizes children's rights as human rights and children as social actors whose views and opinions should be expressed and taken seriously.

Human rights are universal legal guarantees protecting individuals and groups against actions and omissions that interfere with fundamental freedoms, entitlements and human dignity.

(UNHCR, 2006: 1)

In this thesis, I question the significance of my research to my participants. I wanted to get an understanding of whether they felt empowered by my research interest in their lives. I theorize that, in a small way, such a research project can contribute to a sense of identity, and a sense of confidence.

As an adult attempting to convey a world as seen through the eyes of children, in common with any adult researcher attempting to understand the experiences of children, I seek to understand how to evaluate child-focused research, inevitably affected by my adult filter, my female filter, my western-centric and English-speaking filter and my prejudice. I question the affect my lack of the local language has on my data collection.

The Convention is clear that all children should have equal opportunities for participation. In the makkala panchayats, I question the extent to which this is realized. Bearing in mind a need for facilitation and as the thesis has its focus on children, to the relative exclusion of adults; I question in what ways this exclusion will have limited my perspective. With regard to adults, who came into my frame at a late stage of my data collection, I dissect my relationship with the facilitating NGO, from the point-of-view of the participation aspect of the Convention. In addition, I question how the rights of parents are upheld in the implementation of children's right to participation.

The principal rights of the Convention are participation, protection and the best interests of the child. I question how these rights, created in the Convention as indivisible one from the others, work together in practice, particularly as there, I hypothesize, is a clear opportunity for the premise of one to counter or be countered by the premise of another. I am interested to detail how this potential conflict is mitigated on the ground. As a consequence, the key issues revolve around postmodernist discourses on children's participation in decision-making political structures, how this fits their right to protection and how best interests

are conceptualized and exercised. This has involved considerations of what it means to be a child, in the light of what has been called the New Sociology of Childhood. Cultural relativity understandings based in minority worldviews have informed my inquiry. I consider whether the three indivisible rights of children have been given due regard and, in outcome, been upheld. Participation, protection and best interests are all examined in the theoretical parts of the thesis.

Much of my thesis demonstrates the application of established theory to the unique ground of the makkala panchayats and I have concretized theory in relation to the field. Ambiguity in the sociology of childhood, identified by a number of authorities (e.g. Qvortrup et al, 1994; James & James, 2001), has created divergence between “childhood” and “children”.

[The researcher's] main goal in developing new theories is their purposeful systematic generation from the data of social research.

(Glaser & Strauss, 1967: 28)

My research data threw up commonalities which distilled into themes. As a result, the thesis concentrates on six thematic analyses: contextualizing and conceptualizing the lost childhood, burdens of childhood, risks inherent in childhood, the competency of children to participate meaningfully and freely, the homogenization of The Child and the authenticity of the child voice. As a result of my grounded theory approach, I came to understand the importance of the gatekeeper in this research location and have devoted no little time giving consideration to the ethics and practicalities of CWC, my gatekeeper. Throughout, I have been at pains to elucidate the actual words of my research sample population and give consideration to how and with what effect I play the role of moderator and filter to these.

The broad aim of my thesis has been to research what empowers or disempowers children in their participation in decision-making in local-level political arenas in order to investigate whether or not the makkala panchayats are beneficial. In the context of the Convention, I consider whether children's participation is in children's best interests and whether children participating in the makkala panchayats are given sufficient protection, again in their best interests. Additionally, I seek to discover how the community at large benefits from the makkala panchayats. I evaluate whether they offer the opportunity to develop strategies for political inclusion, for social normalization of rights' issues and for giving children a chance at a better 21st-century life. In short, are the makkala panchayats a good thing?

### ॥ ३ ॥

This is my creation myth of the makkala panchayats, how I believe they came to life.

Rural Kundapur is far removed from the opulence that is evident in many districts of India's cities. It is hard to believe that this country has almost achieved economic parity with the USA, China, and Russia in the world economy. India has arisen like a phoenix from the ashes of colonialism: but not for all. For many Indians, very little has changed. The children of Kundapur do not see direct benefit from the rising levels of wealth that are being enjoyed by certain strata of India's population. Kundapur's children and adults have experienced little, if anything, of that other world. These people are poor and they know it. That they rarely appeared to me to descend into self-pity suggests that there is more to their story.

The adults and children in these small village communities go about their daily lives with burdens on their backs, both metaphorically and physically. Many leave, hoping for a better life. Those who remain continue to struggle. Parents strive to send their children to school, or to

feed their families. Many are struggling with the effects of alcohol misuse that is prevalent in this region. The climate is harsh, the monsoons and the floods leave many homeless. People are forced to make hard choices: feed your children or educate them.

Children grapple with the lack of clean water and irrigation systems, with under-resourced schools and authoritarian systems of education. They help their parents and they parent their parents. They are carers and workers, they co-manage the household and they attend to livestock. And they play cricket.

They are fighters, these children; they are both victims and survivors. 'Damaged people are dangerous. They know they can survive' (Hart, 1991: twelve).

Along comes CWC, and this is how the children see the NGO.

They tell the children they have rights

They tell them you can speak

You can say your opinion

You must not fear

You must be as courageous as the lion

You can stop the exploitation

You can stop the discrimination

You can solve your problems

Make the adults listen

Come together, be strong as a group

Collect information

Understand your community

Make things change

You can make things change if you come together

You must fight

You have rights and adults are wrong

In a community of problems, of daily struggles, this hope wrapped in makkala panchayat paper, may seem irresistible.

So the children came together. They talked. They said they want their own children's panchayat. They said it must be for the children, by the children. They said they want to make things happen. They said that things must change. They have problems that only they can know. Only they can tell and they have a right to be heard.

Whatever the actual background or the ethics behind the beginnings of this process of change, it was children who got to work with this new-found knowledge, energy, expectation and hope. It was children who put in the hours. It was the children who did the work to get makkala panchayats off the ground and translated the words of CWC into their own words, into their own reality. They are imaginative, they are creative. I believe that when children want something, really want it, they usually work out a way to get it. And that is exactly what these children did.

# Chapter 2: A Methodology for Investigating Children's Participation

20 22

This chapter describes how my project came about and establishes its methodological approach, influenced by theory and cultural relativity understandings based in minority worldviews that have informed my inquiry. The methodology most suited to my research is grounded theory which came out of the work of Glaser and Strauss (1967). I proceed to introduce themes relating to children and the cultural understandings of childhood, social construction, the balance of power and qualitative research, particularly in relation to data-collecting interviews. I review some ethical considerations and how practical considerations impact on the ethics and objectivity of my research. I take account of crossing-cultures and how language, and its translation and interpretation, has affected my data collection and, consequently, its analysis. In concluding this chapter, I begin to consider some of the shortcomings in my fieldwork.

## 2.1 Grounded Theory

Grounded theory research involves the formulation of local understandings that without inquiry by the researcher remain implicit and unexplained.

(Guba & Lincoln, 1994: 106)

I started my fieldwork with no awareness of the methodological tradition in which I was intending to work. Simply, I went to Karnataka to see what I could see and, once seen, to derive what issues I could. I arrived with no agenda or hypothesis.

Grounded theory begins with a research situation. Within that situation, your task as researcher is to understand what is happening there and how the players manage their tasks and roles.

(Dick, 2000: 3)

Often used as a research methodology by people already working in a particular field, grounded theory methodology depends on the theory arising out of primary data. Grounded theory rejects the idea of scientific truth reflecting an independent external reality and has been construed 'as a reaction against the extreme positivism that had permeated most social research' (Suddaby, 2006: 633). Rather, it claims that scientific truth results from both observation and an emerging consensus as observers make sense of what they have observed (Suddaby, 2006). It came into academic research through the work of Glaser and Strauss (1967).

Grounded theory research is discovered empirically, through induction, not deduction. The focus of grounded theory research, on support from evidence promises to develop theories that minimally fit the immediate situation being addressed.

(Egan, 2002: 277)

Grounded theory aspires to reflect contextual values and not the (undeclared) values of the researcher (Egan, 2002: 278). However,

having initially collaborated to present grounded theory, Glaser and Strauss themselves created a rupture in the field which divided researchers into Glaserian or Straussian theorists.

[G]eneration of theory through comparative analysis both subsumes and assumes verification and accurate description, but *only* to the extent that the latter are in the services of [theory] generation.

(Glaser & Strauss, 1967: 28 *their emphasis*)

Heath and Cowley say that Glaser 'remained true to this commitment' (Heath & Cowley, 2004: 144), placing emphasis on induction and theory emergence, whereas Strauss stressed the importance of deduction and verification suggesting that the role of induction was overstated (Heath & Cowley, 2004: 144; Bryant, 2009: para. 21).

Allen (2010) identifies the four main strands in discussion of grounded theory as embodied in the following works:

- 1 Glaser and Strauss (1967) *The Discovery of Grounded Theory*;
- 2 Strauss and Corbin (1998) *Basics of Qualitative Research*;
- 3 Charmaz, K. (2006) *Constructing Grounded Theory*; and
- 4 Clarke, A. (2005) *Situational Analysis*.

By 2011, Babchuk is describing grounded theory as 'a family of methods'. What began as a straightforward proposition, that a theory can be induced directly from an examination of data from the ground wherein 'the facts are friendly' (Cooper, 2008), continues to be an academic discourse. Dev (1999: 23) notes the irony; the paradox that a methodology based on "interpretation" is itself, so difficult to interpret. Graham and Thomas (2008) state that the main features of grounded theory include:

using empirical research as its starting point; an iterative process of data collection and analysis; producing explanations that are recognizable to the subjects of the

research; being geared to modest localized explanations based on the immediate evidence; an emergent design and being linked with qualitative research, exploratory investigations, small-scale studies and research focusing on human interaction in specific settings.

(Graham & Thomas, 2008: 116)

This describes my approach. I interviewed in the day and wrote up the interviews in the evenings. While writing up, I was, without employing a formal coding process, identifying and acknowledging themes as they appeared.

Suddaby (2006: 634 onwards) addresses six 'common misconceptions' about grounded theory. Grounded theory, he considers:

- 1 is not an excuse to ignore the literature (which I have not);
- 2 is not presentation of raw data (which I present only as supporting evidence);
- 3 is not theory testing (I had no theory to test), content analysis (I do not only analyze the content of my data; I also use it as a springboard to address strands of academic dialogue, while attempting to remain true to my data);
- 4 is not simply routine application of formulaic technique to data (my project draws theory from the lives of Kundapur children who have messy lives which do not submit to formularizing);

and

- 5/6 is not perfect and is not easy (I agree)

Ryan and Bernard (2000) locate thematic coding as a process performed within analytic traditions, such as grounded theory, rather than a specific approach in its own right. Conversely, Braun and Clarke (2006: 78) argue thematic analysis should be considered a method in its own right. I find it difficult to see a difference between these two positions.

In a wide-ranging critique of grounded theory, Thomas and James (2006) claim there is little in the approach to distinguish it from normal

qualitative studies: it 'oversimplifies complex meanings and interpretations in data ... constrains analysis ... depends upon inappropriate models of induction and asserts from them equally inappropriate claims to explanation and prediction' (Thomas & James, 2006: 768). Strauss and Corbin (1998: 295) emphasize the need to use common sense, to trust oneself and the process, not to worry about the correct way of researching but, within the general guidelines, to remain flexible according to the ability of the researcher and the realities of study.

It is well suited, however, to the analysis of data collected within organizations by means of participant observation, direct observation, semi-structured or unstructured interviews or case-studies.

(Turner, 1983: 335)

The use of grounded theory for the qualitative analysis of organizational behavior within ethnographic studies has a long tradition and this is where I situate my project. It considers data collected from organizations, the makkala panchayats, by means of direct observation, semi-structured and unstructured interviews with children and adults.

If there is anything universally distinctive about participant-observation fieldwork, it is that it is a socially structured, existential crucible.

(Katz, 2004: 305)

In practice, I found myself in a study that lended itself to grounded theory as it were by accident; I did not begin the Ph.D project intending to use grounded theory as the underpinning but this is the way it has turned out. However, I have found, certainly post-fieldwork and in the analysis of my data, that grounded theory has allowed me to distil a range of themes and a set of conclusions that I believe are both valid and new.

## 2.2 Children, meaning and construction

Research with children is imbued with cultural understandings of childhood, the meaning of childhood and the meanings assigned to children's "voices" (Alldred & Burman, 2005: 175). This consequently affects decisions about the direction of research or the data collected and the attention paid to reflexivity throughout the process. Failing to interpret meaning based on cultural discourse, according to Gergen (1985), seriously risks the misrepresentation of data. Christensen (1999: 30) argues that the concept of childhood altogether should be regarded as a focus of empirical, rather than analytical, enquiry. '[I]t is not *whether* but *how* a child's views should be accessed' (Tisdall, 2012: 185). Nevertheless, the social worlds of children fall under constant adult surveillance (Brannen & O'Brien, 1994).

Throughout most of the twentieth century, research with children was largely dominated by a positivist paradigm and the quantitative approach has merit in capturing the parameters of childhood and children's lived experience. The concept of "reality" considers it to exist "out there", something to be studied and understood scientifically. However, in the 1990s, a counter-paradigm emerged and social construction and its qualitative approach have been growing into a post-positivist perspective. This paradigm shift has witnessed the changing positioning of children in research and has facilitated theoretical and practical reconceptualizations of both children and childhood.

Whilst I have included some quantitative data in my research, a qualitative methodological approach, it seemed to me, was best suited to my topic. Whilst acknowledging Nastasi and Schensul's claim that more quantitatively-oriented approaches preserve the 'researcher's (outsider's) perspective or *etic* view', my aim was to capture '[t]he *emic* or insider's view through a meaning making process' (Nastasi & Schensul, 2005: 181).

As a simulacrum, a perfectly miniature and coherent world in its own right ... Every interview text selectively and unsystematically reconstructs that world, tells and performs a story according to its own version of narrative logic.

(Denzin, 2001: 25)

The interviews were driven by the nature of the data which arose or was introduced by the interviewee. This data analysis is conducted through me; I am both the medium and the “lens”, shaping its production, its interpretation and analysis.

Post-positivist research relies on multiple data collection methods to reach an in-depth understanding of the subject. The qualitative research process, in fact, is characterized by its multi-method focus (Denzin & Lincoln, 1994, 2000). Rather than providing exclusively factual accounts, interviews and observations may have been supplemented with other techniques, ‘the translatability ... at the different levels (lexical, syntactic, semantic and pragmatic)’ (Hale & Campbell, 2002: 17)). More time in the field could have provided better triangulation of data (Brannen, 1992). I certainly would have liked to have used creative methods such as artwork, focus group discussions, role play, drama, creative writing, storytelling and biographies or other methods the children themselves could choose. The problem is that they tend to be translated into text at the analysis and presentation stages, text favoured over other forms of communication.

Richardson (1994) questions the assumption that there is a fixed point or object that can be triangulated and offers the metaphor of a crystal. Each representation can be seen as a facet of a crystal and crystals ‘reflect externalities and refract within themselves, creating different colours, patterns, arrays, casting off in different directions. What we see depends on the angle of our repose’ (Richardson, 1994: 522). Brannen (2005: 176) cautions ‘[d]ata collected from different methods cannot be simply added together to produce a unitary or rounded reality’.

Primary data collection involved individual and group-based methods, *viz.* semi-structured interviews and observation-based methods. My secondary data was drawn from document-based methods and literature reviews, sourced from books, academic journals and CWC literature. I examined literature relating to children's participation in decision-making, child development and children's rights while being mindful of the cultural appropriateness and credibility of sources. 'There is typically not a precise point at which data collection ends and analysis begins' (Patton, 1990: 377).

I conducted 105 interviews with 113 children and adults, lasting approximately one-to-two hours each. These enabled a much deeper level of exploration and were steered, as much as I was able, by the individual perceptions and experiences of each respondent.

Non-participant observation was adopted to gain an additional layer of understanding. I observed children participating in three makkala panchayat meetings and one makkala gram sabha. There were interactions between children, between children and their families and members of their communities, between CWC fieldworkers and between children and government officials.

I intentionally avoided an approach based on participation-observation, since my aim was to further understand the research setting and, where possible, verify information gathered through interviews and literature reviews or open up further areas of enquiry. Overt participant observation was also used at the preliminary stage of the fieldwork prior to framing the semi-structured interviews.

All interviews, bar one at the request of the child, were audio-taped and from these I have generated a set of *verbatim* transcripts. I maintained paper and mental checklists and a translator was present throughout. Children often greeted me with "Who are you?" This enquiry encapsulates one of the key processes of research, the 'working through

of the wider notions of who we are to each other' (Christensen, 2004: 166). Often, in interviews with children I would begin with an ice-breaker<sup>3</sup>, saying something about my home or my life. This often ignited interest and questions. I ended each interview by asking if they had questions for me and often they had very many questions for "the foreigner".

I was not able to interpret my data until I had written it down, by trawling through the transcripts of my tape recorded interviews, conversations, fieldnotes and journals, and was 'fully immersed in the narratives of these texts' (Wright & Flemons, 2002: 266). This allowed me to identify themes that became clear only after primary data collection, a process that involved me making meaning around the story that emerged in the interviews. I found, paradoxically, that the relationship that had developed between the child and me becomes a context that both opens up and closes down aspects of the story.

The intended aim and purpose of my research was purely investigative. Neither children nor adults were involved in its initiation, design or analysis. It was adult-led, adult-designed and conceived from the adult perspectives of me and CWC. Research participants were consulted and given the opportunity to comment on the research design but did not interpret the data or verify the analysis or research findings; moreover, they demonstrated no apparent desire or interest in doing so. Nonetheless, I do not have an antipathy toward the proactive role of children in my research. Rather, it was determined by practical resource limitations. My assessment was that a participatory methodology would have taken more time and resources in the field.

In considering how my research participants responded to me, I very quickly understood that I would need to give my attention to the power dynamic that was created within each interview. To ignore relations of

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<sup>3</sup> A facilitation activity to dispel psychological barriers and encourage active participation.

status and power within the research process would be to overlook the multiple ways in which power and authority arise and are negotiated, not to mention neglecting participants' and researchers' frames of reference<sup>4</sup>. In my research, I needed to be aware that power and its effects may affect what was construed and, as a consequence, learned. Power in my research situation, as in any other, is a counterpoint to trust. Lee (1993: 133) suggests that, if research participants do not trust, they may erect "fronts" designed to impede the researcher's progress. Such deflections include: hiding a truth perceived by the child to not fit what the child thinks the researcher is looking for; muddying the water for the researcher, lest the researcher discover a truth that the child finds uncomfortable; and deliberate lying.

Oakley (1981) writing about the interviewing process suggests that the interviewer defines the power dynamic, thereby defining the role of the interviewee as subordinate (Oakley, 1981: 238). Likewise, Glesne and Peshkin (1992) question whether non-hierarchical relations can ever be truly present in interviews. They suggest that, between them, the participant and researcher can merely achieve reciprocity, and this is as good as it gets. I felt in the interview situation a sense of dominance that I did not wish to have, but did have, and, not least because of Usha's presence, had an effect on the interviews that impacted on the transactions.

Christensen (2004: 175) acknowledges the complexity of power, writing that it is always transient, produced and negotiated through social interactions. Similarly, Limerick and others (1996) suggest that the dynamic in research is such that, at any time during the interview, neither the researcher nor the participant is devoid of power; rather the power is constructed discursively between both parties. For them, the interview is experienced as a power struggle rather than a co-operation.

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<sup>4</sup> By "frame of reference" I mean the typical way in which someone makes sense of the world according to experience, culture and values. It is acknowledged that the individual's frame of reference as it applies to each experience is idiosyncratic (Feltham & Dryden, 2004: 119).

The interviewer largely controls the direction, length and focus of the interview and the participant, by definition, acquiesces to these objectives, while offering meaning and potential order in what Denzin (2001: 25) refers to as 'interpretative practice'. From this perspective, both me and the interviewee were active, but we were active in different ways (Hiller & DiLuzio, 2004).

Like Christensen (2004: 166), I am viewing power not as categories but rather as social representations that are produced and negotiated. For example, I was struck by the extent to which I felt that research participants, both children and adults, regarded me as a student, someone who needed their help. I was being taught and they were very much the experts. Power existed between us, owned by neither, but fluid and mutual.

The power exercised by adults was always present, despite my attempts to mitigate it. Interestingly, the power dynamic is never conspicuously exercised. Heath and others (2004: 12-13) argue that researchers should be careful to remember that children actually do know that an adult is not a child. From a more empathic approach, Mayall (2000: 121) 'accepts the generational order' but acknowledges that children 'think otherwise: a central characteristic of adults is that they have power over children'. Children adapt to the social construction that label "children", a construction imposed by adults. Children, as subordinate to adults, may seek to negotiate around these constraints; they are skilled in manipulating this construction and adept at drawing power to themselves when they need to.

We tell the parents what they want to know then we do what is right, we know what is right and sometimes parents don't.  
 (Nikkita, makkala panchayat, 14th October 2008)

I sought to minimize the authority I conveyed by my use of informal language, albeit through a translator, and sitting at the same height as

the child whenever possible. Following Butler and Williamson (1994: 46), I attempted at a light and humorous interaction, 'serious listening inside a funny shell'. Yet differences in social status remained. Some children and adults may have perceived that power resided with me. I cannot know how they perceived me, our relationship or the study, and I cannot always have been aware of, or attentive to, shifts in power. The insights I gained from comments and body language led me to presume that the participants did perceive power resided with me. This feeling was not mutual and I certainly often felt powerless. I had very little control over the process of data collection *per se*. I was also unfamiliar with the research setting, cultural differences and language.

Generally, I do not believe the power dynamic created false responses to me in my participants during interviews. This is due to both my minimizing the power in the dynamic that I recognized while interviewing and to the participants being able to attract power to themselves in order to talk freely with me. An example of this would be how open the children were when talking about the thorny issue of arrack shops that children attempted to close against adult wishes, an episode I describe later. In any research involving interviews, it is clear to me that the researcher needs to be aware of power imbalance and flux in order to address it, if necessary verbalizing her awareness to the participant. If one is clear with participants, there is a tendency for them to speak plainly and honestly. I conclude from my research interviews that the affect of power migration from participant to researcher and back again, if attended to closely, does not negate the validity of the interview.

I conducted four semi-structured group interviews, each lasting approximately two-and-a-half hours. I found these to be not only useful in identifying themes for further exploration, allowing me to verify information with data generated through individual interviews but to counter some of the power imbalances that their interaction with me presented. As a "stranger", I was potentially intimidating and so I sought

to offer the children some form of psychological protection at these first meetings by having adults known to them alongside me. These groupings were relatively informal, which bred familiarity.

Through a semi-structured format, I was able to observe group dynamics, especially issues of power between the children reflected in leadership, assertiveness and dominance. On occasions, certain boys were mischievous and disruptive and Usha and I asked them to respect other group members. When they continued, we invited them to withdraw from the research but none of them did. I tried to overcome this group dynamic by urging quiet members to express their opinions. Nonetheless, these groups appeared enjoyable and the children seemed to have more fun than in the individual interviews.

### 2.3 Ethical considerations in the field

Morrow and Richards (1996: 101) suggest that the choice of research location may be equally as important as methodology, since children behave differently in different settings.

Different sites may serve to define a participant as having valuable knowledge to contribute, or, conversely, can constitute the researcher as holding expert knowledge.

(Elwood & Martin, 2000: 655)

Devine portrays school and schooling as ‘something ‘done to’ children, legitimized by a discourse which prioritizes adult/future-oriented needs and expectations’ (2002: 312). Seven interviews with children and two interviews with teachers were held in Sanjaya Gandhi High School, in Ampar. The school setting, always a location of adult-child power imbalance, potentially constrains the extent to which children are free to exercise choice. David and others (2001), in their work on children and school-based research, argue that participation risks verging on coercion: ‘educated consent’. A desire to please or fear of non-

cooperation may, in effect, hold children “hostage” or, at best, position them as ‘captive subjects’ (Robinson & Kellett, 2004: 91).

The experience of listening was central to the research both in the design of my methodology and in its aim.

[Y]ou have to be willing to hear what someone is saying, even when it violates your expectations or threatens your interests. In other words, if you want someone to tell it like it is, you have to hear it like it is.

(Reinharz, 1988, in Bridges, 2001: 381<sup>5</sup>)

[One has to ...] recognize the potential of harming those we study when we ask people to “tell it like it is.”... Can anyone give another person or group a voice? I believe not – rather, we can tell the story of our trying to give a voice to another group, presenting the group’s speech as contextualized in the process of listening to it.

(Reinharz, 1994: 196-197)

To listen to people is to empower them. But if you want to hear it, you have to go hear it, in their space, or in a safe space. Before you can expect to hear anything worth hearing, you have to examine the power dynamics of the space and the social actors ... Second, you have to be the person someone else can talk to, and you have to be able to create a context where the person can speak and you can listen.

(Reinharz, 1988, in Bridges, 2001: 380-381)

I certainly felt uncomfortable conducting interviews in school; children missed lessons and to me, their freedom to consent was problematic. I was not privy to this arrangement which had been agreed and organized prior to my fieldwork.

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<sup>5</sup>This quotation has been cited as above a number of times in the literature, such as by Fine (1992: 215) and by Bridges (2001: 381), as will be seen from the entry in my Bibliography. However, I could not source Reinharz’s original 1988 conference paper. On writing to Professor Reinharz, she directed me to the “final” version of her paper as it turned out, a book chapter (Reinharz, 1994). Although similar, the final form of words in Reinharz 1994 is not exactly the same as those quoted for Reinharz 1988. However, I am attracted to the form of words used in Reinharz 1988, possibly because of the passionate style of its language, as intended for a live conference audience.

Five or six interviews were conducted in public, for example, in the shade of a jujube tree or disused school or government building. However, the home had been identified by CWC as the best location, on the grounds that “If you want the information, you must go to the homes to get it,” and so, the majority interviews were conducted there.

It is argued (Greig et al, 2007) that, if research involving children is to be successful, then the researcher’s relationship with parents must be good. Fundamental to this process is gaining trust. The children and adults I conducted my fieldwork with may not have been freely able to feel a trusting relationship with me. On entering homes with Usha I noticed that, in some places, Usha had visited before by the reaction of the family. In other homes, it was clear that this was Usha’s first visit.

Interviews are best conducted with only the interviewer and interviewee present (Fontana & Frey, 1994) and, with the exception of Usha being present, this was possible in interviews with government officials, teachers and CWC fieldworkers. However, it was impossible, and in my view inappropriate, in the cramped conditions of a village setting, to avoid the presence of family members or neighbours.

‘If you want to talk to the children, you have to go to them’ (initial meeting with Lolly, CWC, 30th September, 2008). Many houses were deep in the forest and we travelled at times, it seemed forever, to reach a child’s home. This was not the easiest method; it was time-consuming, exhausting. But in retrospect, it was the only road to travel.

The children would run excitedly to greet us. They wanted to show me where they lived; they wanted me to see their family. I knew I could not reciprocate their kindness, their generosity and the warmth of their welcome. They would never see where I lived. They would never meet my family. They would never come into my home. The inequality here was palpable, so much so that I questioned my own ethics: “Is it right that I am here?” On balance, I consider that my use of the data I collected

from these families has been treated in an ethical manner and respectfully.

I was often fading as I entered into yet another home, into yet another interview. En route I sometimes wondered how I would get through it but, once I arrived, I thought knew nothing of these things. Families and children were so happy to see me, I was immediately energized. I was welcomed here. The words they gave me were, unknowingly to them, such special gifts, "We're so happy that you come here," "It's so good that you come here to speak to our children," "We're happy that you come so far to meet us," "You make us happy you are here." These words were the ultimate fieldworker's gift. CWC were right, it was right to come to their homes. They considered it an honour, as did I.

Passers-by would stop what they were doing, peer through windows, peep through doors, watch from behind nearby out-houses or chicken coops to view in awe, fascination and sometimes complete bewilderment at the incredulous spectacle before them. The spectators also had the opportunity to contribute, albeit on an *ad hoc* basis, to my data collection. At times, their presence appeared to prompt children's memories. However, they also without doubt exerted influence.

As I sat to interview these children, they watched, bewildered, as I switched on my tape recorder and amused them when I tried, in vain, to get it to work. I was a foreigner here to listen to what they had to say, to write notes, notes they could not read. They talked in blind faith to me, as I did to them. Often family members had stayed home from the harvesting to meet me. Many struggled to feed their families: to lose a day's work was quite some testament.

The children were unaccustomed to interviews and certainly unfamiliar with experiencing their words being used in a way they had no understanding of. Everything about the interview gripped their attention, as they did mine. I often felt awkward drawing the interview to

a close. Many times we overran, I did not want to leave, or they didn't want me to leave. Every day it was like this, but I read this as a sign that I must be doing something right. As Usha and me drove away and onto the next home, the child would run back home along the dirt track in a cloud of dust, or disappear silently into the forest, swaying branches the only clue. While I was leaving, they had already left.

The total research sample was populated by 113 people: the child population of which was 56, and adult population was 57. The children were makkala panchayat constituency members or elected representatives drawn from each makkala panchayat according to its level of "activity". I was informed by CWC that all children interviewed were included on the basis of criteria that they themselves had drawn up. These were; leadership qualities and responsibilities, speaking, courage (of the lion), patience, enthusiasm, equality, observation, following the criteria and ground rules, helping nature, making use of opportunities, care about the village, time sense, honesty, problem-solving, explaining things well.

Child Participants		Ampar	Hemadi	Nada	Totals		
					Boys	Girls	All
11yrs	Boys	1	2	0	3		
	Girls	2	1	2		5	
	All 11 yrs	3	3	2	3	5	8
12yrs	Boys	3	1	1	5		
	Girls	1	2	2		5	
	All 12 yrs	4	3	3	5	5	10
13yrs	Boys	3	2	3	8		
	Girls	1	1	2		4	
	All 13 yrs	4	3	5	8	4	12
14yrs	Boys	4	1	3	8		
	Girls	1	2	2		5	
	All 14 yrs	5	3	5	8	5	13
15yrs	Boys	2	3	3	8		
	Girls	1	2	2		5	
	All 15 yrs	3	5	5	8	5	13
<b>Totals</b>		19	17	20	32	24	<b>56</b>

Table 2: Child population of the study

The children presented to the study by CWC were in the boy-to-girl ratio of approximately 3:2. This inequality was disappointing but not fatal to my study. Generally, the CWC approach was towards equality with regard to gender that it displayed through its application of the reservation system of Indian local governance to the constitution of the makkala panchayats. Additionally, CWC required that I include in the study all children who wanted to be included in the study. In my sample population, I believe any effects of the 3:2 ratio were diminished by the in-depth interviews with girl participants, just as much as with boy participants.

Some adults, although keen, were unable to participate since the fieldwork was conducted during the harvesting.

<b>Adult Participants</b>	Ampar	Hemadi	Nada	Totals
Unelected Official	1	1	3	5
Teacher	3	4	3	10
Elected Official	3	5	2	10
Lawyer	1	1	-	2
Parent/Family	16	6	8	30
<b>Totals</b>	<b>24</b>	<b>17</b>	<b>16</b>	<b>57</b>

Table 3: Adult population of the study

My study was dependent upon access through a “gatekeeper”, by which I mean the person or organization that controls, or constrains, access to research assets, including human or material resources. Lee (1993: 123) distinguishes between physical and social access, where social access crucially depends on establishing trust.

The process of identifying an appropriate agency was unexpectedly difficult, frustrating and time-consuming. I approached several agencies, and walked into many dead ends. Following many conversations and meetings and fact finding, I came across CWC, an impressive organization with extensive experience of working with children. As advocates of children’s rights they are well-versed in the practice of children’s participation. We collaborated on the data collection design and many of the practical issues they raised during the initial stages had been overlooked by me, their informed and experienced input was invaluable. This included their creating the daily schedule, a driver who was familiar with the difficult terrain, my living on campus. CWC

provided me with a translator who knew the children which, while this was a double-edged sword in some respects upon which I reflect later, provided a quick enrich I reflect later, provided

CWC is an activist organization and, as gatekeeper, also has the opportunity, if not the inclination, to gain access through me to the research community, gaining information as well as harvesting the kudos associated with their involvement. I make no suggestion that CWC used my research to advance its own agenda and certainly I have no proof of this but I did feel the need to be aware of the possibility.

CWC do have influence in the community and, by association with them, I may have been perceived as advocating or endorsing the makkala panchayat and their other field programmes. I attempted to make clear that I, in no way, represented CWC and that it was not my aim to promote makkala panchayats. Furthermore, research participants' involvement with CWC may have influenced their willingness to discuss any negative aspects of the organization's philosophy, strategic aims or field programmes, including the makkala panchayat. I felt, at times, constrained by my reliance on them. This was also CWC's first experience of working in association with a Ph.D student and, while there were learnings to be had on both sides, the relationship was not an easy ride.

Ethical challenges in research arise primarily from inequality, difference, risk and uncertainty (Bond, 2004a: 4). These are compounded in cross-cultural research with marginalized populations. There is no course of action that seems to me to satisfactorily address them. 'Judgments made are inescapably personal if moral in kind' (Gregory, 2003: 3).

Some people think that morality is now out of date. They regard morality as a system of nasty puritanical prohibitions, mainly designed to stop people from having fun.

(Singer, 1993: 1)

That I have been conscious of the inequity, and draw attention to it, is the best I can achieve here. Researchers appear to be held in some kind of ethical or moral esteem by the public at large and, in particular, research subjects. When a participant's freedom of choice to informed and meaningful consent is less than straightforward, as the case in this study, I attempted to minimize impact by adhering to certain ethical guidelines. Ethical research practice is part of what the BERA guidelines consider 'educational researchers should operate within [that is] *an ethic of respect* for any persons involved in the research they are undertaking' (BERA, 2011: 5; *my italics*). Farrell (2005: 4) reports that ethical research standards are considered by some to be a normative utilitarian set of behaviors, albeit a set that may not always account for socio-cultural contexts.

Aristotle conceives of ethical theory as a field distinct from the theoretical sciences ... [and i]ts principal concern is the nature of human well-being. Aristotle ... regards the ethical virtues (justice, courage, temperance and so on) as complex rational, emotional and social skills. ... What we need, in order to live well, is a proper appreciation of the way in which such goods as friendship, pleasure, virtue, honor and wealth fit together as a whole. Practical wisdom, as he conceives it, cannot be acquired solely by learning general rules. We must also acquire, through practice, those deliberative, emotional, and social skills that enable us to put our general understanding of well-being into practice in ways that are suitable to each occasion.

(Kraut, 2014)

Although he wrote in the 4th century BC, this summary of Aristotle's views seems to me as valid today as when it was first written. Ethics, in theory and in practice, have exercised people's minds ever since. Guidelines and codes of conduct are helpful in setting broad parameters but can fail to account for the complex situations that inevitably arise during the course of qualitative research, as foreseen by Aristotle.

Ethics don't come from the first world. They don't come from books. Ethics come from the realities on the ground.

(Chowdhury, 2006)

Bronfenbrenner's probably tongue-in-cheek suggestion that 'the only safe way to avoid violating principles of professional ethics is to refrain from doing social research altogether' (Bronfenbrenner, 1952: 453) is denied by Norris, whose conclusion indeed seems more ethical and logical.

If you are immobilized by them [taxing ethical issues], research fails in its duty to take difficult complex social issues and put them under scrutiny. It seems to me unacceptable that what flows from research is that it's too difficult so, therefore, we won't do it. That seems to me unacceptable.

(Norris, 2006)

Originally written in response to the medical "experiments" carried out under the Hitler regime, the main ethical standard of the Nuremberg Code<sup>6</sup> is the voluntary and absolute consent of research participants (Elnimeiri, 2008: 94).

Voluntary informed consent is a decision to participate in research, taken by a competent individual who has received the necessary information; who has adequately understood the information; and who, after considering the information, has arrived at a decision without having been subjected to coercion, undue influence or inducement, or intimidation.

(CIOMS, 2008: 16)

Consent 'stems from the value of autonomy or self-determination' (Jones, et al, 2010: 29). 'Merely hypothetical consent does not have the moral standing of actual free and informed consent' (Jones, et al, 2010: 30). I saw obtaining consent as an ideal rather than as an achievable

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<sup>6</sup> The Nuremberg Code 1947 is an important post-holocaust landmark which sets out ten ethical standards for ethical research practice.

goal. The reality of securing consent may be difficult or impossible in any complete sense, but I felt there was no excuse for giving up trying.

The children whose data I am reporting expressed no concern about it being made public and, indeed, wanted their names in print. They were proud to be a part of the study. By maintaining their identity, I was able to acknowledge their contributions in a way that they wanted. Moreover, the fundamental principle upon which their involvement is based is to have their voices heard, to be recognized, be valued in their own right, and on their own terms.

Bond (2004a) says ethical good-practice in research as participants' ability to retain the right to modify or withdraw their consent at any time for whatever reason. Problems arise over the notion of maturity and the legal framework for children's rights tends to hinge on the decision by others as to whether a child is sufficiently mature to make his or her own decisions (France, 2004: 180). CWC determined who would take part.

Parental consent has traditionally been a prerequisite for children's participation in research (Alderson, 2010). This is despite UNICEF's assertion that 'parental consent is not an adequate standard in light of the rights of the child' (UNICEF, 2002: 5). A child who is able to understand the nature and consequences of the research has the capacity to decide about participation without the need for parental permission.

Parental responsibility is not the determining factor for a child's participation in research where a child is mature. A child who has the capacity to understand fully decisions affecting his or her life automatically has the capacity to make that decision.

(Masson, 2000: 39)

Heath and others (2004: 18) doubt that parental wishes will be overridden and it certainly appeared to me unlikely that parents would be given the final say. An individual's freedom to exercise choice, to participate, to withdraw, to remain silent is an important consideration in this research context. CWC had an existing relationship with participants and their community. I attempted to stress that unconditional withdrawal from the research would have no effect on their relationships with CWC, government officers, or other members of the community. A protocol I had agreed with CWC prior to fieldwork.

Lee (1993: 124) affirms that, in most cases, researchers are not in a position either to influence the gatekeeper's decision, to deny participation or to seek alternative consent. With regard to children, it was my hope that their direct knowledge and experience of exercising rights through makkala panchayat activities may have affected this "freedom". I could not assume this to be the case at the initial stage of fieldwork. With regard to adult participants an oft-expressed criticism of the makkala panchayat was that too little information was provided to them. The more the children and adults were aware of their rights, so my role with regard to the protection of their rights was more straightforward (see Robinson-Pant, 2005: 107).

I was mindful that they might not have understood their rights or their ability to exercise them. To have knowledge of, or direct experience of one's freedom to exercise rights presents a distinction between the freedom of choice the potential participant has as a consequence of subjective values and beliefs and the freedom they hold as a consequence of the values and beliefs exercised and imposed on them by others (Botti & Iyengar, 2006; Leotti et al, 2010).

It is not just children and young people's competence to consent that is dependent on context and substance, but that context and substance also inform how they understand the

research and make decisions about whether or not to participate.

(Edwards & Alldred, 1999: 266)

A participant's decision to participate in research includes:

- (i) having to evaluate the personal stakes involved;
- (ii) feeling forced into having to make a decision; and
- (iii) difficulty in evaluating the risks and benefits

(Stone, 2004: 46).

Yalom (2002) suggests that the decision may involve more than weighing perceived risks against perceived benefits, uncertainty of what an individual wants or that they have no right to want anything. 'Decisional dilemmas ignite freedom-anxiety' (Yalom, 2002: 146), and an emotional investment or 'responsibility assumption'<sup>7</sup>. They may seek to avoid decision-making forcing others to take the decision for them (see Yalom, 2002: 147).

Securing informed consent is one of the main ethical safeguards to prevent deception, harm or abuse of data. It is designed to enable participants to legitimately trust the research endeavor and the researcher. Obtaining informed consent required me to explain certain informational requirements, these included: the aim and purpose of the research; what it entails; the time required of them and the extent of their participation with regard to analysis and interpretation. This deliberative process however, is made difficult since neither the researcher nor the interviewee is able to fully predict the process or the outcome of their participation (Ramcharan & Cutliffe, 2001).

Assessing potential participants' capacity to provide informed consent autonomously is an essential part of the informed consent process. The legal framework for children's rights tends to hinge on the decision of

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<sup>7</sup> Yalom (2002: 140) describes 'responsibility assumption' in relation to how therapy with clients needs to facilitate the individual to assume a responsibility that they do not readily do for themselves, and refers to this as 'freedom's dark side' (2002: 138).

others as to whether a child is sufficiently “mature” and possesses the “capacity” to make decisions. This is in spite of Masson’s (2000: 39) conviction that, where a child has the capacity to understand a decision, the child has the capacity to take that decision. Authors such as Homan (2001) and Smyth and Williamson (2004) question whether true informed consent is ever possible. Homan (2001: 329-343) refers to ‘assumed consent’ and this, in my view, was the best that I can claim to have achieved.

CWC arranged a workshop for the children to participate prior to the interviews. My understanding of the aim was to secure their informed consent and as a rapport building exercise. Two workshops were conducted for two groups both lasting approximately one hour. During these workshops CWC gave presentations and I gave an explanation of the aims and process of the research. I was not confident during these workshops that children were given sufficient information. I had few avenues available to me at the time and having just entered the field, I lacked the confidence to make any suggestions to CWC. Indeed, when I attempted to, CWC appeared not to welcome them. This was the case across the board, often, things would be said or decided before I had an opportunity to understand them, let alone to question or prevent them.

My conclusion is that informed consent is not necessarily meaningful; similarly, meaningful consent is not necessarily informed. In an interview I had with Suresh, a boy who had misbehaved in the group-based interview, he was able to reflect back to me the purpose of the study as I had presented it but, at the same time, I sensed he had no real affinity with the research. Abishek, on the other hand, had no real grasp of the nature of the research or his part in it. However, this appeared of no concern to him.

Skånfors (2009: 11) talks of the ‘ethical radar’ and the need to remain alert to the ways in which children’s expression is not only the verbal, but displayed through actions and reactions. Non-verbal communication

informs the interpretation of data among populations that are culturally diverse (Frierson et al, 2002: 69). Children, in the UK as much as in India, express themselves through body language and non-verbal communication. Quite often, I understood what a child was saying by means of these non-verbal clues before Usha translated the child's spoken words. Although this was sometimes also true of interviews with adults, it was most marked in interviews with children. My experience of counselling young people, aged 15-18 years, has given me experience in this regard.

## 2.4 Issues of researcher objectivity

As the researcher, I was constructing the meaning of the research participants' experiences. 'In this sense there is not only a distancing of observer and children, but a privileging of the former' (Tudge & Hogan, 2004: 116). The medium of interpretative experience is linguistic or at least symbolic. Frierson and others (2001: 71) contend that, in sum, data rarely speak for themselves but rather are given voice by those who interpret them.

The organism reacts to the field as it is experienced and perceived. This perceptual field is, for the individual, 'reality' ... I do not react to some absolute reality, but to my perception of this reality. It is this perception which for me *is* reality.

(Rogers, 1951: 484)

A number of commentators on social construction theory (e.g., James & Prout, 1997, Marks, 1996, Greene & Hogan, 2005) allege 'that the objective researcher is a myth and that it is essential for researchers to scrutinize and take account of their own position as an enquirer' (Greene & Hill, 2005: 8).

In taking an extreme position and notwithstanding some post-modernist misgivings, Bridges follows Patai (1994) and says there is a real danger that, if we become persuaded that we cannot understand the experience of others, then 'we have no right to speak for anyone but ourselves' (Bridges, 2001: 382).

We will all too easily find ourselves epistemologically and morally isolated, furnished with a comfortable legitimating for ignoring the condition of anyone but ourselves. This is not, any more than the paternalism of the powerful, the route to a more just society.

(Bridges, 2001: 382)

How can I, and indeed to what extent should I, militate against subjective interpretation in my research? The transparency of the waters of interpretation is clouded by such factors as translation, cross-culture, experience, emotions and contemporary perspectives, often coloured by one or more of the various prevailing ideologies of childhood (Greene & Hill, 2005: 8). In scribing children's ideas, feelings and perspectives, the researcher is giving witness (Lather [2000], 2009: 25). To exclude attempts at understanding is to ignore or refute the centrality of "giving voice" to children.

For if I take on the other's reality as possibility and begin to feel its reality, I feel also that I must act accordingly; that is, I am impelled to act not as though in my own behalf, but in behalf of the other.

(Noddings, 1984: 16)

It was not always easy to know how far to probe or change tack or reflect on the communication difficulties without, once more, pressurizing the child. As Williamson and Butler remark, 'quite how one copes with the "dunnos", "all rights", "not sures" and "Oks", we dunno!' (1996: 69). The problem is how to detect children's interpretations of their experiences from what they tell us and what we observe.

If the objective researcher is a myth, the researcher must account for their own positionality within the research, and reflexivity is an essential element in any research (Davis et al, 2000: 8).

Being members of the research community gives us license to practice but it does not in itself provide the personal resources of motivation, commitment, reflexive capacity, intellectual skill or courage that we require if we are to do research.

(Schratz & Walker, 1995:139)

Observation plays a crucial role in attempting to understand children's abilities, capacities and lived experience by studying them and their behaviour *in situ*. In this way, children are able to "speak" to the researcher through action and interaction. Observation was useful to me in that I did not rely so heavily on the filter of Usha. Although she translated narratives, I was able to watch and observe the things children were interested in and their abilities in settings that held relevance to them. I was able to identify issues and themes that Usha was less aware of.

'Making the familiar strange', as Stenhouse called it, often requires the assistance of someone unfamiliar with our own world who can look at our taken-for-granted experience through, precisely, the eye of a stranger.

(Bridges, 2001: 374)

As a foreigner who "speaks nicely and differently", I was a stranger to this community, a strange one at that. My being an outsider rendered some aspects of children's experiencing inaccessible to me. That I was an outsider caused social repercussion that encouraged the children to let me in. My position and relationships with the children had to be negotiated.

Woodhead and Faulkner (2000: 15) suggest that observational studies require the researcher to be ‘invisible’, fooling themselves that they can appear like the metaphoric ‘fly on the wall’. The best I could have done to minimize my visibility, and the inherent “observer effect” was to spend more time in the field utilizing multiple methods. To minimize the effect of my presence, I had to be *more* present.

The observation of children’s behaviour is highly inferential. Making conjectures from what is observed depends on, and changes according to, the social situation in which the individual is being observed. As a consequence, I could not make deductions of general application since I could not be sure how long to observe or the level of observational description necessary to gain a coherent picture representative of their continuing, or long-term behaviours.

Choosing what is a significant behaviour or narrative to analyze will depend on a range of variables. There is no doubt that my endless note taking added formality to the data collection. I found using my notebook daily, especially when observing subtleties, far outweighed its disadvantages since I was and shall always be an outsider in this community, with or without a notebook.

My presence potentially disrupted the setting that I wanted to investigate. Outsiders could be accused of failing to understand or accurately represent those they observe, or that articulating their views is exploitative, disrespectful and intrinsically disempowering to those involved (see Scraton, 2004a: 175).

Your clever academics befriend us for a few months, they come down to our site, eats our food and drinks our tea. Some of them even lives among us. Then they disappear to their nice homes and university libraries. Next thing we know they’re giving lectures on us, writing books about us ... what do they know about our struggles? How can they know our pain? We live it all the time. Our persecution lasts a life-time,

not just a few months. Give us the tools to say it right and we'll tell you like it is. You know what we call them on our site? Plastic gypsies.

(Scranton, 2004b: 2)<sup>8</sup>

Bridges (2001: 372) argues that such research should be conducted by those within the community: “Nothing about us, without us” (see Charlton, 1998). He is, it seems, willing to examine the ethical and epistemological costs of sustaining this view.

By virtue of being a researcher, one is rarely a complete insider anywhere (Razavi, 1992, p. 161). ... [E]ven in the individual experience of ‘a complex set of insider-outsider identifications’ we are pulled by the demands and expectations of these different roles.

(Bridges, 2001: 372)

It is extraordinarily difficult to know really what the other feels; far too often we project our own feelings onto the other.

(Yalom, 2002: 21)

Emotions come as an amalgam of a behavioral response to a stimulus combined with antecedent memory (Tomkins, 1963; Carlson, 2001). ‘Empirical research is undoubtedly an emotional experience’ (Gaskell, 2008: 176). This emotional engagement not only brings a researcher to a subject but also defines philosophical and methodological frameworks. Gaskell offers an ‘exploration of the emotional expression and repression involved in conducting academic research and the emotive nature of researching childhood particularly’ (2008: 170). Fraser and others (2004) state that, in reflecting upon our own childhoods, we may learn important lessons about the social connectedness of research and ourselves in relation to the children we study.

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<sup>8</sup> Quote from Roy Wells, then President of the National Gypsy Council, in 1975. He reminded academics and policy-makers of what it felt like to be in a goldfish bowl of academic research, the distance between researchers and researched and the experience of alienation when the control of people’s destiny lay elsewhere. He refused to be the ‘token gypsy’ on someone else’s stage and stated that the gypsy population was ‘neither a curiosity for the voyeuristic gaze nor an enemy within’ (Scranton, 2004b: 2).

The filtering of information through our own experiences of childhood and its associated meanings can distort what children are telling us.

(Emond, 2005: 136)

Emotional detachment and suppression are defence mechanisms that can stop researchers hearing the full meaning of what is being articulated, not necessarily consciously (Erdelyi, 2006: 501). If emotions are always present in research relationships, then is it the lack of self-awareness that limits hearing, rather than the presence of emotions that interfere with hearing:

introspection and self-reflection ... [are] research tools to enable researchers to become aware of the emotional investment they have in the research concerned.

(Finlay, 2002: 535)

My personal interest in this subject is undoubtedly linked to my own childhood, and this influence is intrinsic to what I heard and my interpretation of what I heard. This emotional link, it was clear to me in the field, had the potential to make the fieldwork experience both more focused and, what I had to be aware of, more blinkered. Sanders suggests in the title of his 1973 chapter 'Rope Burns' (1973: 158-171), 'one cannot hope to learn the ropes of being a field researcher without suffering from rope burns' (Lee, 1993: 121).

## 2.5 Language, translation and interpretation

[T]here are cultural expectations and international economic hegemonies which situate power between a "first world" researcher and "third world" interview participants.

(Elwood & Martin, 2000: 651)

My research was cross-cultural. Wright and Flemons (2002) say that researchers, using qualitative methods, often consider "culture" as a localized, coherent body of behavioral guidelines, a dynamic process,

within and across generations. 'In essence, culture makes us who we are' (Frierson et al, 2002: 63). Tuhiwai Smith (1999: 42) suggests that, from an indigenous perspective, Western research imports different sets of values, conceptualizations, theories of knowledge, and forms of language and structures of power. '[A] doctoral thesis has prescribed parameters and deep-seated cultural expectations of its own' (Robinson-Pant, 2005: 18).

My having lived in India for 12 months prior to my fieldwork, informed my ability to research sensitively in this context. However, '[T]he representation of difference must not be hastily read as the reflection of *pre-given* ethnic or cultural traits set in the fixed tablet of tradition' (Bhabha 1994: 3). I believe, in some instances, I was able to identify and have greater clarity around issues and themes. Things that, to the local community, would have been commonplace were to me novel and unexpected. Working through CWC, I also gained insights from an indigenous perspective. In this way, having both outsider and insider perspectives, it was possible to bring out a wider range of information than were I working completely independently. In the field, I attempted to contain my preconceived interpretive frameworks in an open and non-judgmental way. However, in my writing up, I am of course the English woman, with all the influences that, consciously and unconsciously, come with that.

Robinson-Pant (2005: 21) suggests that culture, rather than being a barrier, be used as a methodological tool, 'as a lens for developing a more reflexive approach'. My own culture became both a barrier and a tool. I needed to reflect on my research *in situ*, in order to gain an understanding of the cultural context of my research. The barrier feature is reflected in my practical need for translation to better my understanding and collect data, whereas the "translation delay" enabled me to collect non-verbal clues and reflexive insights that I might not otherwise have gained, which illustrates the tool aspect.

The vernacular language spoken in Kundapur is Kannada and is spoken by approximately 35½ million people, almost exclusively in India (Lewis, 2009). Kannada has been the official state language of Karnataka since 1963. English is a *lingua franca* spoken by some, mainly adults, in Kundapur. The majority spoke Kannada. I do not speak Kannada. My interviews were conducted through a translator selected by CWC. Usha, an ex-fieldworker who had worked for CWC for five years prior to my study. I use the term “translator”, rather than the not-quite-synonymous term, “interpreter”, attempting to avoid confusion with the “interpretations” that I offer in this research. My writing about the challenges and benefits of translation is, itself, interpretation.

Usha’s experience and knowledge of the community was invaluable. However, as the fieldwork progressed, it became apparent that her English skills were rudimentary, making it difficult for her to translate. Once in the field, replacing her was impossible, with no guarantee that the problem would be resolved. Usha’s principal skill was her ability to put children and adults at ease. Many showed respect for her, they liked her, this was an unexpected advantage that I had underestimated. Children and adults appeared absorbed by this three-way interaction between me, Usha and themselves.

Usha’s *verbatim* translation may not have been the *argot* meaning intended by the interviewee (see Robinson-Pant 2005: 142). There was a ‘lack of direct equivalence across languages, cultures and personal understandings’ (Robinson-Pant, 2005: 143). A translator must, according to Magyar (1996: 35), be ‘good at crossing boundaries from one linguistic context to another and at embracing the inevitability of loss’. Hale and Campbell point out that ‘the notion of accuracy is in itself subjective’ (2002: 17).

Working through translation had disadvantages not least in that it was time-consuming. Subtleties and nuisances of meaning I believe were also often lost, leading me to miss what Frierson and others (2002: 71)

refer to as a knowledge which guides attention to the nuances in how language is expressed, and the meaning it holds beyond the words. In this way, it adds another level of interpretation to the data, a level unavailable to me.

Not all children were confident in Usha's presence. She would laugh and joke with some; with others, she showed no great warmth. At times, she prompted a child to talk. Usha certainly had her "favourites" and, for those less at ease with her, it seemed at times difficult, even intimidating. She would pressure the child, more than a gentle prompting, which on occasion led the child to "clam up". Some children were quiet and reserved and, at times, I felt she intimidated them into speaking. I asked her many times not to do this. I wanted the children to speak freely but only if they wanted to. I wanted them to know there was no unwritten rule here, that they were free to talk and free to walk. I struggled to get this across to Usha. It made me uncomfortable and it created a problem for me throughout my fieldwork. At times, I saw children doing what they did not want to do. Nervous, uncomfortable and pressured into talking. Usha told them they had rights. At times, she showed them they had none.

I tried to discourage Usha, and I attempted to reassure children, to lighten the interaction, and to avoid the possibility of their giving "scripted" answers. The idiosyncratic and creative use of language that children employ was sometimes impenetrable.

Once in the flow of an interview, and while achieving a deeper level of meaning or understanding, I would occasionally bump into a wall, unable to go any further with a more a complicated line of questioning, sensing that it became increasing difficult for her to translate what I was trying to get at. Interestingly, this often arose when I was questioning children about their parent's views on their participation in the makkala panchayat. This was, in many ways, constricting. It left me asking questions that were at times almost "standard" and, as a result I felt I

had merely scratched the surface of children's meaning and experiences. However, I also occasionally received a response that was more revealing than I believe my original question would have elicited.

From some responses, I sensed that Usha had not asked the question I had intended. Sometimes it was clear that I had not been understood and so I would repeat or clarify what I was trying to get at. By the time the question was repeated, the answer had been translated, with interruptions and time lag, I would forget the question I had originally asked. As a researcher, I have 'a responsibility to protect information from eroding, in the process of translation, the chosen self-representation of children' (Nieuwenhuys, 2004: 216). Despite my attempts, this was not always straightforward.

In order to test the accuracy of Usha's translations, I had a two-pronged approach. Firstly, I was able to assess from the demeanor of the participant what emotional response she was giving to Usha. This gave me a sense of what direction the participant's answer was taking, at least on an emotional level. If the answer, as translated to me by Usha, did not fit my expectation, I would use my second tool to assess accuracy. This was straightforwardly to reiterate the same question again, using different emphases and vocabulary. This strategy became a natural part of my interviewing technique and brought about clarifications that would have been otherwise missed.

There were occasional differences of opinion between me and CWC. These would at times be put down to "language difficulties", when I asked about the employment of children in factories, for example. It is certainly often easier to blame language than to accept differences of opinion.

## 2.6 Leaving the field

For me, the opportunity to research in this region, in this community, with these children and adults, was a great privilege. Denzin (2001) captures this honour.

Doing interviews is a privilege granted to us, not a right that we have ... Interviews are part of the dialogic conversation that connects all of us to this larger moral community.

(Denzin, 2001: 24)

Ending the fieldwork and leaving the community can be ethically problematic, particularly with research such as mine where it is conducted over a short period of time, to avoid 'smash-and-grab raids on other people's stories' (Ryden & Loewenthal, 2001: 45). 'Demonstrating respect for participants extends into the writing-up phase ... it is usually in this phase that the deepest disrespect and betrayals often occur' (Lankshear & Knobel, 1997). Researchers must conform to one set of expectations to gain entry but must also exercise other, often contradictory, capabilities (Harrison, 2006: 26).

Researchers are sometimes seen as akin to pimps, coming into the field to take, then returning to the campus, institution or suburb where they write up the data, publish and build careers - on the backs of those they took the data from.

(O'Neill, 1996: 132)

This view certainly contrasts with the welcoming reception I received.

It's good the foreign researcher coming here because you are asking questions and taking information and we hope that other countries will start all the programmes that children have done here. If you do the Ph.D with only reading some books it is not a good method I think. It is good you are coming here and looking here and you see our life. You observe and ask questions and you are having the experience

and seeing the places and the conditions, then you are doing the PhD and that is a very good thing I think.

(Gowtham, makkala panchayat, 15th October 2008)

I was humbled by the ease with which this community allowed me to walk into their lives and, quite literally, into their homes. Parents took pleasure and pride in talking about their children and children took pride in telling me about their activities. I also sensed that my presence and the questions I asked encouraged some reflection on issues they had not previously considered, such as the practical and ethical considerations of children's participation in makkala panchayats. It seemed to me that the interview process was not just a process of looking back, but a springboard for them as individuals and 'led them to focus ... on trying to lead the narrative to a point at which their frame would be validated' (Enosh & Buchbinder, 2005: 631).

Perhaps they were encouraged to be frank with me precisely because I would leave; I was neither in reality nor perception a member of their community and so had no, in their view axe to grind. I would write about what they had shared with me in a document far away from India.

My concerns about leaving this community had been a particular concern that I sense was of little relevance to them. I came and I would leave. This was a foreigner wanting to learn about their lives. I sensed that I had left them with fond memories and that they were not in the least perturbed by my leaving. I hoped to have demonstrated in the very least how to, and how not to, conduct interviews.

My methodology and its findings have, for me, raised more questions than answers and, in some respects, I came away with a feeling that 'The very notion that we might know what is in a child's head is ridiculous' (Rogers et al, 2005: 162) and so I have, in no way attempted to portray objective truth. My focus is socially constructed meaning and my findings are descriptive.

For me, this research was, as Bond suggests, 'a journey into the unknown that cannot be fully apprehended in anticipation' (Bond, 2004a: 5). As with Richardson's (1994: 522) crystal metaphor, each representation reflects externalities and refracts within itself, creating different colours, patterns, arrays, casting off in different directions. I liken it to Yalom's (2001: 34) description of therapy, which he sees as, at its very core, 'a spontaneous flow of characteristics, processes and patterns forever following unanticipated riverbeds'. At times this flow seemed to ebb and my findings appeared murky and still. Yet always they offered reflection, and refraction.

## Conclusions

There are limitations intrinsic to my methodology that challenges the reliability of my findings. Generalizability was not my aim. Had the data been more reliable, my conclusions would be more well-founded. The cross-cultural nature of my research undoubtedly constrained the ease with which I was able to collect reliable data. There are limitations to any study that focuses on what another's experience can tell us, particularly in cross-cultural research. Qualitative research is conducted in 'complex, messy, poorly controlled 'field' settings' (Robson, 2002: xvi) and research with children 'is even messier' (Greig et al, 2007: 139).

My study recognizes children's voice, their experience and their potential, and their ability to speak for themselves. The intrinsic power and control in generational relations between us meant that participants might have been unable to critically engage with the questions and format (Christensen, 2004: 168) by my failing to provide a context within which they could fully respond.

[r]esearchers should not simply focus on the 'outcome' of the interview, but need to focus on the moment-to-moment co-

constructive processes through which meaning is negotiated, renegotiated and contested.

(Westcott & Littleton, 2005: 144)

Research participants could only share their lived experiences with me to the extent that they were aware of these experiences and only in the way in which they interpret them. Reporting experience may also be prone to biases in the relating of their views (Greene & Hill, 2005: 7).

I only conducted one interview per person. The data generated could not be verified with the same individual in another interview, either by wording a question differently or asking for an elaboration of a point discussed at an earlier date. Oakley suggests that one-off interviews encourage an 'ethic of detachment' (1981: 44) and I acknowledge the consequent difficulty in establishing a collaborative relationship.

[Meaning, knowledge and learning] are always accomplished within a dynamic of power and the specific conditions that produce that dynamic will inevitably produce much of what is constructed and learnt.

(MacNaughton, 2003: 49)

'[T]he notion of 'voice' is understood as a multidimensional social construction, which is subject to change' (Komulainen, 2007: 23). To focus on voice diminishes the importance of other forms of communication (Komulainen, 2007: 23). This effect also excluded those who remained silent or laughed in response to my questions. Data collection reliant on verbal accounts generates descriptive, non-standardized data.

[T]oo often the label 'failing to communicate' might be attached to persons when they are actually opting out of the game. In this regard, discourses on communication are essentially moral in character.

(Komulainen, 2007: 2)

Parameters of gender, age and other differences I have excluded in concept and, therefore, in analysis. Ethical research should be appropriate to the developmental age of the participant but chronological age is not necessarily a reliable indicator of developmental level or a benchmark for research pooling (Harrison, 2006: 82). Factors such as education and literacy, nutrition, traumatic or abusive experiences may not have facilitated the development of a 'fully integrated, coherent processor of complex psychological, emotional and interpersonal information' (Howe, 2005; 236).

Unlike Christensen (2004: 171), I would not describe interviews with children as 'discussions' or 'conversations'. Interactions were framed by attempts to seek and draw out information. The structure and process were relatively and inevitably formal and this formality was difficult to break. This constrained the research findings.

As much as the diversity of childhood must be recognized and understood, so too must the diversity of researchers. As a researcher, I have a responsibility to be aware of the limitations of my capacity to access my experience, skills, abilities and resources and my ability to address these. I was often unaware of my limitations before accidentally stumbling over them when I was immersed in fieldwork.

Despite the tranquility of the Namma Bhoomi campus, the timeframe was intense and hectic. The heat, noise, constant disruptions, apparent disorganization and changes of plan all took their toll. During my time in India, I was weighed down with ill health that manifested itself intensely during my fieldwork. I had limited privacy, quiet, space or time for reflection to mentally process and integrate the events of each day. It was not feasible to have breaks between interviews to ensure emotional and psychological recovery. I cannot know how much valuable information I missed due to physical, psychological and emotional exhaustion, particularly during the latter days. If it is accepted that the

mind is inherently embodied, then what we experience, perceive and interpret is in relation to our bodily state.

Despite my ending interviews by asking children how they felt about my presence and this study, I did not fully account for and fully recognize children's experience of the study: how they perceived me; if they accepted me; the impact the study had on them. In short, what did the children make of all this? Within my study's theoretical sociology of childhood framework this would have been a valuable angle but I believe any fruitful examination of this sort was far beyond the capacity of my fieldwork.

When I first began looking to design this project, I sought to review the academic literature relating to the study of children and childhood. I felt an affinity with the reflexive, dialogical interview which was, at this point, the kind of interview I would be attempting with children. The analytic bracketing of Gubrium and Holstein (1998: 165) attempts to address multiple levels of meaning in the interview context: the narrative and its performance, the context of the story and its audience. I was attracted to Denzin's standpoint of using 'narrative as a political act' (Denzin, 2001: 43). Accordingly, I began to narrow my search for material that dealt with approaches to the interviewing of children. Greene and Hogan's (2005) *Researching Children's Experience* seemed to me to be a seminal text and one that I took with me on my fieldwork.

As a theme in its own right, children's participation in research began to come into my focus. This is an area that is not solely concerned with the issues of medical research, although much has been written about this (e.g. Coyne et al, 2006)<sup>9</sup>. I was encountering concepts such as "voice" (e.g. Hallett & Prout, 2003) and "participation" (e.g. Tonucci & Rissotto, 2001), among others. I began to collect evidence of children participating in organizations, such as Schools' Councils (e.g. Ostler, 2000) and

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<sup>9</sup> and also, within medical research, from a grounded theory perspective (e.g. Wuest, 2012).

political events (e.g. Hague, 1977; and, subsequently, Weal, 2011). I began to see a link between children's participation in research and children's participation more generally.

This survey offered me grounding in the area of child research that I took with me to India. I was interested in researching child labour in India; I had an understanding of the reflexive interview as a strategy; and I became interested in children's participation in political forums.

The Namma Bhoomi campus where I stayed for the period of my fieldwork was established as a facility for working children and, as such, did not have an academic library. The papers held in the Namma Bhoomi Resource Centre were documents produced by CWC and documentation published by various NGOs, such as UNICEF. The format was generally of internet printouts and there was no referencing of materials. However, CWC staff provided me with a number of CWC publications.

Informed by my initial researches, I had brought to India with me, along with Greene and Hogan (2005), a small collection of texts: Hill and Tisdall's (1997) *Children and Society*; Cooke and Kothari's (2001) *Participation: The New Tyranny?*; Smyth and Williamson's (2004) *Researchers and Their 'Subjects'*; and van Oudenhoven and Wasir's (2006) *Newly Emerging Needs of Children*.

The Blossom Book House, in Bangalore, I found to be a useful resource. The narrow aisles lined with shelves were stacked with books. I was able to pick up copies of different, India-based books, such as Drèze and Sen's (1999) *Development as Freedom*, and Bajpai's (2006) *Child Rights in India*. These purchases were made more by luck than judgment, as there seemed to be a lack of order in the glorious chaos of this lovely, idiosyncratic bookstore.

Although urban Bangalore is computer-literate and has access to the internet, the facilities that I was able to use were not the easiest. At Namma Bhoomi, CWC offered me use of their internet dial-up connection during the evenings. A generator that, at times, seemed to have difficulty in working, powered this. I also used an internet café in Bangalore that enabled me to connect with UEA and other resources.

In this chapter, I have described the inception of my project and established my methodological approach as grounded theory. The cultural understandings of childhood, scaffolded as they are by social construction, begin to arise as themes within this thesis, to which I will return later. I have given initial consideration to ethical and practical considerations and how they, too, feature in relation to the objectivity of my research. That I do not speak Kannada I have indicated is both a practical barrier and a tool in my research which I will show has affected my data collection and my experience of conducting research and will be seen to have had an effect on my final thesis. Kannada, almost as a personality in this thesis, has something practical to say about the context of my research and it is to the contextualization of children's participation more theoretically that I now turn.

## Chapter 3: India as research context



It is not my intention to provide a complete account of the technicalities of the Indian Constitution or comment on it from a political science perspective. Rather, for the reader not versed in the Indian political system, I attempt to offer enough background information to get a sense of where the makkala panchayats fit within India's political system. I deal with the makkala panchayats in Chapter 4; here, I introduce ideas of participatory democracy and how this is reflected in India's Constitution and political structure. I then focus in on India's unique system of local governance in its panchayat system.

From the political settlement achieved by the Constitution, I turn to the situation of India's children, particularly those who live in poverty-stricken rural areas. I intend to present a panorama of themes, with a view to establishing the affects of poverty and corruption on the lives of children living in a small rural community.

### 3.1 India's democracy

Democracy and its associated political liberties, norms and institutions form the bedrock of a civil society.

(Loughlin, 2007: 199)

In the absence of a unified theory of democracy, common principles are frequently associated with it. One hundred and six countries, including the Republic of India, have signed up to the *Warsaw Declaration* that includes crucial attributes such as participation, representation, popular elections, citizenship, freedom of choice and universal suffrage (Community of Democracies, 2000). The concept of participatory democracy refers to

democratic arrangements and practices that allow for direct individual and collective participation of citizens in public decision making.

(Schaap & Edwards, 2007: 663).

In modern democracies, direct participation in political decision-making is largely seen as impossible for practical reasons (e.g. Gabriel, 2007: 264). However, India is attempting to do just this through the Panchayati Raj system of local governance.

The most difficult aspect of democracy in India is the caste system' (Kischner, 2004: 5). Over 800 million Indians are Hindu (80.5%) (Census India, 2014: 'Data on Religion, 2001')<sup>10</sup>.

The Indian caste system broadly divides society hierarchically into two categories, *varna* and *jati*, on criteria of purity and pollution. Under the varna system there are: Brahmins, the priestly class and teachers; Kshatriyas, warriors and rulers; Vaishyas, traders and merchants;

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<sup>10</sup> Other religious groups include Muslims (13.4%), Christians (2.3%), Sikhs (1.9%), Buddhists (0.8%), Jains (0.4%), and Jews, Zoroastrians, Bahá'ís, and tribals constitute 8.1% of the population, according to the most recent census data available (Census India, 2014: 'Data on Religion, 2001').

Shudras, peasants and artisans; and Atisudras/Antyajas, outsiders, i.e. “untouchables” (see Srinivas, 1966; Mathews with Mathews, 2003: 14).

The lowest level comprises Scheduled Castes (“SCs”), Scheduled Tribes (“STs”) and Other Backward Classes (“OBCs”) are accorded special status, and the social restrictions which accompany it, are declared illegal under the Constitution (Kischner, 2004: 24). The Panchayati Raj reservation “positive discrimination” is designed to encourage representation of these groups.

The democratic principles, upon which the makkala panchayats are said to be based, are also aimed at encouraging the representation of minority groups *vis-à-vis* the composition of the makkala panchayats. In line with the gram Panchayati Raj process, reservation criteria are identified and reserved seats are allocated according to population distribution and degree of marginalization, based on, for example, gender or caste (CWC, 2008: 15).

Around 20-25 children participated when doing the reservation. In the reservation we decided how many children are needed as representatives in this panchayat. We have to choose, like for 100 children we need one representative.

(Abishek, makkala panchayat, 5th November 2008)

So what makes the makkala panchayat different? One answer is that instead of being a one-off exercise in children’s participation, it represents an ongoing forum for children’s input into village-level decision-making. Another is that there is an institutional mechanism for interaction with the real decision-making arena, the people who belong to the village panchayat and local government officials.

India’s structure of government and the fundamental rights, directive principles and duties of citizens are stipulated under its Constitution. The Preamble to the Indian Constitution 1949, *as amended up to and including 2012*, reads as follows:

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

... do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

(Constitution, 2012: Preamble)

[The Constitution] enumerates certain principles which though not justiciable or enforceable through a court of law are regarded as fundamental in the governance of the country.

(Sharma, 2009: 31)

The “Directive Principles” of the federal Government of India (“GOI”) policy are contained in Articles 36-51. These principles were included to ensure economic as well as political justice; they emphasize ending inequalities and improving social welfare. GOI must follow these principles both in law-making and in administration. Kothari (2004) contends that the Constitution therefore, seeks to make India a Welfare State (Kothari, 2004).

India’s statutes and Supreme Court rulings make it difficult for individual political parties to fundamentally alter the Constitution’s basic structure (Kesavan, 2007). This requires Parliament to pass Constitutional Amendments into law, with complicated voting

requirements, special majorities in Parliament or a majority of states voting in favour, for amending different parts of the Constitution (Sharma, 2009: 350). In a federal Constitution, there are two tiers of government functioning simultaneously. The Indian Constitution has the unique distinction of containing provisions at three levels, Union, State and Local (Sharma, 2009: 267).

India, after independence, was formerly the “Union of India” and is now the geopolitical state called “Republic of India”. However, it is still called “Union of India” under parts of the Constitution for legal-historical reasons relating to independence after the end of the British Raj government (Sharma, 1950; Sharma, 2009). The Republic of India is often referred to as ‘the world's largest democracy and second most populous country’ (BBC, 2014) whose democratic procedures are, on the whole, respected (Economist Intelligence Unit, 2008). Remarkable, since within its democratic framework sits a population estimated at 1.24 billion (Economist Intelligence Unit, 2013).

The Indian Constitution has been widely considered to be ‘perhaps the longest of all modern written constitutions’ (Vohra, 2001: 193) even before its 2012 amendments<sup>11</sup>. It is heavily influenced by western democratic approaches, incorporating elements of the UK's Government of India Act 1935 (i.e. the *ante* Indian independence legislation of the colonial power), UK Constitutional law and the, written, Constitutions of Australia, Canada, Ireland and the USA.

The Constitution envisages a tripartite political system of the Union, the States and local government but a single citizenship. An individual is a citizen of India, not of the individual state, and has the same rights regardless of the state in which one lives. The Constitution also provides

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<sup>11</sup> As well as the English version, there is one official translation, into Hindi. Although there are informal translations, there are no other official translations into each of India's 22 recognized languages, including Kannada (Constitution of India, 2012: Schedule 8).

the Constitutions, not only of the Republic, but of the individual states, and provisions for local government (Sharma, 2009: 28-29).

The administrative structure of GOI comprises the Union, i.e. federal government, under which there are 29 states. It does not help with clarity that “state” can refer equally to the Republic of India, the nation state, and its constituent states. Each of the 29 states, including Karnataka, prepare their own budgets that are placed before and passed by the GOI legislative assemblies, while the Union Budget is passed by the Parliament (Heiberg & Thukral, 2013: 36). Karnataka is divided into four administrative divisions, comprising 30 zillas (GOINIC, 2013). In Figure 2 below, I illustrate the hierarchical layers of government with reference to English-speaking structures. This is at the risk of confusion since the two systems are not equivalents in any real sense. Other layers of confusion are added by the use of different languages, such as English, Hindi and Kannada.

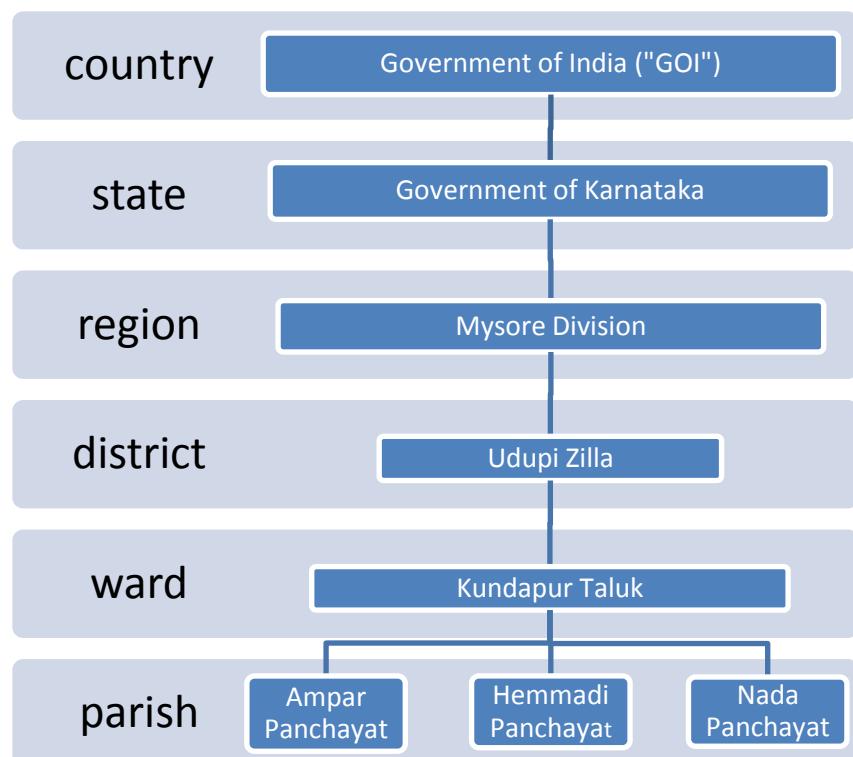


Figure 2: Hierarchy of Indian rural government structures with loose English comparisons

The “zilla” is responsible for infrastructure. The term zilla is often used synonymously with “district”, e.g. Udupi District for Udupi Zilla. Udupi Zilla, part of the Mysore Division, contains three taluks responsible for administrative governance over local matters. One of these is Kundapur Taluk where I did my fieldwork.

The panchayat is the lowest level of decentralized administration in India’s system of local government. I found, working out the realities on the ground of the demarcations between the various powers along with the responsibilities of each layer of local government was far from straightforward. However, I did not feel it necessary to research the political structures too deeply. My focus was on this lowest stratum of governance, since the makkala panchayats mirror the gram panchayats (adult councils).

The word “panchayat” originally meant the “assembly” (*ayat*) of “five” (*panch*) wise, respected elders chosen and accepted by the local community (OED online, 2014: “panchayat, n.”). The term refers to the geopolitical administrative unit, the popularly-elected village council and its franchisees and so refers to the area, the council or its constituents.

A panchayat is composed of a cluster of villages and several panchayats constitute a taluk. In Upudi Zilla there are 147 panchayats, of which 56 are in Kundapur Taluk. In each of these 56 panchayats there was a makkala panchayat. Panchayat level elections are said to be de-linked from political parties. In reality, most often there are party affiliations. In Kundapur, I was aware that both the Indian National Congress Party and the Communist Party of India were active.

Panchayats are responsible for identifying and prioritizing development projects within their areas of jurisdiction (Donnges et al, 2004). This includes the construction and maintenance of water resources, roads, drainage, school buildings, levying and collecting local taxes, implementing GOI and state schemes relating to improving employment,

drafting economic development and social justice plans, and there are schemes to teach this to children. For example, Nada Panchayat, one of the panchayats of my fieldwork, was involved in a new irrigation scheme for the rice paddies.

The Constitutional Amendments enabling the panchayats came quickly on the heels of a major macro-economic crisis in 1990-1991. These formed part of the settlement packages administered by the IMF and the World Bank (Sahni, *post*-1999: 2). Tanabe (2007: 565) considers that the economic position forced this ‘democratization of local political processes’. Funding for the Panchayati Raj comes from GOI, to encourage the introduction of federal initiatives. Funding for state-wide and small-scale local projects comes directly from GOK.

The bottom-up emergence of the new vision of democratic community may be an indication of the dynamic transition of Indian society beyond a “postcolonial predicament”.

(Tanabe, 2007: 558)

The Constitution (2012) has guaranteed there will be budget provision for various schemes at the panchayat level whereas, in the past, it was more complicated to secure funds from higher administrative levels. The allocation of a budget means the issue is no longer focused on acquisition of state resources but on how to distribute those resources satisfactorily to the benefit of the community. The distribution of resources is no longer decided solely by the dominant caste (Tanabe, 2007: 563).

The panchayats are held, more by tradition than in reality, and are the oldest forms of India’s local government (Tandon, 2001: 2). Generally, panchayats functioned to solve intra-village and sometimes inter-village feuds and organized forums for village-level social development and cultural functions. The modern panchayat is the brainchild of Mahatma Gandhi who looked to a future in which each village would be

a complete republic, both independent and interdependent of its neighbours, and would be the legislature, judiciary and executive combined.

(Gandhi, 1942: 308-309)

Gandhi's vision was for the Indian state to be completely decentralized<sup>12</sup> after independence, an integral part of which was the notion of "swaraj" (Bates, 2005: 176) and each village is responsible for its own affairs.

Gandhi's political philosophy of "swaraj" was for self-determination, self-governance and self-reliance. In the panchayat-village context, it is decentralized autonomy; in terms of GOI, it was home rule from, as Gandhi saw it, British occupation.

The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

(Constitution, 2012: Art. 40)

Introduced by Constitutional Amendments in 1992, the system of Panchayati Raj in villages and municipalities in rural areas is the favoured model.

The timing of the Constitutional recognition of panchayati self-rule coincided with the economic reforms necessitated by the financial crises of 1991-1992, gradual market liberalization and reduction of controls on foreign trade and investment (Reserve Bank of India, 2007). In 1990-2007, India's economic growth rate averaged at approximately 4% per year; and in 2008-2013, its Gross Domestic Product ("GDP") increased by approximately 8.2% (UNICEF India, 2012: 2). The Country Programme Action Plan, which publishes these figures, is a collaboration between the GOI Ministry of Women and Child

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<sup>12</sup> Loughlin (2007) contends that decentralization is regarded as an essential element of democratic governance and practice; regional and local democracy must be included in theoretical considerations. 'Decentralization can be an instrument to achieve as well as a condition of its existence' (Loughlin, 2007: 199).

Development (“MWCD”) and UNICEF who (UNICEF India, 2012: 2) claim that GOI has combined this economic progress with a commitment to ‘inclusive growth’ in line with ‘national priorities’ to advance the rights of children and the Millennium Development Goals (“MDGs”) <sup>13</sup>, driven by the latest Five-Year Plan.

These policy responses were matched by widespread recognition that the model of state-led, state-dominated development had failed to accomplish the task that Jawaharlal Nehru had identified in his address on the eve of Independence in 1947: “the ending of poverty and ignorance and disease and inequality of opportunity.”

(Sahni, *post-1999*: 2)

In the ten years from 2001-2011, Karnataka’s population has increased from nearly 52 million to just over 61 million (Census India, 2014) <sup>14</sup>. The population aged 0-6 years in 2001 was six million, as compared to 7,161,033 in 2011. Some commentators believe the statistics indicate the growth rate of Karnataka’s population may stabilize in the coming decades (e.g. Véron, 2006: 4), although it should be noted that this is based on information from the 2001 census.

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<sup>13</sup> The MDGs, from the Millennium Declaration (UN, 2000a) are a set of eight international development goals agreed on by 192 UN member states committed to realize by 2015. The eight goals set 21 quantitative targets as a framework to make the Millennium Declaration’s vision of a world of peace, security, solidarity and shared responsibility a reality (UNICEF, 2005).

<sup>14</sup> Census India (a.k.a. the Office of the Registrar General and Census Commissioner, GOI) is responsible for conducting an India-wide census every decade. The results of the 2001 census have been available since 2008. GOI also carried out a national census in 2011 but data from the 2011 census (Census India, 2014) have not been published in full to date. The 2011 census data published so far is, for the most part, provisional; accordingly, this thesis relies principally on the published 2001 census data (Census India, 2014) as well as other relevant sources that I quote. 2011 figures indicate a rise in India’s total population from 1,026m to 1,210m, while the percentage breakdown of the population by sex and into rural-urban numbers has remained constant 2001-2011. To date, specific data relating to under-18s have not yet been published. My fieldwork, conducted in 2008, fell virtually midway between the two most recent censuses. As this thesis comes out of a snapshot-in-time, I feel it would have been useful to have been able to give detailed comparisons in population across the two censuses. Regrettably, it has not been possible to update figures on the basis of the 2011 Census because not all results have been published.

The census data published below Division level are thin. Kundapur Taluk's population totalled 380,000 in 2001; 398,471 in 2011. Unfortunately, neither data from the 2001 nor the 2011 censuses is broken down by age, specifically for my purposes by the ages of children.

At the panchayat level, the only relevant information from the 2011 census, in respect of the three panchayats I researched, relates to the number of households, from which it is impossible to glean the total populations.

Panchayat	Villages in panchayat	Number of households (2011)
Ampar	Ampar	1,051
Hemmadi	Hemmadi, Katbeltur, Devalakunda	880
Nada	Nada, Hadavu, Senapur, Bathakere	990

Table 4: Number of households in village panchayats studied  
(Source: *Census India, 2014*)

In sum, the lack of detail available from the 2001 and 2011 censuses makes using their data difficult and, as a consequence, I have had to rely on estimates of populations and other quantitative information.

Since Independence, the Indian economy has been subject to strategic planning by GOI, through a series of Five-Year Plans drawn up and monitored by the GOI Planning Commission.

The Five-Year Plan is a process of national target-setting which involves the preparation of centralized and integrated economic programmes and policies dedicated to achieve those targets. India's first Five-Year Plan

(1951) was launched immediately after Independence under the socialist influence of first Prime Minister Jawaharlal Nehru. It supported agriculture production and industrialization, and it established as principles of the state

- a) that the citizens, men and women equally, have the right to an adequate means of livelihood;
- b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

and

- c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.

(GOI Planning Commission, 1951: introduction)

The 73rd Amendment (GOI, 1992a) mandated elected government bodies, at the divisional and sub-divisional level, with the establishment of District Planning Committees to oversee the formulation of decentralized District Plans based on plans from the panchayats that feed into future Five-Year Plans.

GOI recommends that local panchayats consult with gram sabhas<sup>15</sup> when formulating Five-Year Plans in order that the interests of local communities are reflected in policy. The Government of Karnataka (“GOK”) adopts this guideline, decreeing that Five-Year Plans state the objectives, needs and priorities formulated on the basis of local socio-economic indicators. This huge bottom-up consultation process is carried out all across India. Five-Year Plans from each panchayat are compiled to form the Taluk, District and State Plans, and ultimately, the federal Five-Year Plan.

We will have demonstrated that this ancient land of India can  
re emerge as a modern nation, uplifting millions out of

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<sup>15</sup> “Gram” is a village or a cluster of villages. “Sabha” means an assembly, congregation or council. The gram sabha is a public meeting open to all local people.

poverty, empowering each and every citizen, unleashing individual talent and liberating enterprise, within the framework of a democratic Constitution and under the Rule of Law.

(GOI Planning Commission, 2013: vii)

GOI, however, has recognized the present, twelfth, Five-Year Plan, as more complex than when the process was introduced more than 65 years ago, for three main reasons: public support is necessary in the setting of its targets; it must reflect the growing complexity of India's economy; and, plan strategies are 'only as good as our ability to implement them' (GOI Planning Commission, 2013: xi).

One of the activities stipulated in the makkala panchayat protocol, a Constitution document produced by CWC (2004a), is the formulation of a children's plan, written by children to be included in Karnataka's and India's national Five-Year Plans. Children presented their own plans for each of the 56 panchayats of Kundapur Taluk. These were accepted by the district government and included in the official GOI Tenth Five-Year Plan (Lolichen, 2006b: 033).

The child-related sections of the Eleventh (2007-2012) and Twelfth Five-Year Plans (2012-2017) mandate fulfilment of children's right to survival, development, protection and participation as the foundation of human development (Heiberg & Thukral, 2013: 114). A ring-fenced Budget for Children ("BfC") was also included in both the Eleventh and Twelfth Five-Year Plans (Heiberg & Thukral, 2013: 271).

The gram sabha is a meeting of all adults who live in the area covered by a panchayat. It consists of all the voters of the panchayat's constituencies and any adult over 18 years eligible to vote is a member. The gram sabha is not a formal tier of the Panchayati Raj system and does not have any executive remit. Gram sabha meetings are held when necessary although usually it meets two to four times annually (Mathews with Mathews, 2003: 39). The makkala gram sabha mirrors

the gram sabha in exactly the same way as the makkala panchayat mirrors the gram panchayat.

The gram sabha has a regulatory function to prevent panchayat misuse of funds or partisanship and also plays an important role in monitoring elected representatives. Its purpose is the organization of community service and it also executes agricultural production plans. The budget and implementation of all grants received by the panchayat must be sanctioned by the gram sabha. The absence of legal status for gram sabhas has been criticized.

If the gram panchayat is to be made effective in the present context there is a strong feeling that there must be certain amendments to the Constitution making it incumbent on the states to bestow compulsory necessary powers on the gram sabha.

(Mathews with Mathews, 2003: 26)

### 3.2 India's Children

The opportunities available for children to develop active citizenship depend on the principles and customs that structure the political and social spaces throughout a nation.

(World Bank, 2006: 161)

The Constitution guarantees special attention to children. Children's rights are protected through laws and policies (2012: Art. 15) and their right to equality, protection of life, personal liberty and the right against exploitation are protected (2012: Arts 14, 15, 15(3), 19(1)(a), 21, 21A, 23, 24, 39(e), 39(f)). This reiterates India's commitment to the protection, safety, security and well-being of its entire people, including its children (Kacker et al, 2007: 23). Since the Constitution gives federal power to GOI, laws concerning children are enacted nationally but each state formulate their own rules or adopt the model rules drafted by GOI (Heiberg & Thukral, 2013: 36).

The 1974 National Policy for Children, a slim, four-page document, plus the text of the GOI Order on the Policy's promulgation, declared India's children to be a 'supreme national asset' (GOI, 1974: 1) assuring security and safeguards for all children's needs. By 2013, the National Policy for Children had expanded to a 13-page document, plus the text of the Order, so still quite slim. It reaffirms that 'every child is unique and a supremely important national asset' (GOI, 2013: 2) and GOI's 'commitment to the rights based approach in addressing the continuing and emerging challenges in the situation of children' (GOI, 2013: 2).

The Policy determines that 'children are capable of forming views and must be provided a conducive environment and the opportunity to express their views' (GOI, 2013: 4). In implementing the Policy, GOI seeks to '[develop] mechanisms for ... effective implementation of children's participation ... [and] develop different models of child participation' (GOI, 2013: 10). The Policy affirms it is not "just empty words" but is subject to a 'comprehensive review ... in consultation with all stakeholders, including children once every five years (GOI, 2013: 13).

In respect of the 2013 Policy in general and child participation in particular, Ali (2013) makes two main criticisms. Firstly, the Policy 'at times used lofty, but vague, terminology, whose effects are beyond the control of any agency and the state's institutions' (Ali, 2013: 24), i.e. he fears that the Policy may indeed be "just empty words", resonant with Ratna's worries that, '[w]here adult citizenship is questionable, it is even more so for children' (Ratna, 2009: 9). Secondly, Ali makes the point that 'the government should allocate more funds for children' (Ali, 2013: 24).

Despite India's economic growth and its attempts to improve child welfare, the country continues to face challenges, not least in regional variations and income disparities. Approximately 40% of India's population live on less than \$1.25 per day (World Bank, 1990; UNICEF,

2009: 33) and 20% earn less than the government-specified poverty threshold of \$0.40 per day (GOI, 2007a)<sup>16</sup>.

This signifies inequities in living standards with strong correlations between deprivation, discrimination and exclusion amongst socio-religious groups and disparities along gender and rural-urban lines.

(UNICEF India, 2012: 3)

India continues to be plagued by high levels of poverty and uneven economic growth, over-population, ethnic strife, environmental degradation, illiteracy and malnutrition. Social welfare measures are important to combat extreme deprivation, but can have equally important 'dynamic efficiency effects by allowing people to bear risks and undertake profitable investments' (World Bank, 2006: 102). India's reduction in human deprivation or improvements in quality of life is nowhere near the performance achieved by developing countries such as South Korea, Vietnam, Sri Lanka or China (Heiberg & Thukral, 2013).

Karnataka's 'GDP growth figures for 2005-06 and 2006-07 were 9.4% and 9.6%' (Srinivas, 2008) and Karnataka historically had a strong banking tradition, even before independence (Sharma, 2005).

UNICEF (2009: 33) suggests that, partly due to its immensity, India experiences child rights' deprivations in greater absolute numbers than any other country. India's 2001 Census indicates that the majority of the country's 400 million children live in poverty and 'extreme hardship' and 35 million children fall into the 'in need of care and protection' classification (Kacker et al, 2007: iii). The Juvenile Justice (Care and Protection of Children) Act 2000 sets out criteria by which children in

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<sup>16</sup> 'One of the most widely used measures of poverty is the \$1 a day per person benchmark expressed in purchasing power parities' (World Bank, 1990). Together with a measure on hunger, this is one of two targets employed in the Millennium Development Goals ("MDGs") for 'measuring progress on poverty reduction' (UNICEF, 2004a: 18). GOI maintains that a person to be living below the poverty line earns less than ₹10 per day (₹296 per month). ₹10 will buy food equivalent to 2,200 calories, which is sufficient to prevent death, *according to GOI* (Singh, 2003: 16. *My italics*).

need of care and protection are defined. For the study, the child population of India in 2007 was estimated to be 440 million, suggesting that 175 million children are 'in need of care and protection' (Kacker et al, 2007: iii).

The UNs definition of poverty is greater than material deprivation (UNICEF, 2004a:16) and as a step towards enhancing poverty-reduction strategies, *The State of the World's Children 2005* proposes the following working definition:

Children living in poverty experience deprivation of the material, spiritual and emotional resources needed to survive, develop and thrive, leaving them unable to enjoy their rights, achieve their full potential or participate as full and equal members of society.

(UNICEF, 2004a: 18)

Child budgeting has been included in the Eleventh Five-Year Plan. The Twelfth Five-Year Plan documents of the GOI Planning Commission and the National Policy for Children 2013 (Heiburg & Thukral, 2013: 271) allocate 5% of the Union budget to BfC, an increase of 0.3% since 2011-12. However, the inflation rate during the same period was 6.6% (HAQ Centre for Child Rights, 2012: 2).

Despite recognition for protecting children in the Eleventh Five-Year Plan and reaffirmation in the GOI Ministry of Women and Child Development ("MWCD") Working Group Report for the Twelfth Five-Year Plan, there is an 18% fall in allocation.

Children form a large population and yet receive a small proportion of the national budget and as a result they suffer from poor nutrition, inadequate health services, and lack of clean water, sanitation and basic education.

(Heiburg & Thukral, 2013: 257)

One study (Kacker et al, 2007) suggests that in 2005-2006 India's total expenditure on child health, education, development and protection programmes together amounted to a mere 3%-4%<sup>17</sup> of the national budget (Kacker et al, 2007: 6). A lack of detailed assessment of government spending on children is also said to prevent the effective improvement of children's basic standard of living (Heiberg & Thukral, 2013: 257).

The Committee on the Rights of the Child had in 2000 and 2004 recommended that India increase the proportion of budget allocated and also undertake a systematic assessment of the budgetary allocations.

(Heiberg & Thukral, 2013: 272)

One of the makkala panchayats' requests to the gram sabha was for a separate children's budget to be allocated to children. This request, at the time of my fieldwork, was pending. From my fieldnotes taken on 13th October 2008, the total local government grant per year for each panchayat in Kundapur Taluk was five lakhs<sup>18</sup>, not related to population size. This figure includes finances for water facilities, small dams, footbridges, roads, street lights. The five lakh budget does not include funds for schools which fall within the remit of the GOK.

You gotta get out of the city to find the real India.

(Roberts, 2005: 9)

70% of India's population lives in rural India (Hazra, 2001: 32). Agriculture accounts for less than 20% of India's output yet employs three-fifths of its workforce (Ahuja et al, 2008: 4). Agriculture is the main economic activity in Kundapur. Rice paddies and coconut, areca and cashew are the main plantation crops. Rubber and other commercial crops like sugarcane and groundnut are also grown. Rice is

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<sup>17</sup> but compare with the 2¾%-3½% budget expenditure reported by the WHO (2012: 98). This is an illustration of the difficulty I have found in using some published secondary data.

<sup>18</sup> i.e. ₹500,000. For the definition of lakh, see Glossary.

the staple food of nearly 65% of India's population (Barah, 2005: 1). Rice is produced by marginalized farmers not only for its income but also for household food security (Barah, 2005: 3). It plays an important role in the socio-economic fabric of rural Karnataka and many households depend on a good harvest to survive. Harvesting the rice paddy involves all family members, including children.

As agriculture is more labour-intensive than present minority-world processes, most of the population live in rural villages. The buildings are uniformly concrete, unkempt and bedraggled. Inside, the décor is paint wash, the floors bare concrete. Furniture is rudimentary. There is electricity but no running water. But these homes are tidy and well kept. The floors are covered with matting and framed pictures fall into two types: photographs of family and prints of Hindu deities.

Rural infrastructure and water sanitation were lacking and access to essential services, particularly those for children, were limited. In almost all countries where data on child mortality rates are available, rural children are more likely to die before the age of five than their urban peers (UNICEF, 2005: 19).

The communities of Ampar, Hemmadi and Nada all had limited or no access to transportation. Buses were often infrequent or non-existent. Auto-rickshaws are expensive and charged by kilometre. Bicycles are difficult to use in rainy seasons as most roads are not tarred.

Electricity supply was often limited or intermittent and many households were dependent on kerosene for their main source of lighting, often leading to dangerous accidents, particularly involving children who work by them at night to do their homework. This danger was referred to in several interviews by both adults and children.

I remember that there is the street light problem, and road problem, and drinking water and toilets problem, lots of problems these children have.

(Shayamala, gram panchayat, 1st November 2008)

India's education sector is the highest resourced of the BfC, with 3% of the Union Budget and 67% of the BfC going to it. UNICEF's Country Programme Action Plan 2013-2017 (UNICEF India, 2012) suggests that India will achieve universal primary education, an MDG, witnessing increased school enrolment, retention and completion rates ranking it 122nd out of 177 countries (Human Development Report, 2007/2008; GOI, 2009). Primary school attendance rates for girls aged 6-10 years increased from 61% in 1992-1993 to 81% in 2005-2006 (UNICEF, 2009: 33).

The Constitution of India obliges GOI to provide free and compulsory education to all children until age 14<sup>19</sup>. This declaration was to be achieved by 1960 but the target date has been repeatedly moved forward since then. The modified Education Policy (1992) further revised it to the end of the 20th century. However, universal primary education has not yet been achieved<sup>20</sup> (ACHR, 2003: 53). More than 80 million children aged 6-14 drop out of school before they complete the full eight-year elementary education (Human Rights Watch, 2014: 46). One of the children in my study, Deepak, had dropped out of school but he was the exception rather than the rule in my study.

Karnataka has a reported literacy rate of 75% (82% for males and 68% for females)(Kothari et al, 2005: 24), a significant improvement in overall literacy as compared to 2001 when Karnataka's literacy rate was 66%

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<sup>19</sup> The Right of Children to Free and Compulsory Education Act (2010) under Article 21A. 'This path-breaking piece of legislation provides for the right of all children to free and compulsory admission, attendance and completion of quality elementary education with the removal of all barriers' (UNICEF, 2010: 1).

<sup>20</sup> Interestingly, there is a striking increase in 7+ literacy reported from 65% (2001) to 74% (2011); while urban female literacy achieved a fair increase from 73% (2001) to 80% (2011), rural female literacy showed a significant rise from 46% (2001) to 59% (2011).

(Census India, 2011). Kothari and others draw attention to the difficulty of ascertaining the literacy rate as ‘what the Census methodology enumerates is an individual household member’s report of the literacy/illiteracy status of all the members within the household’ (Kothari et al, 2005: 24). When the figures were investigated more thoroughly, in a random sample of Hindi speakers of whom 61.8% classified themselves literate, the reality was that, on their reading of ‘an extremely simple paragraph’, 12% read with ease, 36.3% made mistakes or read with a range of reading difficulties, and 51.7% who could not read at all (Kothari et al, 2005: 25).

A recent news article reports that an order from the Karnataka High Court to conduct a survey of the state’s education system was prompted by contradictory reports of the number of out-of-school children, with ‘figures quoted by activists and those presented by the state education department, standing at 6.28 lakh<sup>21</sup> and 51,994 respectively’ (India Today Online, 2014), a difference exceeding a factor of 10. The survey conducted by GOI<sup>22</sup> among children aged 7-14 determined that Karnataka children’s non-attendance was 170,525, the area of Bangalore South reporting the highest number of out-of-school children, at 18,393. This was reported by an education department official to be largely due to rural-urban migration, particularly as a result of construction sector expansion in Bangalore.

The Annual Status of Education Report 2013 (Banerji et al, 2014) indicates the inadequacies in the state’s education system in its rural areas, suggesting a sharp decrease in student reading and mathematical abilities in the period 2009-13. UNICEF and GOI assert that sub-optimal learning and completion of upper primary education,

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<sup>21</sup> i.e. 628,000.

<sup>22</sup> The survey is reported (India Today Online, 2014) as having been carried out by Sarva Shiksha Abhiyan (“SSA”), the GOI programme for universalization of elementary education, part of the Department of School Education & Literacy within the GOI’s Ministry of Human Resource Development. Unfortunately, I can find no trace of the Court Order or the survey on either the SSA’s or the High Court of Karnataka’s websites, to dig deeper into the report.

particularly among girls, children in rural areas and minority groups and low income groups is an ongoing challenge (UNICEF India, 2013: 2). School attendance in rural areas is made difficult by distance, terrain, unschooled<sup>23</sup> parents (or parents who do not value formal education), outmoded curriculums and a failure of governments to attract appropriately-trained and qualified teaching staff to rural areas (UNICEF, 2005: 19; Save the Children, 2006b: 3).

Karnataka's rural population is 37 million and its urban population 23 million (Census India, 2011). The rising tide of rural-urban migration throughout India has turned Delhi, Mumbai and Kolkata into three of the world's twenty-one "megacities" (Heiberg & Thukral, 2013: 30).

Rural-urban migration throughout Karnataka sees families and children forced to live in squalid conditions in slum clusters in and around Karnataka's cities, particularly in Bangalore (Singh, 2005, 2005: 27-33). This increasing rural-urban migration in Karnataka's Udupi and Manipal Zillas is what prompted CWC's founders to focus on the impact of migration on children and child labour (Wesley, 1995: 39-40). Research conducted by CWC on migrant communities indicated that they exist on low wages, living in difficult, risky and hazardous environments (CWC, 2005: 27).

A study by Singh (2005: 70) suggests that child migrants often make their homes where they first arrive, in railway stations. A child who reaches a railway station has on average, twenty minutes before encountering some form of abuse or exploitation (Singh, 2005: 171). A

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<sup>23</sup> In a draft of this thesis, I had "uneducated" here. My supervisor asked "Uneducated or unschooled?" and he was right to pull me up. For pragmatism, I have used "unschooled", but this does highlight how deep and pernicious run the language-cognitive effects of postcolonialism. (see Cooke, 2001). I do not know what education the Kundapur parents' generation received, nor do I have any research to back up an assertion of "uneducated". That the Kannada speakers do not speak English is certainly no criterion. That my writing did not take account of cultural relativity is part of an answer, but still a patronizing one. Assumptions made about rural communities go against the philosophy of qualitative research yet, they remain, it seems, unconsciously institutionalized.

study conducted by Bangalore Oniyavara Seva Coota identified 202 runaway children aged between 18 months and 17 years “rescued” at Bangalore City Railway Station. Of these, 130 children were from rural Karnataka, 186 were boys fleeing home due to fear of exams or quarrels with their families. These children were picked up between 10pm-4am, a time that officials say that child traffickers are most active (The Hindu, 2014a).

Over ten million children live on the streets and among them are the most vulnerable; almost all coming from rural areas (Singh, 2005: 21)<sup>24</sup>. A large proportion of these suffer from the worst forms of deprivation and abject poverty, and ‘languish in the quagmire of apathy and alienation’ (Save the Children, 2004b: 1).

During my fieldwork, there were many migrant families living on the outskirts of Kundapur town. These families, I found out in interviews, had been approached by members of the makkala panchayat, to determine whether there were any children they could help. There were no migrant children in my research population.

It has been estimated that approximately one-third of the world’s malnourished children live in India; 46% of India’s children suffer malnutrition (Heiberg & Thukral, 2013). An MWCD-sponsored study (Kacker et al, 2007: 7) reported that the majority of India’s children suffer from malnutrition and inadequate healthcare. Under-nutrition contributes to more than one-third of under-five deaths (UNICEF India, 2012: 17); some 500,000 children and 54 million children under five are underweight (UNICEF India, 2012: 6).

The Patil Committee (2012) submitted a ‘comprehensive master action plan report on prevention of malnutrition of children in the state of Karnataka’ to the High Court of Karnataka. The High Court ‘accepted

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<sup>24</sup> Girls often disguise themselves as boys and live with them in gangs. Many are forced into the sex industry before they reach adolescence (Singh, 2005: 39).

[the plan] subsequently and the State Government there after implemented a comprehensive action plan to tackle malnutrition among children' (Rohith, 2014). The Patil Committee's recommendations highlight poverty as being the single most important economic factor in childhood malnutrition.

The Committee, in 2012, does not refer to a development perspective such as that offered by Walton who recognizes that '[c]hild malnutrition in India is shockingly high' (2009: 16). Walton attempts to address the puzzle: India's economy is booming, so why are there so many hungry children in the country? Walton's conclusion, in part, is that the problem lies, not with an absence of the technical skills or expertise necessary to effect change, but that it

lies in political and social institutional functioning, that has led to uneven growth, under-provisioning of nutrition-related public goods, and weak functioning of the state.

(Walton, 2009: 23)

Corruption was reported in many interviews I had children, adults, both parents and CWC, as both a huge predicament and an insidious endemic on a local and national level. Even local government officers acknowledged that India has a huge problem with corruption. Walton suggests that

the kinds of experiments in change that would be desirable should pay as much attention to institutional designs, adapted to local political and social conditions, as to technical issues.

(Walton, 2009: 23)

This contribution to the understanding of poverty it seems has not been translated into the political discourse. An Assistant Professor at Osmania University in Hyderabad reports that poverty is 'the foremost cause for child labour' and illiteracy is 'a cause for child labour'

(Madhukar, 2014: 43). There is no discussion around the causes of poverty or illiteracy.

Manjunath and Patil, two Karnataka High Court judges at an extra-judicial workshop in July 2014, stated that it is the right of children to get good food and quality education and this was not solely a responsibility of parents but of society also. They reported that, following a report on malnutrition, the High Court had *suo motu*<sup>25</sup> initiated a Public Interest Litigation (“PIL”) on this issue and the role of judiciary was one of social responsibility as much as justice (The Hindu, 2014b).

The makkala panchayat protocol (CWC, 2004a) attempts to address gender inequality through positive discrimination. For example, where 65% of elected members in a panchayat are girls, this is said to reflect the larger ratio and lower status of girls to boys (Usha, CWC, 28th October 2008).

Gender inequality in education has seen that ‘[t]he majority of the global population of 115 million out-of-school children are girls’ (UNICEF, 2005: 87). Save the Children (2006a: 1) indicates that girls have low attendance and early drop-out rates, particularly in rural, tribal and remote areas<sup>26</sup> and two-thirds of India’s girl children cannot read and write (Singh, 2005: 164). UNICEF (2005: 22) claims girls’ exclusion from education in comparison to boys is one of the clearest statistical indicators of gender discrimination.

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<sup>25</sup> *suo motu* actions are an interesting development in the constitutional law of India (and a number of other south-east Asian countries), whereby judicial and administrative bodies can, at their own discretion, call in issues that come to their attention by other than formal avenues, e.g. newspaper articles.

<sup>26</sup> However, the gender gap in primary education has been closing since 1980 but gender gaps in secondary education are even more pronounced: of 75 developing countries surveyed by UNICEF, only 22 were on course to meet the MDG target of gender parity at the secondary school level. Girls’ exclusion from education in comparison to boys’ – especially in South Asia.

Preference for male children is a feature of Indian, particularly rural, society. To announce the birth of a male child, grandmothers beat a thali<sup>27</sup>; in contrast, when a girl is born an earthenware pitcher is broken at the entrance to the home, a practice also performed at the death of a family member. This practice is symbolic of the many differences between the genders. A symptom of India's highly patriarchal society, discrimination against girls not only restricts their access to education and their mobility. It increases their vulnerability to coerced sex, both within and outside marriage, unplanned pregnancy, STIs, early marriage and motherhood, it reinforces low self-esteem, low self-confidence, and leaves them with few or no support networks (Sen, 2001).

Child marriage in India has been illegal since 1929. The Prohibition of Child Marriage Act 2006 states the legal age of marriage is 21 years for males and 18 years for females. Despite legislation, surveys indicate an estimated 47% of females aged 20-24, and 16% of males aged 20-49, were married or 'in union' before age of 18 (UNICEF, 2009: 33).

The practice of child marriage, defined as any formal or informal union where one or both parties is below the age of 18 is a practice most commonly found in rural and impoverished areas and strongly patriarchal societies; rural Karnataka is a prime example.

Most child marriage takes place in rural areas and economic factors such as poverty and dowry, gender norms and expectations, concerns about girls' safety and family honour - and the lack of educational opportunities for girls - are all factors contributing to the difficulty of ending the practice.

(Heiberg & Thukral, 2013: 241)

While the Convention does not explicitly address child marriage, multiple articles address the harmful consequences associated with the practice. The Convention also recognizes the protection of children from

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<sup>27</sup> a traditional metal plate, usually divided into sections for an assortment of foods such as pickles, poppadums, vegetables etc.

discrimination based on gender. For the most part, decisions about when and whom to marry are not made by children themselves, but by their family.

Since 2002, CWC has built a state-wide campaign against gender discrimination and the practice of child marriage. This has included implementing “sensitization” programmes for girls aged 12-14. The makkala panchayats in my study have all expressed their commitment to see child marriage totally eradicated in Karnataka (CWC, 2005: 18).

According to official statistics, 13 million children [worldwide] are forced to do dangerous or exploitative work to support their families - in factories, as maids or in the sex industry, on farms or as bonded labourers. Unofficial estimates put the number of children affected by child labour at 100 million.

(Save the Children, 2006b: 1)

India has the highest number of working children in the world (Heiberg & Thukral, 2013: 238). In 2005-2006, approximately 12 million children between ages 5-14 years were involved in some form of child labour, according to UNICEF India (2012: 1).

The Karnataka Shops and Commercial Establishments (Amendment) Act 1997 made it illegal to employ children below the age of 14. Those between ages 12-18 are defined as ‘young persons’ as against the earlier 12-15 years age limit (Bajpai, 2006: 192). In the event that the federal Child and Adolescent Labour (Prohibition) Act (“CALPA”)<sup>28</sup> were to become law, Karnataka would be obliged to bring in its child labour provisions, although CALPA has been somewhat foreshadowed by Karnataka’s 1997 law *vis-à-vis* the age limits for child labour.

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<sup>28</sup> In 2012, the federal cabinet approved what would become the CALPA, in which all forms of child labour would be banned below age 14, and hazardous labour between ages 14-18. By December 2013, the Bill had been placed before the federal Parliament (Standing Committee on Labour, 2013), which needs to approve it before it goes to the President for assent into law, which is not an automatic process. As of May 2014, CALPA remains to come into effect.

The conditions and abuse of child labourers has prompted India's National Human Rights Commission ("NHRC") to direct GOK to submit a report on child labour abuse and attacks on child labourers. According to a news report, the NHRC's concern was a response to the 'miseries' of migrant labourers from Karnataka 'who are victimised by touts and brick kiln owners due to lack of effective action by the state authorities' ("dnaindia", 2014).

Children worked in the local factories. I requested a visit to observe the conditions of children's labour. These visits proved to be educational and valuable background information for me. I visited a brick kiln factory where children were working, some of whom appeared to me to be younger than 14 years, although this was denied by the factory management. Usha and two CWC fieldworkers who accompanied my visit were vague on the question. One of CWC's flagship policies is to eliminate child labour in Karnataka and it claims there are 'virtually no children' working who are under the legal age as a result of CWC efforts in this area (CWC, 2003: 3).

I estimated their ages as closer to 11 or 12 years. However, I have no hard evidence that there were children working who, by law, should not have been. I was prevented from taking photographs in the factory, although I managed to take some photographs surreptitiously. I justified taking these photographs because, while I could not prove it, I genuinely believed I was being lied to in an effort to protect both the brick kiln management and my gatekeeper from complicity in law-breaking. The children whom I photographed were not included in the interview cohort. There was no opportunity for me to interact with the brick kiln children. Rightly or wrongly, I considered that my small attempt at covert investigation did not create trust issues with my primary research population. However, what it did give me was some insight into the realities of my primary research population's lives because many of them were involved in child labour outside the makkala panchayats.

Blagbrough and Glynn (1999) write in support of the ILO (1999) Convention which recognized child domestic workers ("CDWs") as a new form of slavery. Girls often travel from rural areas to work in the towns and cities of Karnataka as CDWs, the lowest in status, the lowest in remuneration and the least regulated of all sectors and age of entry can be as young as 6 years.

Some excluded children are made invisible - denied their rights, physically unseen in their communities, unable to attend school and obscured from official view through absence from statistics, policies and programmes.

(UNICEF, 2005: 7)

McKechnie and Hobbs (1999: 89) illustrated the need to distinguish between "labour" and "work". CWC were instrumental in this differentiation between "child work" in a family enterprise and "child labour" in heavy or dangerous industries. This distinction served to polarize the focus of those investigating or organizing child employment.

We need to replace the 'labour-work' paradigm with models which are more effective at discriminating between the different forms of employment in which children are involved.

(McKechnie & Hobbs, 1999: 89).

#### White notes

the exploitation and *abuse* of children's capacity to work becomes a serious social problem. It is in this sense – the *abuse* of children in work, rather than the fact of their involvement in work – that the 'child labour' problem should be understood.

(White, 1999: 133)

While living in Bangalore, I often saw girls working in neighbouring houses. Whether they were denied the rights that UNICEF suggests, I cannot say. Some I saw arriving and leaving, others I did not. It certainly brought home to me the challenge of bringing the issue 'from the

confines of a home onto a public debate and government agenda' (Save the Children, 2004a: 1).

[I]t is not necessarily the work itself which is particularly abusive or hazardous, but rather the terms under which they are employed and various aspects of their working conditions.

(Blagbrough & Glynn, 1999: 55)

While I was not aware that any of my research population were CDWs, it seemed likely that some children would work as CDWs in the holidays or Hindu festivals<sup>29</sup> or puja<sup>30</sup>. CWC remained vague on the matter.

## Conclusions

The background information I have provided in this chapter I intend provides a framework of understanding of the panchayati system insofar as it sits within the Constitutional settlement made after Independence, a result, in part, of Ghandi's philosophy of swaraj. This ideal of participatory democracy has been worked down to very local village councils with decision-making powers in important matters affecting the rural economy in these small communities.

This political settlement does not prevent India's poor from shouldering many existential burdens. Poor-quality education, labour opportunities for children and co-existent rural-urban migration of children searching for paid work to support themselves and their families, discrimination of various kinds and the health impacts of malnutrition and disease all make life for many children in India, viewed from a Western-centric perspective, very difficult. The work of NGOs in supporting communities in poverty, both urban and rural, is seen throughout India.

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<sup>29</sup> India celebrates Hindu festivals each year. One calendar (Rudra Centre, 2014) lists 120 festivals for 2014.

<sup>30</sup> *Puja* is a Hindu prayer ritual to honour, worship and celebrate distinguished people or deities held in the family home.

For example, the Karnataka Child Rights Observatory (“KCRO”), a UNICEF-supported initiative to promote and protect child rights in Karnataka, is raising issues that range from assessing the quality and reach of education and health services, to the accountability of GOK to children. Established in 2008, KCRO, as it is a coordinating body involving many stakeholder organizations, both private and state, offers the potential to bring focus and influence to bear on the future for children in Karnataka (KCRO, 2014).

What is explicit in the vast number of studies on the well-being of children is that the vulnerability of a large percentage of them is continuing to challenge both GOI and GOK. What is not certain is how the future of India’s economy will affect the country’s and Karnataka’s economic development or social progress. UNICEF (2009: 33) suggests that it would seem likely that increases in absolute levels of poverty may slow or stall any gains made to the improvement of children’s welfare (UNICEF, 2009: 33).

Strains on household, corporate and government budgets are threatening spending on services and commodities essential to meeting children’s rights to survival, development, protection and participation.

(UNICEF, 2009: 60)

The vicious cycle of poverty is reflected in the view of the MWCD (2007: iii) that India’s progress will be affected if issues such as child education entitlement, health, abuse and neglect, female foeticide and infanticide, girl child discrimination, child marriage, child trafficking are not addressed. The level of protection India’s children requires is something GOI is presently unable or unwilling to provide, a bleak and sobering prospect in an era focusing on children’s rights. It is this gap in government provision that many NGOs seek to fill, one of which is The Concerned for Working Children (“CWC”) that I introduce in the following chapter.

# Chapter 4: Gateway to the makkala panchayats

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The area of my fieldwork was in Kundapur Taluk, a principally rural environment populated by small villages of approximately one thousand people. The NGO with whom I worked in association was The Concerned for Working Children (“CWC”). In the next section, I describe CWC, its work and its integration into Kundapur communities. I proceed to consider the makkala panchayats as initiative, as political actor and to assess its successes in the realm of children’s participation in local government as presaged by the Convention. I describe the structure and process of the makkala panchayats, as well as its sister programme, the makkala gram sabha, and one of its activities, the children’s Five-Year Plan.

## 4.1 CWC: function and purpose

Our vision: a sustainable and ecologically balanced world where all children are respected citizens and enabled protagonists, who realise, experience and practise all their rights through their participation in equitable partnership

with adults to establish and maintain together a secular, equitable, just, non-discriminatory world.

(CWC, *post-2012*)

CWC was founded in 1979 by trade union activists, now CWC directors, Nandana Reddy and Damodaran Acharya. They began their work in with children in 1990 in the form of Bhima Sanga, a union for children involved in work. I interviewed Acharya on the final day of my fieldwork, and Nandana, along with two other directors Lolichen ("Lolly") and Venkatesh ("Venk") took the decision to work in association with me for my research project. So, CWC became my fieldwork gatekeeper. It is this, at times uneasy, association with CWC that the following Section introduces.

CWC's vision at the time of my fieldwork was of

[a] world where all children are respected citizens and able protagonists, who realize, experience and practice all their rights through their participation; where children and adults are in responsible partnerships to establish and maintain together a secular, equitable, just, non-exploitative world where there is no discrimination based on ethnicity, caste, religion, gender and language; and where all life coexist in harmony with nature and resources are used in a sustainable and need based manner.

(CWC, 2008: 6)

A study of Karnataka's "Silicon Valley"<sup>31</sup> in the 1980s suggests that 40% of the workforce comprised children under 14 (CWC, *post-2007*). The report argues that India's labour laws had consistently failed to respect children as workers or protect them as children. CWC advocated for a decentralized labour policy that would more accurately reflect the lived experience and real needs of children and, whilst calling for the elimination of child labour through child labour free zones. These zones are a geographical area where all children are systematically withdrawn

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<sup>31</sup> So-named after the nickname for the silicon chip industrial area of San Francisco; this is Bangalore's commercial technology area and is the country's IT hub.

from work and are (re)integrated into formal, full-time schools. No distinction is made between different forms of child labour in this process because every child has the right to education (CWC, *post-2007*).

CWC took the view that the working conditions and practices of children's work differed from, and were often in conflict with, adult workers. Reddy stated that, despite the enthusiasm of working children to form their own trade union 'wanting *nyaya* or "justice"<sup>32</sup>', adult trade union colleagues advised her against facilitating it, arguing that it would reduce adult workers' bargaining power. Reddy suggested that children's work involved the most menial chores: difficult, repetitive, often hazardous, and demeaning and was the work of adults (Reddy, 2005).

CWC facilitated the 1990 setting up of Bhima Sangha and the union joined India's National Movement of Working Children ("NMWC"). With CWC, it convened the first international meeting of working children in Kundapur in 1996, culminating in the Kundapur Declaration 1996 (Miljeteig, 2000: 18).

In 1985, CWC facilitated children in drafting an alternate working children's legislation; the Draft Child Labour [Employment, Regulation, Training and Development] Bill, and in 1986, a diluted version was passed by GOI, the Child Labour (Prohibition and Regulation) Act 1986. The Act prohibits the employment of children below age 14 in seven occupations and eighteen processes, and is designed to regulate the working conditions of children in other employment. CWC accepted that this revision at least had generated, for the first time in India, a national debate on children's rights. However, CWC did not regard this revision as altogether successful.

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<sup>32</sup> A Sanskrit word, *nyāya*, came into English redolent with Hindu philosophy (OED, 2014: "nyaya, n."). 'A Nyaya aphorism declares that 'our actions, though apparently disappearing, remain, unperceived, and reappear in their effects as tendencies' (pravrittis)' (Radakrishnan, 1911: 467). To use the present-day translation, "justice", is to lose the philosophical-religious meaning of the word.

The major problem with the act was that it focused only on prohibition and regulation of child labour. The development component had been excluded and was left to be tackled by an action plan that was not mandatory.

(Reddy, 2005)

By 2009, Bhima Sanga had a membership of approximately 20,000 working children across rural and urban Karnataka (CWC, *post-2007*). The union 'has become an international model for children's participation' (UNICEF, 2009: 33) and is

an excellent example of a local and indigenous working children's movement ..., an independent grassroots organization of working children.

(Karunan, 2007: 310)

The Working Children's Day, 30th April, is officially recognised by the GOK, 'a notable success due to their [i.e. Bhima Sangha's] advocacy efforts', facilitated by CWC (*Mangalorean*, 2009).

Of the 56 panchayats in Kundapur Taluk in Udupi District, many panchayats have become totally child labour free. In all the other panchayats, the child labour figures have dropped very significantly and the members of those communities have expressed their commitment to address the issues of working children as top priority.

(CWC, 2005: 3)

From the beginnings of the child labour movement, CWC has evolved over time into an organization recognized both nationally and internationally for its contribution to the promotion of children's rights, participatory democracy and civil society participation. A true democracy, they suggest, is made up of a highly participatory civil society and an inclusive structure of governance. Government is held accountable to politically-aware communities and children are respected as citizens and holders of rights (CWC, 2005: 5).

CWC's political ideology stems from its assertion that democracy in most developing countries is highly precarious (Ratna, 2009: 7). Civil society, not only India's, but globally, has undergone a general disengagement from political process which has, in turn, led to diminished state accountability. CWC argues that far from a healthy, democratic system, as promoted by its Constitution, India's hierarchical top-down social, political and economic structures have a vested interest in rendering local government ineffectual (Ratna, 2009: 7).

These are times when political accountability is at an abysmal low, fundamentalism and parochialism are flourishing, civil society movements are largely fragmented and corporate governance and privatisation are gearing up to high-jack democracy to fulfil the personal aspirations of the elite.

(Ratna, 2009: 7)

The CWC has evolved within a child rights discourse that respects children as valuable contributors to society. However, children as a social group are the most marginalized, without the mechanisms to hold stakeholders accountable, including the state, the primary duty bearer. Children's right to self-determination is, according to CWC, the most fundamental aspect of child rights' discourse.

The issue of self-determination is at the heart of children's liberation. It is, in fact, the only issue, a definition of the entire concept.

(Farson, 1974: 27)

The dominant socio-cultural paradigm is "listen to adults", "do as I say", an ideology that in turn reinforces a cycle of children dependent on adults and, specifically, children's dependency on adult advocates, such as parents or NGOs, to 'speak on their behalf' (Ratna, 2009: 2-3). This absolute control by adults impedes children's ability, and right, to hold duty bearers to account and renders them defenceless from those charged with their care. Children face consistent rights' violations with little or no recourse to justice.

CWC argues that children are 'critical observers of their own conditions' (Ratna, 2009: 8) with their own political and social identity and possess an instinctive awareness of their own needs (Lolichen, 2006a: 022). Children must be involved in the design, implementation and monitoring of policies and programmes intended for them. CWC's call for accountability and transparency evidences their standpoint that currently there is no involvement, or little. It is CWC's belief that GOI is letting its child citizens down while the politicos and their apparatchiks hold hegemony over a stratification of civil society of which they are, of course, at the top (Ratna, 2009: 11). While the languaging has the texture of a communist revolutionary, the argument CWC makes is clear: GOI is failing its citizens by holding power within the hands of a small minority of politicians and, by implication, nefarious associates. As I report elsewhere, everyone in my sample population who expressed a view singled out corruption as the most important factor hindering the advancement of all in society.

CWC want children's mobilization and participation, to enable children to claim their rights and to address discriminatory, exploitative or abusive social norms. Children's participation cannot, therefore, be considered in isolation. It is related to the empowerment and engagement of family, community and civil society generally. To redress what it sees as India's current state of political and economic decline, CWC through its field programmes aim at enhancing civil society participation, sustainable community development, strengthened decentralized and democratic decision-making, and the implementation of appropriate education systems (CWC, 2008: 7).

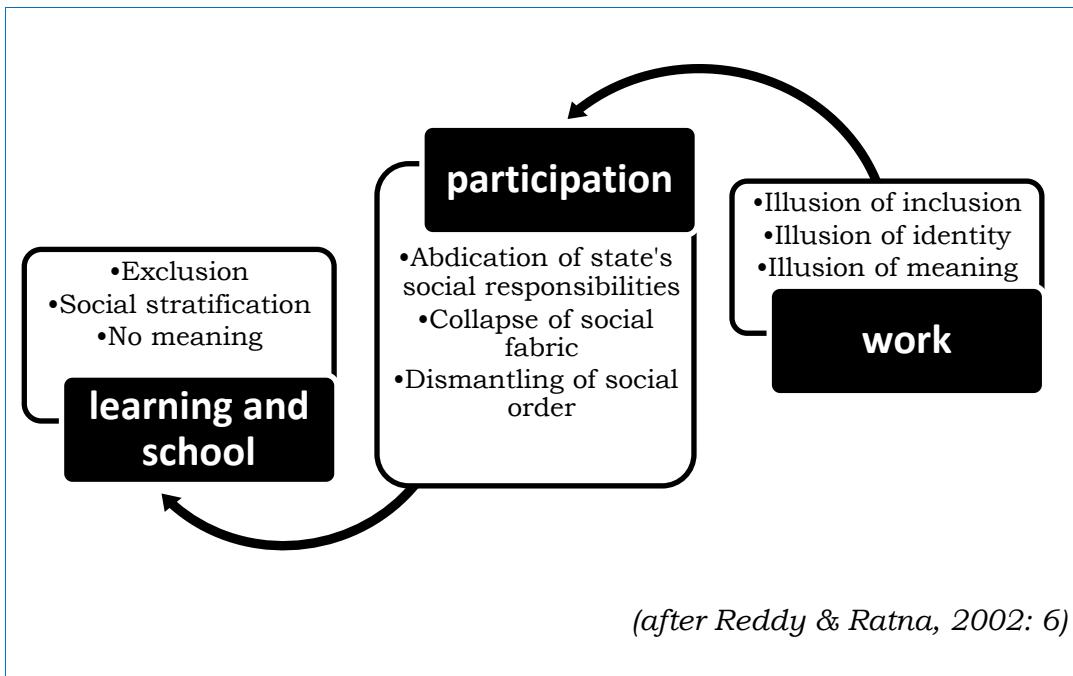


Figure 3: India's system of participation as it is, as seen by CWC

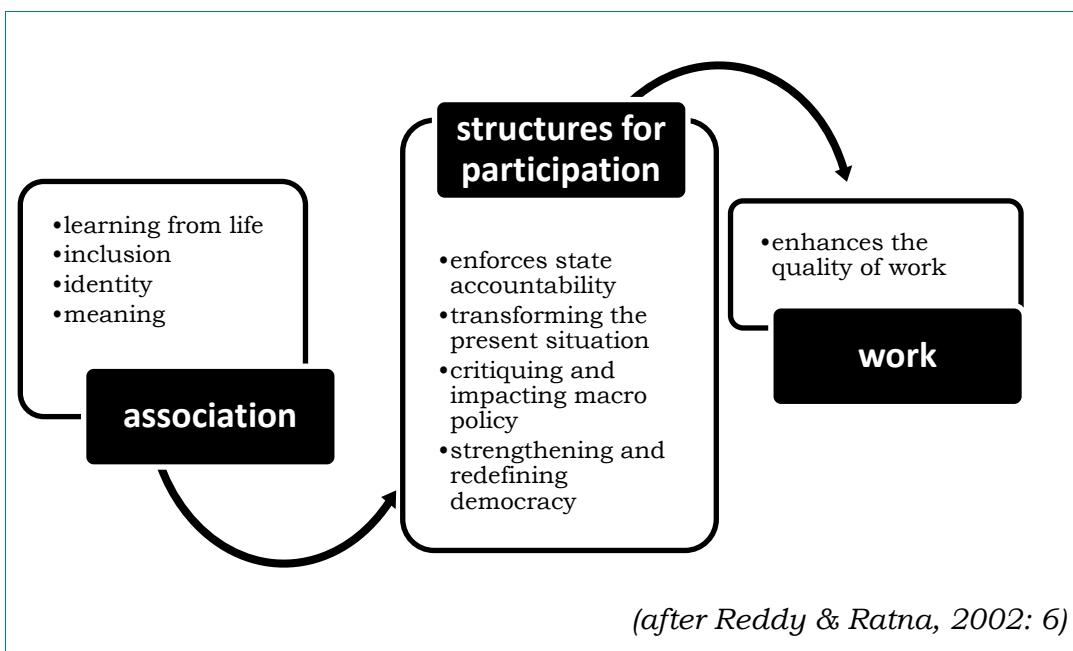


Figure 4: India's system of participation as it should be, according to CWC

CWC refer to the process of civil society resocialization<sup>33</sup>, the transformation of civil society into a fully-functioning participatory democracy.

[P]erhaps the first lesson is that we will have to unlearn many things before we can 'learn' ... [to] examine ourselves critically and redefine our roles, sometimes to the extent of unlearning what we thought to be 'right' and reconstructing ourselves closer to the children's paradigm.

(Reddy & Ratna, 2002: 4-5)

Resocialization is a reaction to the processes created when an individual, or group, finds itself newly empowered. Weiss Bar-Yosef (1968) describes resocialization as the learning of new attitudes and norms required for a new role in society (Weiss Bar-Yosef, 1968)<sup>34</sup>.

Interpretive theory focuses on *children's communal negotiations with others* ... From this perspective, socialization is not something that happens to children; it is a process in which children, in interaction with others, produce their own peer culture and eventually come to reproduce, to extend, and to join the adult world.

(Corsaro, 1992: 175)

#### The Strategic Objectives of The Concerned for Working Children

1. Solve child labour problem and be able to declare areas 'child labour free'. Facilitate protagonism of working children so that they may enrich their lives and contribute towards building a more just and equitable society.
2. Create the time and space for children to be empowered by making an impact on national and state policy, legislation and programmes.

<sup>33</sup> Developed from the behaviourist school (e.g. Skinner, 1948) the term "socialization" derives from the 1950s' and 1960s' US penal system, requiring an inmate's personality to be altered by carefully controlling their environment (McCorkle & Korn, 1954).

<sup>34</sup> The principal difficulty with resocialization is the extent to which it is considered voluntary or, contrarily, something akin to brainwashing.

- 3. Create theoretical and practical models that effectively and efficiently deal with the problem and can be replicated both by the state and by NGO's.
- 4. Influence state and national governments and international agencies and organisations to focus on child labour as a major part of their political agenda.
- 5. Influence state and national governments and international agencies and organisations to focus on child labour as a major part of their political agenda.
- 6. Use all forms of media, including mainstream, to sensitize the public to the issue and change perceptions in order to create a climate where child labour is not acceptable.
- 7. Build relations with NGO's, institutions, trade unions, social and political movements and individuals in order to build a strong lobby in support of the rights of children.
- 8. Develop with others an alternate agenda for India where there will be no exploitation of children.

(CWC, *post-2007: "strategic objectives"*)

These strategic objectives seek to mainstream children's participation in governance, from local to national and international levels (Lolichen, 2006a: 025). To do this, children need to be given a springboard from which they are able to participate in decision-making on matters affecting them. Although NGOs often create platforms for children, these tend to be temporary. CWC believes only within mainstream decision-making structures can such platforms be sustained.

CWC operate a number of field programmes which are located in both urban and rural Karnataka. The Ankur (urban) Programme began in Bangalore and Kundapur in 1985. In 1989, this was followed by its

sister, the Gramashrama (rural) Programme. This rural initiative covers panchayats situated in four zillas including coastal Udupi. Udupi was the site of my fieldwork.

Gramashrama is implemented at the village and taluk levels, adopting the panchayat as its basic framework. For CWC, the panchayat level is not only the easiest structure to replicate but, as an elected body, it convenes on a regular basis. This makes it the most readily-accessible structure of local government for children to participate in partnership with government officers who are directly accountable to their adult and child constituents (Ratna, 2009: 5-7).

[T]hey also have political and administrative jurisdiction that mandates them to develop plans, monitor them and to manage resources.

(Ratna, 2009: 10)

CWC designs its entry and exit strategies for each panchayat as an integral part of Gramashrama. Once these are established, they continue to function with the minimal support. As facilitators, CWC's input is usually restricted to capacity-building or technical resourcing on specific issues (CWC, 2005: 6).

For CWC, education is intrinsic to children's ability to exercise their right to participate in decision making, and to 'universal democratic progress more generally' (Acharya, 2006). The present structure of formal education is considered by CWC as irrelevant to children. They argue that the parameters of "good education" are defined by the '[w]estern perspective or the perspective of the upper castes' (Acharya, 2006).

CWC works alongside the education administration in attempting to address current teaching methodology, educational infrastructure and the exclusion of marginalized and working children from education

(CWC, 2006a: 32). Their aim is to provide an education process that is more comprehensive, accessible, appropriate, progressive, reflexive and child-friendly.

In my first discussions with Lolly, he described his antipathy towards formal education as irrelevant to children and the rural community. He became impassioned as he explained his view that it is only through CWC programmes that the real needs of children could be addressed. The impression I was left with, was that it is only CWC that fully understands children's needs and as such they are the only NGO that could effectively engage with Kundapur's children.

CWC has devised its own Appropriate Education Programme ("AEP") based on the Montessori Method<sup>35</sup>. Montessori originally pioneered a facility for young street children to facilitate their "need" for independence from their families: the *casa dei bambini*. Usually translated as "House of the Children", [r]ead "casa" as "home" and you perceive a moral and social dimension that transforms your understanding of Montessori's idea of school' (Martin, 1992: 10).

A world where all children can access an empowering and democratic system of education that is in keeping with their age, ability and interest and includes all arenas of learning to nurture, promote, enhance and protect the principles and practice of a participatory democracy.

(CWC, 2005: 32)

The approach takes 'aspects of culture, environment, geography, society and politics into consideration' (Acharya, 2006). Materials are designed by CWC. The curriculum covers a wide range of formal, rights and developmental features including formal education, reading, writing,

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<sup>35</sup> 'Montessori's model for school is an idealized version of home, an exemplary family serves as her model for the relationship in which those attending school stand towards one another' (Martin, 1992: 14). Montessori was convinced that children can and do make responsible choices when allowed to do so. It is not surprising, therefore, that the approach to education by CWC draws heavily on the principles and methods pioneered by Montessori (Caldwell, 2011: 11).

and sciences as well as vocational skills' training. CWC claims it to be a comprehensive education programme that enables children to access "relevant" information at their own pace and interest. The curriculum includes 'syllabi for personal development and empowerment' (Caldwell, 2011: 12). I was not entirely clear what these last two elements were, despite my seeking clarification from CWC. I have only Caldwell's statement to go by: 'matters of activism and governance play a crucial role in the curriculum' (Caldwell, 2011: 12). Education is provided in alternative<sup>36</sup> schools on the Namma Bhoomi campus.

This right to education should be translated as a right to an appropriate and relevant education that is made accessible to us and which enables us to be agents of change.

(CWC, *post-2007: "Protagonism"*)

CWC literature and secondary sources suggest that makkala panchayat members were instrumental in the introduction of this educational style which is favoured by children and is developed 'in partnership' with them (Caldwell, 2011: 12).

On campus, I saw children engaged in vocational skills' training and attending education workshops and classroom-based education. This system of education appeared to engage children, and had a very different style to it than what I saw being taught in school. Most notably, the conformity demanded by the formal school structure with its authoritarian approach was manifestly absent on campus. It was a busy place, and time seemed always to be filled by daily routine. They were always running from one building to another, busy, occupied and very much undistracted by my or other foreigners' presence. Before dusk,

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<sup>36</sup> 'An extension school is an extension of the formal school, where all children though registered at the formal school, are able to study at their convenience with regard to timings, location and scholastic needs' (Acharya, 2006). These schools were begun by CWC in collaboration with makkala panchayats and Bhima Sangha. They employ volunteer teachers trained by CWC, and follow the same curriculum and syllabus as the formal schools with the same public exams, but the timetables are more accessible to working children. 'Completing the extension school curriculum permits working children to go on to enter the formal education system' (CWC, no date: 3).

they would play cricket in the campus square, and were clearly having fun.

During my fieldwork, I stayed on CWC's campus, home to me for my five weeks of fieldwork. The Namma Bhoomi ("our land") campus accommodates approximately 100 children each year. This is the CWC's largest resource campus situated in Kundapur, with residential accommodation for vocational and educational training. These children are from disturbing backgrounds of abuse, exploitation or neglect. Some had been sold into prostitution; others were working as CDWs or bonded labourers<sup>37</sup> in surrounding quarry mines (Acharya, 2006).

I discovered that the poised and confident sixteen year-old, who showed me to my room and served my meals, had been sold into prostitution by her sister. She had escaped and found her way to Namma Bhoomi.

(Caldwell, 2011: 9)

Children living on campus do not pay for their education and vocational training but do assigned chores instead, such as scrubbing down livestock, milking cows, cooking meals and accommodating visitors, like me, by cleaning rooms or doing laundry. Tailoring students make and sell clothing; arts students produce statuettes for the tourist markets; and organic vegetables and various types of compost are marketed through self-help groups. Students on the hospitality course run the on-site hotel, providing catering and service (Caldwell, 2011: 14).

CWC conducts stakeholder capacity-building programmes involving the education department, gram panchayats, local police and media (CWC,

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<sup>37</sup> A child or adult is defined as a bonded labourer when their labour is demanded as a means of repayment for a loan or debt. It falls within the definition of forced labour (ILO, 2012: 19). The individual is entrapped into working for very little or no pay. This debt bondage was used as a means to compel indentured labourers into working on plantations in Africa, the Caribbean and South-East Asia, following the abolition of the transatlantic slave trade. In India, it is rooted in the caste system and predominately affects dalits. Debt bondage is found in agriculture, brick kilns, mills and factories around Karnataka. Often, the debts are passed on to next generation and the system features in human trafficking practices.

2005: 24). Resource and training programmes are developed by the Centre for Applied Research and Documentation (“CARD”)<sup>38</sup> or Dhruva<sup>39</sup>.

CWC line managers, field co-ordinators and directors monitor the organization’s initiatives *in situ*. Programme evaluations and monthly progress reporting are carried out against activities and objectives; quarterly reviews are conducted, and ‘focus group discussions are held with children to monitor progress’ (CWC, 2008: 31). Half-yearly programme evaluations are conducted, and final review evaluations and outcome reports are made at the year-end (CWC, 2008: 25).

Based on the review in 2008, the organisation has taken a decision to focus on two major areas - one is the consolidation of the existing models created by the CWC in order to mainstream them; and the second is to protect and strengthen decentralised democracy with emphasis on the participation of the most marginalised members of the civil society.

(CWC, 2008: 31)

#### 4.1.1 Funding of and independence of CWC

The organization’s funding is provided ‘to the extent possible’ from local resources (CWC, 2008: 28). Venk told me that they also receive funding from the Swedish charity FORUT, who campaign for ‘solidarity and development’ and Save the Children, Norway/Sweden.

FORUT (Sweden) and Save the Children Norway/Sweden and private donations and agencies and Indian corporations [fund us]. We take money and give report of what is happening, we don’t take any conditional funding. Our total expenditure is open to all, there are no hidden costs.

(Venk, CWC, 23rd October 2014)

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<sup>38</sup> CARD was established in 1989 and enters partnerships with other grassroots organizations for advocacy and capacity building purposes (CWC, 2006a: 7).

<sup>39</sup> Dhruva was established in 1998 to provide national and international consultancy services to governments, corporations and NGOs (CWC, 2006a: 7).

Venk stressed CWC does not rely on, indeed opposes, any form of federal or state government funding. This independence enables CWC to work according to local needs and set their own (unconditional) agenda, strategic aims and objectives.

[external agencies' research] parameters are often determined by the funding agencies that do not allow for even the basic rigour to be followed arriving at erroneous results.

(Lolichen, 2006a: 021)

However, GOK is linked to CWC funding.

[CWC is] also assisted to identify sources - such as government schemes and programmes that may cover similar areas.

(CWC, 2008: 28)

The funding for the makkala panchayats comes from the Ministry of Rural Development and Decentralisation, Karnataka.

One World Foundation India (2012: 8)

#### 4.1.2 CWC Nominated for Nobel Peace Prize

The CWC was nominated, along with UNICEF and Save the Children, for the Nobel Peace Prize by the Norwegian Parliamentary Committee in February 2012<sup>40</sup>. The nomination letter sent to the Nobel Committee, by three members of the Norwegian Parliament stated that

[a]n award to these three organizations would greatly contribute to a much-needed increase in the worldwide focus and attention on the children's right to participation.

(Radical Humanist, 2012)

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<sup>40</sup> Høyres Hovedorganisasjon (2012) is a video blog showing L.H. Helleland, Norwegian MP, making the CWC nomination on 15th February 2012 and Namma Bhoomi (2012) shows N. Reddy expressing the gratitude of CWC for the nomination in a video blog uploaded 14th February 2012.

In discussing the nomination, Reddy (CWC) stated

[c]hildren should have choices. Children should not do work that is intolerable, that is harmful, that is hazardous. But children should have avenues where work and learning can go together at least until poverty is eradicated.

(FSRN<sup>41</sup>, 2012)

This particularly enraged Rajeev (2012), a blogger on contemporary Indian politics.

In their policy briefings, CWC experts put forward a rather peculiar and perverse form of a rights-based approach. It is as if on the issue of labour, poor and disadvantaged children have a right and ability to determine what's good for them. They frame the question of child labour against the liberal narrative of individual rights and free-will, as opposed to more critical perspectives that identify the systemic causes like predatory capitalism that force poor children and their parents into making these choices ... NGOs like CWC are trying to rollback the public discourse on child labor to make it more palatable. Approaching child-labour from this "non-dogmatic" position, CWC argues, will enable children to imbibe an "honorable work ethic" and open up avenues out of poverty for poor children. After all, what is more honorable than to submit yourself as fodder for capital in these neo-liberal times.

(Rajeev, 2012)

In other words, children have the ability to understand that working is *per se* not good for them but are not allowed to exercise choice.

There is a direct relation between the growth of social movements challenging the neoliberal model and the effort to subvert them by creating alternative forms of social action through the NGOs ...

... In other words, as the neoliberal regime devastated communities by inundating the country with cheap imports,

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<sup>41</sup> Free Speech Radio News.

extracting external debt payment, abolishing labor legislation, and creating a growing mass of low-paid and unemployed workers, the NGOs were contracted to provide the poor “self-help” projects, “popular education,” and job training—to temporarily absorb small groups of the poor, to co-opt local leaders and undermine antisystemic social movements.

(Petras & Veltmeyer, 2011: 128)

I leave the final word on the Nobel nomination to Rajeev.

American neo-conservative leader and presidential candidate Newt Gingrich was recently in the news when he tried to argue for replacing unionized janitors in schools with poor student workers from low-income, minority communities. Why pay market-rate for adults who are unionized (not just “collectivized” in 21st century NGO parlance) when you can recruit their children at half the rate. Perhaps, Newt should take a leaf out of CWC’s playbook and use their sophistry to make his case. After all, it’s what goes around as Nobel Peace Prize-grade activism these days.

(Rajeev, 2012)

## 4.2 Makkala panchayats

CWC holds the reins, in a sense, by providing the facilitation for the makkala panchayats.

For me facilitation means some democratic principles, defining our different roles in that process and respecting each other’s differences and understanding it and keeping that in mind we have to work on facilitation. It’s not a formula, I can’t give you a working model, but I can give you the principles of it, and the philosophy. It’s based on experience.

(Acharya, CWC 7th November 2009)

Reddy and Ratna have their own interpretation of the CWC philosophy.

It is this experience with children, that has defined our view of children’s participation and we have developed

mechanisms/structures, methodologies and tools to strengthen these processes.

(Reddy & Ratna, 2002: 8)

When children are asked why they and not adults should engage in identifying the problems that they face they have given the following responses:

- Children's problems are very different and unique from adults.
- Even if adults are aware of children's problems, they don't give much importance to solving them.
- It is easier for adults to adjust to the problems they have, but it is difficult for children to manage.
- Adults are less affected by their [i.e. adults'] problems than children are by theirs [i.e. children's problems].

(CWC, 2006b: 21)

The objectives of the makkala panchayat

To be a platform to help children solve their problems in the panchayat

To be managed by children, for children

To be an integral part of the local government in the future

To help children recognize their own rights and to realize them

To enable children to gain opportunities to solve their own problems through the local government

To provide children appropriate experience to participate actively in local governance processes in the future

To provide opportunities for all children, including working children, school children and disabled children to take part in the panchayat

To prevent children from economic exploitation by solving the problems of school children

To encourage equality among all children

To enable children to participate and gain respect in society

(CWC, 2004: 23)

These objectives are plainly political and have plainly been written by adults. They are redolent with the merits of a political philosophy that I understand to conflate liberal democracy with social collectivism. But children wanted to take on the language of the protocol, as well as happily working in an altruistic collective. The altruism resulted from the children's participation with honest benevolence, the collectivism an indication of the unseen hand of adults.

Makkala panchayats were inspired following the lack of sustainable outcomes for working children from Bhima Sangha's continued negotiations with GOK. The makkala panchayat was first introduced as a pilot programme in 1995 in five panchayats of Kundapur. This pilot was facilitated by CWC and Bhima Sangha in collaboration with GOK. In 2008, at the time of my fieldwork, makkala panchayats were operational in all 56 panchayats in Kundapur.

According to CWC literature, children themselves considered their problems to be different from those of adults and felt more affected by their problems than adults were by theirs.

Generally, the intensity of problems for children is much greater than that of adults. For example, when crossing a stream, the water might only go up to an adult's knees, but it will go up to a child's waist. Adults can somehow manage with the problems they have, but it is difficult for children to manage.

(Lolichen, 2006a: 024)

Furthermore, adults were also either unaware of children's concerns or gave them little priority (CWC, 2006b: 21).

As it was an adult's panchayat, our needs were taken into consideration only if they conformed in part or in whole to the need of the adult group.

(member of Bhima Sangha, in CWC, 2006b: 6)

CWC state that it was children themselves who called for a more formal, democratic and permanent structured link with local government. This was to take the form of a children's village council, run by and for all children of the panchayat.

First in the meeting we see that we don't have any platform without the makkala panchayat ... we need makkala panchayat to participate.

(Abishek, makkala panchayat, 5th November 2008)

The purpose was to enable children to directly interface with local government in a sustainable, apolitical and non-partisan way (CWC, 2004b: 23). Makkala panchayat members, unlike Bhima Sangha members, include all children of the panchayat (Ratna, 2009: 17).

In 2002, following the success of the pilot, children requested GOK that makkala panchayats be represented in every gram panchayat in the state, and GOK acceded to the request (CWC, no date).

George (2013: 1) suggests that this structural link to, and its recommendatory role in the gram panchayat accords the makkala panchayat its status. George (2013) argues that several children's councils have been initiated by NGOs across India but, without a formal link to the state system, these proved to be little more than discussion arenas.

The makkala panchayat is organized to parallel the gram panchayat and structured to shadow it.

- All children of a panchayat aged 0-18 are registered.
- The electorate is comprised of all children aged between 6-17.

- Candidates are aged between 12-17.
- The term of office for membership is three years or until age 18, whichever is the sooner.

Elections to an executive, also called makkala panchayat, are facilitated by the gram panchayat secretary and conducted through a secret ballot (Ratna, 2009: 18). CWC initiated a voter's registration system and voting booths, 'because some working children and factory-going children come back after 6pm then they can vote in the voter booth.' (Prabhaka, CWC, 24th October 2008)

CWC reported that fifteen executive members are usually appointed from each panchayat. For example in Nada, 1,400 children are registered in the panchayat and fifteen children are makkala panchayat representatives, a representation of 1.07% of the franchise. Voter turnout has reportedly been high; there was a 92% turnout reported in 2004 in a panchayat elsewhere in Karnataka (Kurian, 2004).

Fifteen children are in the makkala panchayat. Two children are not participating but the others, they are coming every month. If they cannot attend they inform us. If there is a function in the home or fever or want to go to another area, they tell us.

(Chethan, makkala panchayat, 6th November 2008)

The Makkala Panchayat Protocol of Regulations and Procedures (CWC, 2004) is said to define the mandate, structure and criteria for membership, and the duties and responsibilities of the executive.

Throughout the development of the Makkala Panchayats children put in great efforts for developing an appropriate protocol to define the mandate and structure of the Makkala Panchayats as well as the criteria for both the candidature and electorate.

(Ratna, 2009: 18)

Regrettably, it was out-of-print during my visit. Pal (2008: 201) reports the protocol provides a framework for children to monitor their elected members. The protocol was not referred to by the children. My only knowledge of it is what I have been told or read, secondhand.

The socio-demographic and geographic characteristics of each region require that the Protocol be revised periodically through children's contributions to reflect this diversity (see Pal, 2008: 200-201). Executive members include the president, vice-president, and secretary. Children also decided on a children's friend, or ombudsperson ("makkala mitra"<sup>42</sup>). Children also manage their own children's post box ("makkala anche pettige"<sup>43</sup>) and a children's helpline ("makkala sahayavani"<sup>44</sup>).

#### 4.2.1 Makkala panchayhat reservation

Variously named "affirmative action", "employment equity", "positive discrimination" and, in India, "reservation" is a political practice whereby members of a group, such as women, ethnic groups, disadvantaged by discrimination are given favourable treatment compared with what is usually the majority population.

Many of us are grappling with issues of inclusion and non-discrimination. How does one ensure that an organization of children includes or enables all children to gain membership and participate equally? ... a head start and some very special

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<sup>42</sup> The makkala mitra is an approachable adult and immediate point of contact for children. He is selected by children on the basis of trust, reliability, sensitivity and readiness to help and guide them.

<sup>43</sup> A confidential complaints mechanism run by children, allowing children to 'write about their experiences to other children, or use the Post Box to share their skills with others' (Lansdown, 2011: 61). The post box is managed by the makkala mitra who is expected to protect the identity of the children. 'In the post box they write direct to the superintendent of police in the zilla, so the child writes it to the police' (Manjayya, gram panchayat, 28th October 2008).

<sup>44</sup> A makkala sahayavani, "children's help line", aims to provide confidential support for children and is facilitated by adults including the makkala mitra, as well as police, NGOs, local government officials. The children's helpline was rarely mentioned in interviews. I read in a newspaper that the helpline department is managed by only a handful of staff; journalists had phoned and had got no. I was unable to keep a clipping.

opportunities in order to 'compete' or participate with their privileged counterparts.

(Reddy & Ratna, 2002: 10)

CWC state that marginalized subgroups of children are disadvantaged.

We did this positive discrimination because any children should be able to participate in the makkala panchayat but without the positive discrimination only those with power and money and only talented children and the backward children they can't participate ... so we do this method.

(Usha, CWC, 21st October 2008)

The makkala panchayat parallels the Panchayat Raj system of reservation in attempting to represent all subgroups of children. 'The criteria for reservation are based on the social, cultural, political and economic realities of children' (CWC, 2008: 15).

There are some changes in the reservation. There were more seats for the working children in the reservation, now the working children has decreased so there is less seats reserved for them, and more for the school-going children.

(Prabhaka, CWC, 24th October 2008)

In my observations of makkala panchayat meetings and activities, I noticed that boys were almost always more vocal than girls, at times dominating the group and the agenda. Executive positions were more often held by boys. Only on one or two occasions did I interview a girl president or vice-president.

Liebel (2007: 69) says that girls are less prepared to play public roles than boys due to their socialization, education and status in society.

[Girls] don't mingle with the boys, because of school regulation they have to sit separately, they play and work separately. After menstruation the mother or grandmother says don't go outside, don't talk with the boys, don't jump or don't play. It is that kind of restriction from the families.

When they laugh, they have to cover their mouths, so laughing they are not allowed and they have to sit properly. Some families are OK but some interior families they say don't go outside, sit properly, don't laugh, don't talk with boys or go with boys for any meeting.

(Usha, CWC, 28th October 2008)

Usha told me that 65% of makkala panchayat seats are reserved for girls.

Through the reservation, the girl children got more opportunity. When we were doing the selection we asked who has more chance the boy or girl? Girls can get more opportunity and it is good because otherwise she doesn't participate.

(Mamata, makkala panchayat, 15th October 2008)

Reservation based on religion was not discussed during my fieldwork and I was not able to determine caste distribution in the makkala panchayat.

Yes, there can be a difference between children if they are elected as a caste. There is a reservation for them because they are a very backward community and in that community they cannot talk in the home, in the school or in the panchayat so the makkala panchayat gives them that opportunity, the voice of the backward community.

(Usha, CWC, 22nd October 2008)

Migrant children were not part of my sample population. However, there were many migrant families living in settlements all around Kundapur and, travelling between interviews, I saw their makeshift tents scattered by the roadsides. I asked Usha if migrant children had been approached by the makkala panchayat. She told me that the makkala panchayat are engaged in activities to encourage migrant children to join.

Reservation for children with disabilities is mentioned in CWC literature and I interviewed one boy who had learning difficulties but, in my discussions with children and CWC, very little mention was made of it.

The makkala panchayat reservation is discriminatory, albeit positive. Reservation homogenizes subgroups, “all girls”, “all working children” and all “dalit children”.

Ward (2000) describes how positive discrimination, in itself, is ill-designed to correct the costs of discrimination. For example, the makkala panchayat reservation for girls assumes that differences in gender membership are caused by gender discrimination in society. This overlooks the possibility that different distributions are due to different preferences. According to Ward (2000), this ‘cultural homogenization’ of participatory preference aims at not only promoting the inclusion of girls but aims to change their interests.

If it [i.e. positive discrimination] can't be justified on utilitarian grounds, and if it also can't be justified by appeal to justice, then how could it be justified?

(Ward, 2000)

My standpoint, which is political, is that a just society affords inclusion to all sectors. The political debate around positive discrimination hides a more fundamental question. Why do people from minority groups apparently feel unable to engage with political processes? The makkala panchayats are microcosmic in scale. It seems inefficient in view of this to introduce reservation without understanding the underlying causes of this local lack of participation from among these subgroups. An interesting area of further study would be to examine why reservation subgroups do, and do not, participate.

#### 4.2.2 Makkala panchayat meetings and Five-Year Plans

During my fieldwork, I attended three makkala panchayat meetings, one in each panchayat of Ampar, Hemmadi and Udupi. These meetings, each lasting approximately two hours, were all held in local government offices and attended by approximately 20 children. Executive meetings are conducted on a fortnightly basis although there appeared to be variations in the regularity and duration of these. This possibly reflects their level of activity.

During these meetings an adult, or adults, depending on the makkala panchayat, attend: usually a local government officer or CWC fieldworker. These adults either play an active role in the proceedings or help the children should they need it. The children identify and discuss their concerns and decision-making is said to be reached by consensus. Concerns or requests they wish to present at the makkala gram sabha are flagged and, where necessary, research is designed and undertaken by the children in support of these and facilitated by CWC or government officers.

We discuss things like street light, footbridge, school facilities and roads. Adults are in the makkala panchayat meetings. The adults are giving new information ... Only one adult and different adult each time but always only one. In our makkala panchayat there are 14 or 15 children.

(Vani, makkala panchayat, 12th October 2008)

The gram sabha (general assembly) is a local level planning and monitoring system of community development, services and facilities (Ratna, 2009: 7). Gram sabhas are prescribed for the sole participation of adults and no provision is made under the Constitution for children's participation. CWC argues that gram sabhas are not considered relevant to children as the popular understanding is that children are 'citizens of tomorrow', not of today (Ratna, 2009: 7).

An activity of the makkala panchayat is children's participation in makkala gram sabha (children's general assembly). Makkala panchayat members are said to have wanted to be included in community decision-making and, in 2002, a "special children's gram sabha" was piloted and facilitated by CWC in Keradi panchayat. This move was supported by local government officers from the panchayat and district level and the district education department. During the assembly, a total of 54 adult government officers were present (Williams, 2003: 31) and presentations were made by makkala panchayat executives of their concerns regarding education, school drop-out rates, accessibility of services and facilities for less able children, effects of gender discrimination and child labour. CWC considered this pilot a success and following the first special children's gram sabha other panchayats in the region agreed to hold their own makkala gram sabhas.

This Grama Sabha is exemplary. Children have pointed out very specific problems and have also suggested specific solutions. All their points have been backed with detailed statistics. Most often the adult panchayats, or the concerned departments do not have such in-depth information. I highly appreciate the fact that children first conducted surveys and held discussions among themselves before presenting the points here. This children's Grama Sabha, held in Keradi, one of the most remote Panchayats of Karnataka, should become a role model for all Panchayats.

(Reddy & Ratna, 2002: 28)

Following the pilot's success, GOK passed an Order in 2006 that all gram panchayats conduct annual "Special Children's gram sabhas". The CWC was consulted in the drafting of the Order and welcomed it as testimony of its acknowledgement that children's right to participate in governance, through local government structures, was officially recognized, if not constitutionalized. CWC urged that the Order be implemented with intensive and systematic capacity-building and that adults, especially facilitators, be appropriately skilled (Ratna, 2007).

According to the Order, makkala gram sabhas were to be held during annual Children's Rights Week (13th-20th November). GOK directed that, during this week, one day be set aside to acknowledge the specific concerns and needs of children, and CEOs were charged with its organization. The Order recommended specific concerns be discussed

- i) provision of nutritious food for the healthy development of children;
- ii) design of education and games in a scientific manner for the intellectual development of children;
- iii) the enrolment of all children in the age group of 3-6 years in schools;
- iv) awareness raising against children in bonded labour and agricultural labour;
- and
- v) the nurture and protection of girls.

CWC welcomed the announcement in that recognized, in part at least, children as active members of their communities. However, theirs was not an unqualified endorsement and in their critique they stated that, in its present form, the special makkala gram sabhas were largely tokenistic, little more than annual awareness-raising events rather than a determined acknowledgment of children as citizens and rights holders. CWC's critique was an attempt to strengthen the state's objective and they urged GOK take cognizance of their recommendations and oblige makkala gram sabhas to become a permanent and mandatory function of all panchayats in Karnataka (CWC, 2006a). Following this, in 2007 GOK ordered special makkala gram sabhas be conducted on a regular basis.

Every local officer has to participate in makkala gram sabha; there is a notice that they have to attend because if children have problem then directly they can approach the officers. Next makkala gram sabha you [gram panchayat members] have to attend; the notice has already been sent in this panchayat.

(Ashok, makkala panchayat, 31st October 2008)

In 2007, in Udupi District, 43 makkala gram sabhas were conducted in which a total of 32,900 children participated and local government representatives reported back to children on the status of the demands they had raised (CWC, 2008: 17). Children's priorities and demands are articulated in the annual planning and reporting meetings held at zilla and taluk levels.

During my fieldwork, I was able to attend a makkala gram sabha meeting. The meeting was held in a large tent that was a cross between a marquee and an officer's field tent of the British Raj. The audience of adults and children sat on chairs arranged in front of a dais on which were the gram panchayat members. When it came to the presentations from the makkala panchayat, the child or children presenting the concern went up on the dais to make their submission.

The audience of adults and children listened intently and respectfully as each submission was being made, and appeared impressed over the preparation and competence demonstrated by children. No particular courses of action appeared to be offered, adults generally commenting that they were not aware of the issue or that they would look into it. The meeting lasted approximately three hours; much of the time was spent on issues raised by adults. I was struck by the children's focus, throughout such a long meeting. They remained absolutely attentive and focused throughout, far more so than many of the adults.

CWC's engagement with makkala gram sabhas has been filmed a number of times as a contribution to the Positive Human Development Index ("HDI") of the country<sup>45</sup>, in particular by Ramchandaran<sup>46</sup> and by

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<sup>45</sup> The HDI provide data on three criteria of human development: living a long and healthy life; education; and standard of living. The index is not in any sense a comprehensive measure of human development. What it does provide is a broadened prism for viewing human progress and the complex relationship between income and well-being' (UNDP, 2014).

<sup>46</sup> Makkala Panchayats (2006); Puttani Party (2011).

the UN Development Programme (“UNDP”) and the National Planning Commission.

In 2004, the Udupi administration suggested a trial run inviting children in Alur Panchayat to draft their own tenth Five-Year Plan (2002-2007). Following the trial, the CEO consulted the children on the issues they had identified (Venk, CWC, 30th October 2008). Following this consultation, the Udupi administration determined that children’s Five-Year Plans be implemented in all 56 panchayats of Kundapur Taluk. A guidebook was provided outlining the framework and requesting CWC to train children and adult facilitators and monitor progress (CWC, 2004).

They completed a very complex exercise of developing Five-Year Plans as part of the tenth national Five-Year planning of the Government of India. Issues related to access and mobility, especially transport, had been flagged as a priority.

(Lolichen, 2006b: 032)

At the time of my fieldwork, children had developed and presented their own Eleventh Five-year Plan (2007-2012). Children’s participation features in this Plan and in the draft Twelfth Five-Year Plan (2012-2017) documents (Heiberg & Thukral, 2013: 107). I requested a copy of the Plan but was told by CWC that it had been sent to the district planning office. I was told that children had written their concerns and demands in the “children’s book”, which had been sent to the Namma Bhoomi office. The issues the children had raised concerned transportation and mobility, school services and local infrastructure.

The problem for children of inadequate transport facilities was included in the children’s Five-Year Plan. This was a study designed and undertaken by children themselves, and it demonstrated that they are able to gather information and feed it back at a local, state and national level.

Children turned the traditional ‘top-down’ power structure on its head and demonstrated that they are fully capable of actively participating in decision-making and civil society processes.

(Lolichen, 2010: 167)

#### 4.2.3 Children as researchers

Children are not less intelligent than adults; they are only less informed and experienced.

(Lolichen, 2006a: 025)

Children’s right to information is recognized in the Convention (Art. 13 and Art. 17). CWC are information-givers, children are: information-givers; information receivers; information gatherers; and analysts. The more informed children are the more robust their participation’ (Lolichen, 2006a: 021).

The ultimate objective of this research process was to empower children by facilitating them to acquire new skills and information and enabling them to use this information to change their lives for the better.

(Lolichen, 2006b: 033)

Children it’s difficult to say are opinion without rights, or without knowing our rights.

(Sowjanya, makkala panchayat, 26th October 2008)

Collecting and documenting information, claims CWC, is as, if not more, empowering than the outcome of the research itself (Lolichen, 2002: 14).

Children have more information about the area...the children are going door-to-door, and each and every house to collect the information and get the correct information they bring to us.

(Shayamala, gram panchayat, 18th October 2008)

For this information to be communicated to the gram panchayat effectively, the avenues of communication must be clear. The GOK has gone some way to ensure this.

All Gram Panchayats should set up systems to consolidate data and other information regarding children within their jurisdiction. Chief Executive Officers are directed to give personal attention and organize the Gram Sabhas. It is suggested that reports regarding this be provided to the Government. It is directed that the organization for this should be carried out and through the respective Zilla Panchayats.

(GOK, 2006)

In child-initiated research it is the collective view that is of importance and individual views are treated as that of the collective, this can be misleading; the individual concerns of the child can be misrepresented or overlooked. Bearing this in mind however, it was clear that children not only enjoy collecting information and analyzing it, but they document this information in a systematic way and use it to push for common action. Gram panchayat officers and CWC fieldworkers reported that children are adept at this.

## Conclusions

When I asked children what the makkala panchayats had achieved, I felt that the answer seemed less important than the children's keenness to tell me the reasons why they enjoyed participation. It seemed almost irrelevant that some of concerns they had raised had, as yet to be resolved. These were the problems children reported to me had been given attention.

Some street light problem

Some water problem and tap facility

Community waste disposal

Building of footbridges

Road surfaces repaired  
 Water and toilet facilities in schools  
 Electricity supply  
 Participation in the makkala gram sabha  
 Influenced adults join the gram panchayat

That the makkala panchayats are not an integral part of local government, nor are they recognised under the Constitution, has in part, limited the extent to which children's concerns have been attended to. It is an advisory adjunct to local government that has the capacity to start the ball rolling in effecting change but without the power or authority to do so.

So if they were to make makkala panchayat and makkala gram sabha a Constitutional body they would have to change the laws regarding minors – enormous change. That is the whole problem here the minority law would have to be changed, it is not so easy.

(T.B. Shetty, Lawyer, 1st November 2008)

This is recognized by CWC who are pushing for the makkala panchayat to become a Constitutionally-recognized body.

It is not in the Panchayat Raj Act. It is only to the extent that officer's impetus to involve children. Not as a statutory body. There is an instruction from the government to include the makkala panchayats so that children can be involved in affairs and give advice, but that is all. A statutory provision has not yet been made. There are attempts being made by CWC to do this and they have approached the central government minister. He promised it but it has not yet materialised. It's only an advisory body. I don't think any provision will be made for it to be a binding force to the decision. Any decision taken by a minor is not binding on anyone.

(T.B. Shetty, Lawyer, 1st November 2008)

Unlike other CWC fieldworkers or directors, Venk seemed to have a more pragmatic approach.

The problem is the adult Panchayat. They cannot provide all things, so a lot of children can come to ask but it cannot be solved or facility provided. You cannot just say 'it is my right'. We have to negotiate the plan together to solve the problem. Adults also are denied lots of rights. Also adults don't always know what children's rights are.

(Venk, CWC, 21st October 2008)

In this chapter, I have described CWC, its work and its infiltration into Kundapur communities. I also have examined the funding of CWC and found a somewhat murky picture which enabled me to question CWC's claim to independence of aspiration and action. I then focused on the makkala panchayats as initiative, under the direction of CWC, and saw how the makkala panchayats do operate as a political actor independently of adults despite adult involvement and intervention. I researched the structure and process of the makkala panchayat executive meetings, as well as its sister programme, the makkala gram sabha, and one of its activities, the children's Five-Year Plan. Finally, I reported the successes of the makkala panchayats as perceived by the children but, pessimistically perhaps, I question whether India, the nation, has the political will to provide funding to roll-out the makkala panchayat initiative throughout India, or whether Karnataka, the state, has the political will to maintain and expand the initiative throughout the state. Without funding for facilitation, I doubt children's participation, as conceptualized in the Convention, which I explore in the following chapter, will prove successful and sustainable.

# Chapter 5: Constructing the Convention



This chapter examines the legal framework of children's participation in the form of the Convention and India's implementation of it. The Convention represents an exciting and ground-breaking potentiality to achieve good things for children in their lives. I present some of the international statutes and multilateral agreements promoted and negotiated at many global conferences in recognition of children's rights, child welfare and the special needs<sup>47</sup> of children. I present the legislative evolution of children's rights, as a universal entitlement since the early part of the 20th Century, and conclude the chapter with a survey of the steps taken by India to implement the Convention.

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<sup>47</sup> The "special needs" as I use the term here, are the needs special to all children because they are children. The term "special needs" has taken on a technical/jargon meaning as well as the plain speech meaning that I am using. Particularly in the UK, "special needs" and "special educational needs" are shorthand terms often used to refer to the estimated one-in-five children who have educational needs greater than can be met by the mainstream educational provision provided for their peer group (Warnock Report (1978). I do not use the term in this "Warnock" way.

## 5.1 The UN Convention on the Rights of the Child (1989)

Many UN General Assembly Resolutions relate specifically to children. These have been incorporated in international agency and NGO frameworks and in the MDGs and *A World Fit for Children* (UN, 2002).

[T]he child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.

(UN, 1989: Preamble)

The following table represents these many resolutions spanning almost a century in which children's rights have been generally and particularly recognized.

Year	Convention/Resolution	UN Reference
2011	- Optional Protocol on a communications procedure	A/RES/66/138
2007	- Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children	A/RES/62/88
2002	- A World Fit For Children	A/RES/S-27/2
2000	- Optional Protocol on the Involvement of Children in Armed Conflict	A/RES/54/263
2000	- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	A/RES/54/263

2000	-	Millenium Declaration ("Millenium Development Goals")	A/RES/55/2
1989	-	Convention on the Rights of the Child	A/RES/44/25
1986	-	Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally	A/RES/41/85
1985	-	United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")	A/RES/40/33
1974	-	Declaration on the Protection of Women and Children in Emergency and Armed Conflict	A/RES/3318(XXIX)
1966	-	International Covenant on Civil and Political Rights	A/RES/2200A(XXI)
1966	-	International Covenant on Economic, Social and Cultural Rights	A/RES/2200A(XXI)
1965	-	Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	A/RES/2018(XX)
1962	-	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	A/RES/1763(XVII)
1959	-	Declaration of the Rights of the Child	A/RES/1386(XIV)
1948	-	Universal Declaration of Human Rights	A/RES/217A(III)
1924	-	Geneva Declaration of the Rights of the Child (League of Nations)	O.J. Special Suppl. 21 at 43

Table 5: UN Resolutions relating to children

The most extensive and comprehensive international legal framework intended to promote and protect children's rights globally, and the touchstone of my study, is the Convention which I have chosen for two reasons. Firstly, I consider it contains aspirational provisions for the benefit of children worldwide that are incontrovertibly "good". Secondly, the Convention has been adopted as a Resolution by the largest universally-recognized political body in the world, the UN.

As a result of the Convention ... almost every government around the world [is] now legally bound to uphold a universally agreed standard for children's rights.

(UNICEF, 2011: 10)

The Convention has influenced academic and legislative opinion that children are holders of their own specific rights distinct from those of adults, and of human rights that apply equally to adults as to children.

Human rights have their foundation in the concept of "natural rights". Natural rights' adherents such as Hobbes and Locke argue human beings possess certain rights by virtue of their very existence. The term "person status" was used by Hart and Pavlovic (1991: 345) to describe the construction of children as persons to whom human dignity should be accorded, not as possessions of their parents, nor subordinate to adults. Alanen and Mayall (2002: xii) suggest that contemporary children are increasingly, though unevenly, constituted as persons in their own right. Farrell (2004: 236) concurs that children's rights have come to be seen as their human rights.

The Convention has its roots in the 1923 Declaration of the Rights of the Child adopted by the International Save the Children Union in 1924<sup>48</sup>. The Declaration made clear, for the first time, a distinction between the human rights of adults and those of children. Jebb sent the Declaration to the League of Nations<sup>49</sup>. 'I believe we should claim certain rights for the children and labour for their universal recognition' (Jebb, 1923)

The League adopted the Declaration (League of Nations, 1924). The League was superseded by the UN following World War II and the Universal Declaration of Human Rights ("UDHR") was adopted in 1948, in part building on the Declaration of Geneva. The UN further recognized that 'the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection' in the Declaration of the Rights of the Child (UN, 1959) Without precedent, the Declaration recognizes both the civil rights and the protective rights of all children (UN, 1959: Principle 2). It also introduced onto the international stage the guiding principle and, now ubiquitous, phrase "the best interests of the child" (UN, 1959: Principle 2), echoed in the Convention.

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

(UN, 1989: Article 3.1)

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<sup>48</sup> Eglantine Jebb founded Save the Children (formally the International Save the Children Union) in 1919. The International Save the Children Union intention was to provide emergency assistance for the plight of children in Europe. Hector Munro had been persuaded by Jebb to report on the situation of children in Europe after World War I. Of the situation in Vienna, 'Children were actually dying in the streets ... [The children's] bones were like rubber. Clothing was utterly lacking. In the hospitals there was nothing but paper bandages' (Munro, 1919, quoted as cited in both Mulley (2009: 237) and Cabanes (2014: 277)). The state of India's street children today is similar to Munro's description.

<sup>49</sup> The League of Nations is seen as having been the precursor body to the UN, operating between World Wars I and II.

Although provisions relating specifically to children took seed in these human rights' and humanitarian treaties, a growing call for a comprehensive binding statement on children's rights was rumbling. A UN-appointed working group<sup>50</sup> drafted the Convention. The original draft was extensively amended and expanded through negotiations that spanned some ten years. The final version was unanimously adopted and opened for signature, ratification and accession<sup>51</sup> in 1989. By September 1990, it had been endorsed by 20 states and entered into international law.

[T]he ever-developing cooperation among ... different sectors of civil society that produced the global "children's rights movement" whose existence we constantly celebrate nowadays. [Also it] gave rise to the concept of "the human rights of children", the substance of which is enshrined in the hard-won consensus on [the Convention's] provisions.

(Cantwell, 2008:1).

The phrase "children's rights," was described (Rodham<sup>52</sup>, 1973: 487) as 'a slogan in search of definition' that the Convention provided. Veerman (1992) contends, the Convention represents an 'important and easily understood advocacy tool promoting children's welfare as an issue of justice rather than charity' (Veerman, 1992: 184).

The Convention represents a set of internationally-agreed standards for the protection and welfare of all children in recognizing children as holders of rights. As an international human rights treaty, it is often referred to as "the most complete" in that it contains all the civil, cultural, economic, political, and social human rights of children as well as covering areas usually associated with international humanitarian

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<sup>50</sup> including the ILO, UNICEF and the WHO, as well as several NGOs, under the UNHCR.

<sup>51</sup> "Accession" is the term given to the process when a government ratifies a Convention without having previously signed it, thereby making signature and ratification a single act.

<sup>52</sup> The author, Hillary Rodham, is perhaps better known as Hillary Rodham Clinton, wife of USA's 42nd President, William "Bill" Jefferson Clinton.

law (Ratna, 2009). Children's fundamental rights are declared as indivisible, interdependent, interrelated and universal.

If a child is denied the right to good quality education it will be more difficult to realise her right to participate as an informed citizen in the democratic process.

(IDS, 2003: 2)

Each substantive Article of the Convention details a specific right, grouped under four main themes.

- i) Development rights: right to education, play, leisure, cultural activities and access to information and freedom of thought, conscience and religion.
- ii) Participation rights: children's freedom to express opinions, to have a say in matters affecting them, to join associations and to assemble peacefully.
- iii) Protection rights: these ensure children are safeguarded against all forms of abuse, neglect and exploitation; protection for children in employment; protection and rehabilitation for children who have suffered exploitation or abuse of any kind.
- iv) Survival rights: the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate standard of living and access to medical services.

I have identified the following Articles as broadly pertinent to my data. Although this study refers to Article 12 in particular, these Articles are worthy of note as they do relate either directly, or indirectly, to the practice of children's participation in local government more generally.

- Article 2 non-discrimination;
- Article 3.1 best interests of the child;
- Article 4 protection of rights;

- Article 5 parental guidance;
- Article 12 the child's opinion;
- Article 13.1 freedom of expression;
- Article 14.2 freedom of thought, conscience and religion;
- Article 15.1 freedom of association and peaceful assembly;
- Article 16.1 protection of privacy;
- Article 17 access to appropriate information;
- Article 18.1 parental responsibilities;
- Article 19.1 protection from abuse and neglect;
- Article 28.1 education;
- Article 29 aims of education;
- Article 31 leisure, play and culture;
- Article 36 protection from other forms of exploitation;
- Article 42 knowledge of rights.

UNICEF, in its list of participation-permitting Articles (UNICEF, 2011: 11), omits Article 14, freedom of thought, conscience and religion. However, without freedom to think, a child has no freedom to speak; free exercise of conscience and religion require thought itself be free.

While these Articles are relevant to my study, the following three Articles most often emanated from my data: Article 12, recognizes the child's opinion; Article 3, recognizes the child's right to protection and best interests as a primary consideration; and Article 5 recognizes the rights of parents<sup>53</sup>.

## 5.2 Article 12: the Convention as a radical instrument

Makkala panchayat is a platform for children to come together to participate, that is a participatory right that is not a decision-making right. Also their legitimacy to do that depends on their ability and capacity.

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<sup>53</sup> Neither the "family" nor the "parent" are defined by the Convention, but it recognizes the family as the fundamental unit of society and the 'natural' environment for children's development. That the Convention offers no further meaning, and leaves definition of legal guardianship to the national jurisdictions of states parties.

(Ganapthi, CWC, 4th November 2008)

The child's right to participate, specifically Article 12 is central to my study. It recognizes all children's participatory rights insofar as it states the right of the child to express her views freely in matters affecting her, including in the various forums that have a responsibility for their affairs and to influence adult decision-making. "To speak", "to participate", "to have their views taken into account" are three phrases that describe the sequence of the enjoyment participatory rights from a functional point of view. The fundamental premise of Article 12 is that children have the right to be heard and to have their views taken seriously.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

(UN, 1989)

The Convention does not, in any part of its text, offer the precise phraseology "the child's right to participation" and, in only four of its Articles do the terms "participation" or to "participate" appear. However, the term "participation" has become widely adopted to describe the process of respecting the right of children to express their views and have them taken seriously (Lansdown, 2005a: 12).

This right to participate is qualified. While a child's view must be taken into consideration, the child does not have the right to be the final arbiter.

Children must be given their say, but they do not always have to be given their way.

(Shier, 2001: 113)

The child's participatory right is qualified by the child's 'age' and 'maturity' (Article 12.1) and the Convention makes explicit that children's exercise of rights must be in accordance with their 'evolving capacities' (Articles 5, 12.1 and 14.2). The term 'evolving capacities' was first coined by the Convention and is unprecedented in any international human rights treaty (UNICEF, 2011: 13).

When a state ratifies the Convention, its government becomes a 'State Party' to it. While it may enter 'Declarations' and 'Reservations' to one or more specific Article(s), it agrees to comply with the Convention in full (Payne, 2009: 149). The Convention represents a binding agreement to meet all the provisions and obligations set forth within. In UN terms, a treaty acts as a 'determinative agreement of the parties to create such obligations [as arise out of] constitutive declarations of intent [and, from this,] contractual obligations arise out of expressions of mutual agreement. A contract is formed and defined by the manifested common intent, or "consensus," between the parties' (Van Alstine, 1996: 13-14). This is the "legal" basis upon which State Parties are obliged to adhere to the Convention, and by which they are monitored by the UN's Committee on the Rights of the Child ("UNCRC").

Every two years, a State Party is required to report on its activities to the UN General Assembly through the UN Economic and Social Council. After submitting an initial report to the UNCRC, nations must submit regular implementation reports to the UNCRC and progress reports every five years thereafter. Country reports should be problem-oriented and self-critical indicating "factors and difficulties", "implementation

priorities" and "specific goals for the future". The UNCRC has a non-adversarial approach to children's rights, while underlining each country's accountability for the policies pursued, the need is for dialogue rather than a punitive attitude (UN, 1997).

The Committee publishes its response to the country in a set of "Observations and Conclusions" which are binding according to Payne (2009: 150). Countries are required to undertake all legislative measures to implement the Convention and 'undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation' (UN, 1989: Art. 4).

The obligation is for State Parties to disseminate information to children and adults in different languages and for it to be made 'widely available to the public' (UN, 1989: Art. 42 and Art. 44, para. 6). Concerns expressed by the Committee to State Parties in its Observations and Conclusions have remained the knowledge of the few rather than of the public and children in general (Parry-Williams, 2000: 7). A survey (Alderson, 2000: 123) of 2,272 children aged 7-17 years found that 75% had never heard of the Convention. In the makkala panchayats, the Convention is only known of through the efforts of CWC. This bears out the impression I have gained while undertaking this project that adults have not heard about the Convention, "You mean - children have rights?" and, "What's the Convention?" has been the most common response.

Some countries are exploring possibilities for involving children in ongoing national, monitoring systems, either as part of coalitions monitoring the situation of children, or as members of advisory boards to ombudspersons for children.  
(IAWGCP, 2008:69)

The Convention represents, in principle, a universal recognition of children as rights holders and a positive ideology that welcomes children as social actors with their own human rights (Hart, 1992; Lansdown,

1995b; Hart, 1997). Veerman (1992: 184) summarizes two specific advantages of the Convention.

- (1) It brings together, under a single, binding international instrument, provisions of international law pertaining to children.
- (2) Children's needs and rights are recognized, separate from those of adults.

Franklin considers the Convention 'undoubtedly the most significant recent policy development intended to promote and protect children's rights' (Franklin, 1995a: 16). Reid describes the enfranchisement of a new cohort of population, that the Convention creates, as radical,

a cohort which, in its pre-adolescent childhood, is regarded at best with fond patronisation by the general public; in its adolescence and teenage ranks, it is regarded with widespread uneasiness and even fear.

(Reid, 1994: 19)

The Convention's mechanism of reportage "obliges" governments to comply, requiring countries to examine their legislation, policy and practice and do the best they can<sup>54</sup> to meet the rights outlined in the Convention. In the least, it offers potential improvement and there is evidence that legislative initiatives have taken it into account (see Farrell, 2001; Farrell, 2004). Hill and Tisdall (1997: 33-34) observe, in many countries, reference to children's rights being promoted in official and influential documents. Woodhead (2006: 25), too, sees the shaping of stronger policy agendas for children as highly significant. The Convention has been described as pervasive, as a powerful catalyst for local, national and international debates around key policy issues (Santos Pais, 1999: 12). I have found little evidence that this promotion has been pervasive or extensive or, more significantly, successful.

Where the Convention may also be considered radical is in its wide-ranging and comprehensive attribution of rights to *all* children without

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<sup>54</sup> 'to the maximum extent of their available resources' (Article 4).

discrimination. The Convention must also be introduced in ways that are sensitive to cultural traditions and religious beliefs, but culture should not be used to justify denying children rights.

### 5.3 The Convention critiqued

In its qualified claims regarding consent and choice, the Convention lays itself open to charges of ignoring or at least playing down the unequal relations in society between adults and children. In the context of social work, de Montigny makes a plea: 'We ... need to identify the relations of power and inequality between the judges and the judged' (de Montigny, 1995: 226).

Taylor (2000: 21) considers that adult control of what is written about children and childhood is indicative of unequal power relations and children's dependency *vis-à-vis* adults which confines them to subordinate roles in society. Ultimately, the powers to recognize children's rights, to override decision-making and of discretion are intrinsically the behest of adults (Hill & Tisdall, 1997: 259). Hill and Tisdall (1997: 32-33) suggest that the adult-centric nature of the Convention means that it represents what adults think children's rights should be, not what children think. Children's potential to play an equal part in society and to meaningfully participate requires adults to relinquish some of their power (Parry-Williams, 2000: 10). In turn, significant changes in the structure and function of family, government, NGOs, community and society are necessary (van Oudenhoven & Wazir, 2006: 13). Stainton-Rogers and Stainton-Rogers (1998) argue that the naïve view of childhood as a natural sequence of metamorphoses ignores the fact that childhood is not only a biological process but also a historico-cultural product, highlighted by the tension between children's autonomy and their need for protection. They suggest a "quality of life" discourse offers more scope for developing sensitive approaches to children and families.

[N]othing will be accomplished by inviting children's participation in exerting their rights until war is declared, in praxis, against the modern version of paternalism.

(Liebel, 2007:59)

The issue of paternalism, whether considered positive or negative, sits as an antagonist of the concept of children's participation. "You can participate as long as I say you can," inferred as if said by a parent to a child, was a theme that arose a number of times in my fieldwork.

The model of the child as a rights-bearing citizen develops from a model of the child as a social actor by connecting it to the argument that young children have a right to participate in public sphere in policy formation.

(MacNaughton & Smith, 2009: 162)

The principle of participatory rights has encountered debate and opposition not least since participatory rights can be seen as a generic term for several different rights (Stern, 2006: 16). These definitional difficulties bleed into difficulties of interpretation which bleed into implementation difficulties, with the result that the principle fails to be understood as an absolute. Stern (2006: 16) discusses how Article 12 is one of the most innovative pieces of international legislation but the most controversial and the most difficult to implement. Stern highlights the disparity between reality and rhetoric, the gap between law and practice, which she argues is recognized by both State Parties and the UNCRC's concluding comments.

Children do not have the automatic right to actively participate in matters affecting them, nor can they make choices that contravene other rights. Rather, in practice, the child's right to be heard is relative to their context, a subtle nuance but a critical distinction.

Much of the work of child rights organizations is framed by the right of children to be heard. This risks local interpretations and, more worryingly, misrepresentations of the Convention are guiding principles

(van Oudenhoven & Wazir, 2006). Cantwell (2008: 4) contends that what many advocates now claim, on the basis of Article 12, is worlds apart from its intention.

If ... we feel pressured into regarding anything dubbed as 'child participation' as automatically grounded in a right, we are inexorably moving back to the disparate claims and counter-productive disharmony of the pre-[Convention] era.  
 (Cantwell, 2008: 4)

Lack of resources may also mean the documentation of interventions and activities are largely unpublished as organizational reports and not easily accessible (Parry-Williams, 2000: 14). I found this tension in the operations of CWC. Van Oudenhoven & Wazir (2006: 7) suggest that attempts at implementation by governments and agencies have identified new challenges or 'newly emerging needs of children' that they are ill-equipped to meet.

In looking at what children need, it is clear that a definition of what constituted "children" needed to be achieved in drawing up the Convention. The Convention has been criticized for defining children by age (Hill & Tisdall, 1997: 30). In India, there are several different definitions-by-age of the child, although the definition of a child as under 15-years-old for the purpose of the census corresponds with the age limit for compulsory education (Stern, 2006: 233).

'Whereas rights are based on moral or legal status needs are derived from human characteristics perceived to be inherent to individuals or everyone' (Hill & Tisdall, 1997: 39). The uniform definition of children's rights and needs as "non-adults", Franklin (1989: 62) claims, may prove functional but in so doing ignores the diversity of childhood. It serves as a 'pseudo comic criticism of children's rights' (Franklin, 1989: 62) and fails to address accusations that competency is a more useful criterion than age to justify distinctions between children and between children

and adults (Hill & Tisdall, 1997: 31). Franklin (1989: 61-62) claims that it encompasses the most rapid and extensive period of growth in which a whole range of skills, competencies, needs and rights are contained. This is precisely why the period between birth and adulthood is subdivided into infancy, childhood, adolescence and early adulthood. It is also argued (e.g. Pupavac, 2003) that children's rights undermine the distinction between adulthood and childhood, 'the distance to adulthood and its 'natural' sovereignty is kept' (Qvortrup, 1994: 19).

The Convention's venture into children's civil rights reflects the child defined not only by age but also by age of majority, and so no mention is made of voting rights or rights to hold political office. Qvortrup (1994: 19) and Hill and Tisdall (1997: 29) are critical that children's participation fails to be promoted through political rights that they present as a major omission: there is no radical enfranchisement of children (Hill & Tisdall, 1997: 29).

The Convention is intended to affirm children's rights as inalienable human rights. However, by prioritizing children and their rights, Cantwell (2008: 1) suggests runs counter to the basic tenet that children's rights are human rights. Cantwell sees 'far less co-operation between 'human' and 'children's' rights bodies than during the [1980s]' (Cantwell, 2008: 4). Denial of children's rights as human rights leads to a sentimentalism, redolent of charity which is not in children's best interests.

Whereas rights are based on moral or legal status needs are derived from human characteristics perceived to be inherent to individuals or everyone.

(Hill & Tisdall, 1997: 39).

Woodhead (2005: 3) says that the Convention is necessarily at a level of generality that demands interpretation and implementation in ways that are appropriate to the particular circumstances of each State Party. The

Convention encourages states to take 'due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child' (UN, 1989: Preamble), in implementing the rights common to all: the *how* of implementation in each country is left to the country itself. It is precisely this generality that has, pragmatically, made it possible to achieve near-universality while leaving the mechanisms for implementation vague and unprescribed. Generality is both a weakness and strength.

Being, in Woodhead's (2006: 25) view, necessarily a general statement of principle, the Convention draws on concepts that are, necessarily, open to wide-ranging interpretations. Many Articles are vague and qualified, with the result that interpretation becomes laden with subjective value. The Convention does not establish a minimum age for children's participation; instead, it refers to children's 'evolving capacities' (UN, 1989: Arts 5 and 14). According to Woodhead (2005: 4), questions about children's development are crucial to the exercise of rights. Is development better defined in a way that is universally relevant, or more in terms of pathways to development? Woodhead suggests that, although defining development appears deceptively simple, interpretation and implementation in the context of the Convention requires balancing a quite complex set of scales.

Interpreting [the Convention] in practice also depends crucially on beliefs and knowledge about how development occurs ... what factors harm development and how development can best be fostered.

(Woodhead, 2005: 4)

Similarly, no guidance is offered in defining a child's fullest potential (UN, 1989: Art. 29); no definition of "evolving capacities" is offered. The "best interests" of the child systematically determine the decision-making that affects the child. The Convention's wording is that best interests is '*a* primary consideration' (UN, 1989: Art. 3.1) relating to 'all actions' pertaining to the child, not "*the* primary consideration".

There was lengthy and in-depth debate in the UN Working Group before the term ‘a primary consideration’ was settled on ... Those advocates who seek to use ‘best interests’ as a kind of general trump card are therefore misreading [the Convention] and, as a result, undermining the credibility of their advocacy – and by extension that of others.

(Cantwell, 2008: 3)

CWC seeks to promote the child’s best interests. This was often in the context of parental rights, where parents might override the child’s decision to participate. This threat to CWC philosophy and practice was not cleanly recognized. For example, in the banning of arrack shops, CWC told children not to tell their parents about their activities, believing that parents would stop children’s participation.

The point of issue with the principle that governments should act in the best interests of the child, is not one of disagreement but uncertainty about how that ‘best interest’ might be established and by whom.

(Franklin, 1989: 63)

There is then a lack of rigour in describing what rights the Convention requires defending or demanding. This risks “rights’ inflation” and continual attempts to expand the scope of the Convention. Cantwell sees it as ‘worrying’ that those advancing children’s rights should establish a new social contract which is ‘tantamount to a dangerous “inflatory” leap’ (2008: 4). Cantwell’s languaging indicates an opposition to rights inflation but does not address the intention to create a basic set of universal rights.

The universal prescription and the universal principles upon which the Convention is based have been contested for endorsing a minority world bias and individualistic discourses of childhood (see Burman et al, 1996; Burr, 2002).

To the extent that the Convention deals with children as unspecified, unsituated people, it tends in fact to deal with white, male, relatively privileged children.

(Olsen, 1992: 509)

Another risk, in contrast, is that, where the Convention is most required, it is perhaps least applied, for instance in the brick kiln factories and quarry mines of Karnataka. Ennew (1995) says the Convention ignores children, in particular street children, of the majority world. She refers to its reinforcement of the family, which ignores children's own friendships and social networks on the street. It could be argued that this reinforces "the family" as the model, ignoring those with no family.

The remarkable value of the Convention ... may not always be fully appreciated in countries where child rights are not systemically threatened or abused.

(Beah, 2009: 46)

Some criticism of the Convention's genesis, in part, as being minority-world ethnocentric is not necessarily correct: children in the minority world are subject to abuse, not necessarily in the same ways but with the same degree of harm, as children in the majority world. This does not, however, detract from the general criticism that the Convention is minority-world-centric.

Burr (2002: 51) argues that the Convention is grounded in "individual rights" that exclude societies where communal values take precedence, creating a tension between the Convention and local practices. Despite its almost universal ratification, children's rights are not universal (Burr, 2002: 60). They are exercised differently in different cultures with inevitable points of dissonance and conflict (Kehily, 2004: 14).

[T]he efforts of well meaning adults to promote the best interests of the child can too often result in them promoting the opposite.

(Franklin, 1989: 63)

Is there a tension between the universality of children's rights and the ethnocentricity implied in its Articles? Charges of ethnocentricity suggest that, if rights are not applicable to everyone, they are irrelevant to anyone (Franklin, 1989: 62). The wider argument about the existence of universal rights and cultural relativism (e.g. Tilley, 1994; Dubinsky et al, 1999) continues, unresolved.

Some criticism of the Convention's genesis, in part, as being minority-world ethnocentric is not necessarily correct: children in the minority world are subject to abuse, not necessarily in the same ways but with the same degree of harm, as children in the majority world. This does not, however, detract from the general criticism that the Convention is minority-world-centric.

Statements on universal rights arguably overlook particular social meanings: so, for example, protecting children from child labour is seen as beneficial in the UK but may undermine the position of children in countries such as India. However, the Convention's regard for the "indivisibility" of rights suggests a holistic approach that avoids a definitive hierarchy of children's rights.

Van Oudenhoven and Wazir (2006: 93) argue that genuine participation requires of other rights (i.e. to survival, to protection and to development) that they be both respected and exercised. Two additional principles in relation to participatory rights are often considered to be the Convention's true innovations: the "best interests" of the child and the child's "evolving capacities". However, the so-called "participation rights" may not be quite what they seem.

The child's right to participate is explicitly mentioned in just three [of the Convention's] provisions. Under Art. 9, concerning the removal of children from parental care, "all interested parties" have the right "to participate in the proceedings"; Art. 23 recognises the need to facilitate the disabled child's "active participation in the community"; and

Art. 31 sets out “the right of the child to participate fully in cultural and artistic life”.

(Cantwell, 2008: 3)

Articles 12-16 are often seen as new “participation rights” in the Convention (e.g. Lundy et al, 2012: 45 and 67), although these provisions were included to reaffirm *existing* human rights for children (Cantwell, 2008: 3). It seemed that, in CWC’s work, the indivisibility demanded by the Convention is overlooked and different rights are allowed to stand alone. CWC’s focus is the participatory rights of children and this causes tensions with other rights.

Nevertheless, the Convention does set out “participation rights”, which are binding on governments, allegedly.

The Convention’s determination to set down minimum rights for children which will be binding on governments may, in practice, prove to be unworkable.

(Franklin, 1989: 60)

Franklin nevertheless maintains that the Convention should not be dismissed merely because its authority is symbolic rather than statutory; rather, the moral claim is a prerequisite for a firmer statutory guarantee of children’s rights.

A state that has ratified the Convention is obliged to ensure that its domestic legislation is compatible with it. At the time of my fieldwork, the Convention offered no procedure, either for a state to complain of non-compliance by another state or for individuals claiming violations. The right of reservation also allows states to opt out of Articles, as they see fit. The Committee may request ‘further information relevant to the implementation of the Convention’ (UN, 1989: Art. 44(4)) and may request NGOs or UN agencies to provide information. There was no

imperative to provide an independent alternative report in support of the submission<sup>55</sup>.

The legitimacy of rights in a Convention does not have the same force as embodying them in national legislation, per Franklin (1989: 60). As an aspirational instrument, the language is neither sufficiently technical nor robust to be incorporated *verbatim* into national law; vagueness and discretion make it difficult and incompatible with legal enforcement through a court system (Hill & Tisdall, 1997: 256). Signatories may declare their intent but they are not legally bound to do more than “intend”. Ratification does not automatically incorporate the Convention into a country’s legal system. In this regard, the Convention is not a legally-binding treaty. One of its greatest weaknesses, therefore, is that it has no legal force and, in this sense, it is unenforceable. The corollary of this is that it has less impact on law, policy and practice (Hill & Tisdall, 1997:33).

Some of the rights of the Convention have not found resonance in national laws and hence the violations cannot be challenged through judicial action. This gap needs to be addressed.

(Heiberg & Thukral, 2013: 24)

The Convention, at most, imposes a moral and not legal obligation on countries to comply and thus can only be urged (UN, 2002: paragraph 29) to comply. It represents a statement of principle, a moral intent, moral guidelines, a moral compass to guide countries.

Despite ratification and the progress many individual governments have made in committing to the agenda (van Oudenhoven & Wazir, 2006: 90), it has proved challenging to get the Convention firmly embedded in the development and practice of countries’ legal, social and economic systems. No one country has managed to fully implement the

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<sup>55</sup> This has now changed.

Convention; there is no perfect, one-size-fits-all model for approaching implementation (Lundy et al, 2012: 100).

If children's needs for food, shelter, clothing and housing are genuinely rights, then currently they are being denied on a scale which is alarming.

(Franklin, 1989: 60)

The practical difficulty, aside of the academic and legal discourse on international law, is that there is no body with powers to exert sanctions. There is no legal impediment to the UN creating an international court of human rights or an international court dealing specifically with the rights of children, following the European model<sup>56</sup>.

Such a model may not be without political difficulty in that the ECtHR is seen by some to interfere in matters of national sovereignty<sup>57</sup>, nevertheless any argument that establishment of a system, such as an international court of child rights, creates unworkable sanctions against a state is patently invalid. Rather, this may reflect no political will to do so.

The UN Convention has inspired new legislation, but by no means has it ensured comprehensive regard to its Articles.

(Hill & Tisdall, 1997: 33-34)

That, in practice, it has not happened does not render the desire for it to happen any less fundamental.

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<sup>56</sup> The European experience illustrates that such a body is possible: the signatory nations of the Council of Europe are also signatories to the European Convention on Human Rights ("ECHR") (Council of Europe, 1950-2010). The signatory countries may be taken by complainants to the European Court of Human Rights ("ECtHR"), established under the ECHR, where judgments finding violations of the ECHR may be binding on states and states found to be in breach are obliged to execute the judgments.

<sup>57</sup> Hoffmann's evaluation, 'The [ECtHR] has to a limited extent recognised the fact that while human rights are universal at the level of abstraction, they are national at the level of application' (2009: paragraph 27), remains hotly debated (e.g. Metcalfe, 2009).

## 5.4 India and Implementation of the Convention

India acceded to the Convention on 1992 (UNHCR, 2013), making a formal Declaration. As can be seen from the text, the Declaration is a massive disclaimer.

"While fully subscribing to the objectives and purposes of the Convention, *realising that* certain of the rights of child, namely those pertaining to the economic, social and cultural rights *can only be progressively implemented* in the developing countries, *subject to the extent of available resources* and *within the framework of international co-operation*, recognising that the child has to be protected from exploitation of all forms including economic exploitation; *noting that for several reasons children of different ages do work in India*; having prescribed minimum ages for employment in hazardous occupations and in certain other areas; having made regulatory provisions regarding hours and conditions of employment; and being aware that *it is not practical immediately to prescribe minimum ages for* admission to each and every area of *employment in India* – the Government of India undertakes to take measures to progressively implement the provisions of article 32, particularly paragraph 2(a), in accordance with its national legislation and relevant international instruments to which it is a State Party."

(GOI, 1992b; *my emphases*)

The Convention does not take precedence over national law and, in India; it is yet to be directly incorporated into national law. Consequently, the Convention cannot be directly enforced in Indian courts; rather, it is to be used as a source of interpretive guidance in legal proceedings. India is the only country in South Asia with a separate independent human rights institution for children (IDS, 2003: 3). The National Commission for Protection of Child Rights is mandated under the 2005 Commission for the Protection of Child Rights Act (and the 2006 Rules under the Act) funded by GOI. In addition, State

Commissions for Protection of Child Rights have been established in many if not all Indian states (Heiberg & Thukral, 2013: 98).

The State shall, in particular, direct its policy towards securing ... that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and childhood and youth are protected against exploitation and against moral and material abandonment.

Constitution of India (2012) Article 39, Directive Principles of State Policy

Responsibility for the co-ordination of implementation falls to GOI Department of Women and Child Development. '[D]ynamic collaboration' between GOI and the country's NGOs has been one of the most significant in the South Asia region in strengthening the legal and policy framework for children (Heiberg & Thukral, 2013: 20).

UNCRC presented its Concluding Observations in 2004. Whilst acknowledging India's progress and follow-up measures, the Committee made note of the extreme obstacles facing India in regard to children's rights and what the Committee saw as 'major impediments' in meeting its obligations. These include a high population growth and birth rate; extreme poverty; economic and social inequality; and 'the persistence of deeply discriminatory attitudes' (UNCRC, 2004: 2).

UNCRC noted issues related to co-operation with NGOs.

The Committee notes the co-operation with NGOs in the area of service delivery and their involvement in the preparation of various programmes relevant to the Convention, but is concerned that this co-operation is not systematic and that there is a lack of supervision of NGOs' activities.

(UNCRC, 2004: 5)

I was aware of CWC's co-operation with GOK and GOI in its operations. On the face of it, it seemed that the involvement of local government in the activities of the makkala panchayats would minimize the risks of a lack of systemic supervision.

The Committee welcomes initiatives to increase child participation by the establishment of children's councils, associations and projects in several states and districts, but remains concerned that traditional attitudes towards children in society, especially girls, still limit the respect for their views within the family, at school, in institutions and at the community government level. The Committee further notes with regret that there are virtually no legal provisions guaranteeing children's participation in civil proceedings affecting their rights and well-being.

(UNCRC, 2004: 8)

Here, I note that questions of participatory activities taking place at the expense of the protection of the child were indicated by UNCRC, which resonated with my own data. India's Declaration qualifies its interpretation and implementation of the Convention in many areas but is a reflection of what it sees as work in progress.

Government reports often describe a situation that is more positive than in reality. This remark is particularly valid for initial reports and in general also for second reports, however during third reviews the discussion usually includes implementation of the Convention in the form of concrete programmes and projects.

(UN, 2006a: 3, Footnote 4)

The right to participation and respect for the child's views is by no means the most prominent feature in GOI's Reports or UNCRC's Concluding Observations but the issue is nevertheless referred to (e.g GOI, 2001: 89).

Out of all the rights of the child under the [Convention], this particular right is the least understood and appreciated by

adults. The importance of this right lies in seeing the world from the perspective of the child, and in displaying the sensitivity that is so essential when dealing with innocent children.

(GOI, 2001: 89)

The focus of India's Reports is predominantly on the protection and welfare of the child. In all of the Reports, India particularly acknowledges the difficult situation of the most vulnerable children: girls (e.g. GOI, 2011: 26); dalit children (e.g. GOI, 2001: 433); children of ethnic minorities (e.g. GOI, 2011: 46); street children (e.g. GOI, 1997: 15); and working children (e.g. GOI, 2001: 406).

Incorporated into the eleventh and twelfth Five-Year Plans and into India's *Third and Fourth Combined Periodic Report* to the UNCRC (GOI, 2011) is a series of commitments to honour the verbiage with action. The commitment is, however, only on paper. I agree with Parry-Williams's and Woodhead's assessments that the Convention will remain unachievable, merely an intent, if the ignorance and inertia concerning children's rights prevails, and the majority of children will be totally unaffected by it (Parry-Williams, 2000: 8).

Embedding a rights perspective in India has a long way to go. Woodhead (2006:25) suggests that it is likely to be a gradual, incremental and contested process, more readily achieved in some cultural contexts than others. Realizing rights also entails a fundamental shift in the image of the child within society.

[I]t will at the present rate be generations before children have the minimum rights that all the countries in the region have ratified they should have by their signing the Convention.

(Parry-Williams, 2000: 5)

## Conclusions

The international framework for children's participation and India's implementation of it has formed the spine of this chapter. In my research, I have seen examples of the implementation of the Convention, not so much by GOI directly, but through the works of CWC. I have not been able, in any great way, to determine what action has been made India-wide to implement the Convention nor to determine the reality of funding commitment to the makkala panchayats and similar initiatives.

Additionally, I noted that, in order to promote participation for children, one needed to have a conceptual understanding of what a child is. In the following chapter, I take up this theme.

# Chapter 6: Sociology and Conceptualizations of Childhood



Initially in this chapter, I explore the current discourse from which children's participatory rights have emerged, and historical conceptualizations of childhood. I situate my study in the theoretical framework of the new sociology of childhood.

The chapter explores theories of children's participation and I illustrate the effect social constructionism has had on the theoretical and methodological conceptualization of children's participation through children's rights, empowerment, agency, citizenship and democracy.

A theory of participation separate from analysis of the meaning of the concept in specific organisational practices would be impossible.

(Cooke & Kothari, 2001: 32)

The theoretical and methodological conceptualization of children's participation in local government is considered. Per Hart (J.) and others

(2004: 11), there is a general acceptance of Hart's (R., 1992) definition of participation as

the process of sharing decisions which affect one's life and the life of the community in which one lives

(Hart, R., 1992: 5)

Hart (J.) and others (2004: 11) argue that children's participation is not simply a new way of working: it is a value, a concept of worth and a way in which she perceives herself in relation to others, and it is essentially a reflective strategy.

Theories of childhood as a concept deal with the significance of childhood as viewed, almost exclusively, from the state of adulthood. Children, although the focus of theory, are often not considered as having a legitimate voice in its composition. Peters and Johansson (2012: 43) suggest that, while children and childhood warrant attention, children are seen as a 'cultural other' and are rarely understood on their own terms.

## 6.1 The sociology of childhood

[D]espite its name, the history of childhood tends to deal with adults' views of children to a much larger degree than with the actual lived lives of children.

(Roberts, 2008)

It is debatable how far back in history it is necessary to go to find the first conceptualization of childhood. Plato (ca.424BC-ca.347BC) believed that education was a moral enterprise with different requirements at 'various life stages' (Smith, 1997). Since Plato, philosophers have been caught in an ambiguous relationship with children and childhood (Peters & Johansson, 2012: 43). For example, European children in the Middle Ages and Renaissance were seen as miniature adults or adults-in-waiting (Smidt, 2013: 3) whereas, 'during Victorian times the

perceived and romanticised innocence of childhood was very evident' (Smidt, 2013: 4).

In medieval society the *idea*<sup>58</sup> of childhood did not exist ... The idea of childhood is not to be confused with affection for children: it corresponds to an awareness of the particular nature of childhood, that particular nature which distinguishes the child from the adult, even the young adult. In medieval society this awareness was lacking. That is why, as soon as the child could live without the constant solicitude of his mother, his nanny, or his cradle-rocker, he belonged to adult society.

(Ariès, 1962: 125)

A criticism of Ariès's work is that what society lacked was not a concept of childhood, but a modern concept (Wilson, 1980: 135-136; Hill & Tisdall, 1997:16). Archard (2004) attempts to reframe this, using Rawls' theory of justice<sup>59</sup> and distinguishes between 'a concept of childhood' and 'a conception of childhood' (Archard, 2004: 27).

For Archard, the concept of childhood requires children to be distinguishable from adults according to some (unspecified) set of attributes. The importance of Archard's distinction is to enable discourse across and between cultures about the conceptions of childhood as long as there is, to some extent, a shared concept of childhood. Archard's basic argument is that Ariès was discussing a conception of childhood or "the flesh" of the argument so to speak, without actually offering an underlying concept, "the bones", of childhood.

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<sup>58</sup> My emphasis.

<sup>59</sup> My understanding is that Rawls' proposition for assigning basic rights and duties, and determining the division of social benefits in a society employs social contract theory to offer principles of justice, and to assert that justice is political not metaphysical (Rawls, 1985; 1993; 1995; 1999). Rawls' argument has been considered useful in classifying a particular sense of justice but 'in no sense [is it] ... a universal theory' (Pettitt, 1974: 311). It is considered flawed by others, such as Schaefer, who characterizes Rawls' "original position" (see Rawls, 1999: 102-168) as not dissimilar to Freud's *tabula rasa* ("blank slate") as 'an inadequate basis for any sort of deliberation' (Schaefer, 1974: 95).

Alongside flat rejection of Ariès (e.g. Kroll, 1977), i.e. that previous ages *did* have a conception of childhood as being distinct from adulthood and expressed it, Archard concludes that previously there were conceptions of childhood, albeit different from what Ariès presumes to be *the* conception. Ariès' presumption, that 'if you see children as different from adults you must do so in the ways that we now customarily do' (Archard, 2004: 29), does not hold up.

[C]hildhood is ... a historical and cultural experience and its meaning, its interpretations and its interests reside within such contexts.

(Jenks, 1996: 61)

In 2004, Närvänen and Näsman (2004: 71) could claim that '[d]uring the last few decades a view of childhood as a generation has been introduced within what is called 'new childhood studies' '.

Rather than focusing on the norms of child development, the 'new' sociology of childhood emphasised the social construction of childhood particularly within the UK.

(Mayall, 2012: 348)

The last fifty years have seen a number of attempts to address the inadequacies of the dominant frameworks for the study of childhood and Ariès's immense legacy. While criticized on a number of fronts, is that childhood is now conceptualized within sociology as a social construction.

Eberle (1992) celebrated the 25th anniversary of social construction in 1992. Tisdall and Punch recognize that it 'has been over 20 years since the 'new' sociology of childhood emerged out of a strong critique of the dominant child development and family studies' paradigms' (Tisdall & Punch, 2012: 249). Regardless of whether the beginnings of the social constructionist approach begin from Ariès (1962), Berger and Luckmann (1966), Bronfenbrenner (1977) or from Qvortrup (1989), in no way can

the sociology of childhood be considered “new”: the New Sociology of Childhood has now achieved its middle age.

In order to understand the framework of children’s thinking, their accounts must be related to the ways in which they understand and conceptualize the social and cultural world. Cultural relativism is the principle that an individual’s beliefs and activities should be understood in terms of that individual’s own culture. This principle was established in anthropological research by Boas who first suggested that ‘civilization is not something absolute, but ... relative, and that our ideas and conceptions are true only so far as our civilization goes’ (1887: 589). For example, it was necessary for me to investigate makkala panchayats and it was important to consider how children understood a particular experience and what its significance was for them.

Berger and Luckmann (1966) introduced the term “social construction”. The central idea is that people and communities that interact in a social context create, over time, conceptualizations of that social context. This leads this conceptualization to develop into habitual roles played by different actors in relation to each other that become regularized and, as a by-product of this process; meaning becomes accepted knowledge, belief and reality. Thus, social reality is socially constructed and recognizes ‘the essentially dialectical nature of the relationship between man and society. Society is a human product’ (Kelly, 1983: 49).

As a result of this now middle-aged conceptualization, “childhood” as a concept is no longer seen as merely universal biological stages of childhood but rather has come to be studied as a fluid and diverse set of cultural ideas (Jenks, 1982; Qvortrup, 1994; Jenks, 1996; James & Prout, 1997; James et al, 1998; James & James, 2004; Wyness et al, 2004). The different takes on the social construction of childhood have come together and ‘the need for their synthesis become apparent’ (James & Prout, 2008: 2).

Children have some shared experiences and characteristics and childhood as a social space remains a constant structural feature of all societies. Although a biological given, it varies according to the laws, policies, discourses, social practices and diverse and different cultural politics of childhood as Qvortrup and others (1994) claim. It is within this context that childhood is defined, and within which children may or may not exercise agency.

During the emergence of this new paradigm, as a response to the then-dominant structural approaches in the study of childhood, James and Prout (1997) emphasize childhood, as a variable of social analysis, is never completely separated from other variables such as class, culture, ethnicity, gender, geography and sociology.

The case for children's participation has been grounded in both principle and pragmatism (see for example, Hart, 1992; Franklin, 1995; Lansdown, 1994). Prout (2000: 304) focuses on contemporary Britain when he suggests that the drive towards and the resistance against children's participation is caught up in, indeed is an expression of, a generalized tension between control and self-realization within late modernity. He suggests that, when it comes to children, control and self-realization are both present but in tension.

On the one hand, there is an increasing tendency to see children as individuals with a capacity for self-realization and, within the limits of social interdependency, autonomous action; on the other, there are practices directed at a greater surveillance, control and regulation of children.

(Prout, 2000: 304)

Prout (2000: 305) explores this tension by first drawing attention to the way that modernity emphasized childhood as a period oriented towards the future and is connected to the core features of modernity.

The modern family enabled the modern state to invest in 'futures'. The ideology of care both lubricated and legitimised the investment of economic and cultural capital in the 'promise' of childhood.

(Jenks, 1996: 15)

Prout highlights the tension between self-realization and control that has always been a feature of modernity (Prout, 2000: 307). So modernity is not characterized by concern only for the control of society but according to Prout, it also embraces the notion of self-realization, the belief that a world, increasingly subject to rational control, creates the conditions in which people can shape their own lives through the formation and exercise of self-consciousness, creativity and agency.

I have tried to apply Latour's (2005) Actor Network Theory here. He suggests a compromise between social constructivism and determinism, between the dichotomy he sees as '[c]ultural relativism is made possible only by the solid absolutism of the natural sciences ... There is unity and objectivity on one side, multiplicity and symbolic reality on the other' (Latour, 2005: 117). In relation to children's development, the child is *both* the construct of her social location and her social situation *and* a biological entity travelling along a linear timeline. Prout (2008) addresses Actor Network Theory, and sees 'the constitution of childhood [is] a phenomenon and the problem [is] studying its complexity, heterogeneity and ambiguity' (Prout, 2008: 21).

Individualization is the tendency of people to see and project themselves as unique, distinctive or self-adapted, rather than prescribed or standardized, aspects of identity. For Prout (2000: 307), this is the product of social processes and different sources of social interdependency since, although individuals are produced through collectivities, for example, family, class and caste, they are not bound by them in traditional ways. Beck (1998), discussing the concept of individualization, allows for ideas about children as persons in their own right, within wider societal and historical contexts.

[Children] no longer become individualised. They individualise themselves. The 'biographization' of youth means becoming active, struggling and designing one's own life.

(Beck, 1998:78)

For Prout (2000: 308) the logic of individualization requires new institutions in which authority must be constantly renegotiated, re-established and earned. Inglehart and Welzel (2005) offer modernization as a process of human development within which economic development leads to cultural changes that, in their view, make individual autonomy, gender equality, and democracy increasingly likely.

Human rights treaties such as the Convention are universal, recognized and accepted by an international and multicultural community. Given such wide acceptance and though, whilst not the final say, they are according to Brooks (2007: 426) the best starting point.

By focusing on structural determinants of behaviour the notion of a universal model can be challenged (Gastil, 1961: 1281).

[T]he semantic field of "factors behind behavior" [is] divided into four categories: *biological*, *biosocial*, *cultural*, and *situational*, each with historical and ahistorical dimensions.

(Gastil, 1961: 1290; *Gastil's emphases*)

This approach can be applied to the study of childhood and child rights. Some hold globalization acts to universalize all things Western and is 'often interpreted as colonization and Americanization, as 'westoxification' and an imperialism of McDonald's and CNN' (Scholte, 2002: 12).

'India is the clearest, most toxic concentrate of the Anglo-American world that exists today' (Deb, 2014). At the same time, relativism recognizes variations between nations, where the norms, values, cultures, practices and economies, Gastil's four categories in other

words, differ between communities. As a result, international human rights treaties, such as the Convention, can be seen as little more than imperialism and patriarchal imposition. This tension between universality and relativism is what White sees in the Convention as appearing

to represent an attempt to incorporate relativist principles in a global standard-setting exercise, and therefore perhaps to have side-stepped the issue of cultural relativism.

(White, 1999: 141)

What White does not quite say is that the UN has abrogated its responsibility, leaving it instead to be determined by individual nation-states.

It therefore becomes exceptionally relevant to be aware of the possibility of important tensions and differences between the norms and values, within 'national cultures', of (to mention a few examples) elite and mass; urban and rural people; men and women; older and younger generations; rich children and poor children; and in all questions of cultural relativity to be ready to ask: whose culture are we talking about?

(White, 1999: 142)

Respect for the Convention may unintentionally and paradoxically go some way to overcome the very problem of universality it has irritated. Universality, from the assumption of a universal set of norms influenced by internationalization and globalization, is problematic since cross-cultural differences reflect a lack of universal norms. However, with increased internationalization and globalization, those cultural differences will become more pronounced and the case for a more inclusive culturally-relative approach becomes evident. The opposite argument holds that processes of internationalization and globalization create a merging of cultures and that cultural differences will be lost through universalization. This remains an issue in NGO and development circles (e.g. Rivard, 2010).

The debate ... is currently set up as an impasse between those who advocate a universal rights-based programming and those who criticize the very foundations and assumptions that type of programming is based upon.

(Rivard, 2011: 52)

The debate has been examined by Zechenter (1997).

Universalism ... is at the root of modern human rights law. Simply put, universalism holds that there is an underlying human unity which entitles all individuals, regardless of their cultural or regional antecedents, to certain basic minimal rights, known as human rights.

(Zechenter, 1997: 320)

Zechenter (1997) argues that the almost-worldwide adoption of human rights into international law, 'the influence of cultural relativism and multiculturalist and postmodernist ideas is slowly undermining the entire system of international human rights treaties' (Zechenter, 1997: 322).

If knowledge and morality are culture-bound, rational thinking and scientific method are no more than a culturally-bound form of Western ethnoscience, a culturally-biased way of thinking that is 'no different from magic or witchcraft' (Zechenter, 1997: 325). This rejects the notion of objectivity, thus denying human rights are universal.

I doubt that the drafters or signatories of international human rights treaties would deny their moral significance or at least, an intention. I also doubt that Wilberforce and the abolitionists would deny a similar morality in their effort to end the Slave Trade in the nineteenth century. Are the basic human rights that are provided for in international law patriarchal or imperialist? In practice, does it really matter if they are? '[S]ome scholars believe that cultural relativism is the only alternative to the dangers of ethnocentrism and moral absolutism' (Zechenter, 1997: 340). Zechenter's fear is that 'if relativism were to undermine the

universalist foundations of modern international human rights law, all meaningful dialogue about human rights abuses would end' (Zechenter, 1997: 328). Zechenter summarises the debate.

The main objective of the existing universal human rights regime is not to impose a jacket of arbitrary and homogenizing uniformity among diverse cultural traditions. Instead, the goal of universalism is to create a floor below which no society can stoop in the treatment of its citizens.

(Zechenter, 1997: 341)

I share my philosophy with that of Zechenter in this. In my view, there needs to be a safety net, particularly for the less-advantaged in society, in all societies, that offers protections and rights that are adhered to worldwide. This is not to say, for example, that a particular political philosophy, such as Marxism or democracy, has any part in these universal human rights but that, under any political system, these rights and adherence to them prevail for the common wealth of humanity. Whether one lives in the United Kingdom, the mother of parliaments, or in India, the world's largest democracy, the right, for example, to free speech should be exercisable.

Zechenter's (1997) view that cultural relativism *per se* undermines human rights is balanced against Drèze and Sen's (2002: 349) assertion that, in general terms, India's democracy and democratic institutions surviving robustly, not so much against an undermining by theory and its application, but rather against the material limitations of democratic practice, compromised by

nepotism, the criminalization of politics, and pervasive inequalities ... as a result of disparities in economic wealth and social privileges.

(Drèze & Sen, 2002: 350)

Stern (2006: 225) adds 'the undemocratic social structures of the past that still prevail, for example, the caste system, poverty and widespread

corruption'. She sets out the debate between cultural relativity and universality and examines how this tension applies to the Convention, and particularly to Article 12, and its implementation by GOI. She suggests that the "culture card" has not been played by India in regard to Article 12. She presents a number of reasons why they have not. One of these is that India's federal government does not believe that it is in its best interests to present itself as a country where traditional attitudes and customs, often perceived as having a negative ring to them, have a major influence on how the state fulfill its obligations (Stern, 2006: 250).

Modern theory comes out of the nineteenth and twentieth centuries' economic dispute between capitalism and Marxism. With the demise of any realistic adherence to economic Marxism in the 1970s, 'virtually nobody expects a revolution of the proletariat that will abolish private property, ushering in a new era free from exploitation and conflict' (Inglehart & Welzel, 2009: para. 11). From the point of view of sociology, Inglehart & Welzel (2009) contend that modernization is a process of human development and economic development leads to cultural changes that make individual autonomy, gender equality, and democracy increasingly likely. In India, modernization can be seen differently. From discussions with adults in my study, it became clear to me that there was an appreciation of economic disparity, in effect creating a small elite of the very wealthy and a large proportion of, particularly agricultural, of India's population who were poor and this inequality was increasing. In economic terms, this was not new to me; but it was the first time that I had encountered the consequences of this widening socio-economic gap on the lives of individual people at first hand.

It's as though the people of India have been rounded up and loaded onto two convoys of trucks (a huge big one and a tiny little one) that have set off resolutely in opposite directions. The tiny convoy is on its way to a glittering destination

somewhere near the top of the world. The other convoy just melts into the darkness and disappears.

(Roy, 2002: para. 4)

In the makkala panchayats, there was a welcoming acceptance of the universality of the rights accorded to the child participants by the Convention. There was an appreciation that the Convention applied equally to them as *children*, just as it applied to children in the UK and elsewhere, rather than applying to them as Indian or Karnatakan or Hindu or Muslim. Children saw their role in the makkala panchayat, not as an end in itself, but as a stepping-stone to their self-determination in a future adulthood. In concrete terms, this was a foundation from which to work for better things for their futures, their swaraj.

There has been no Mead, no Ariès, studying the makkala panchayats. My attempt has been to examine sociological theory to conceptualize the makkala panchayat childhood(s) and it is within this framework that I go on to conceptualize children's participation in the makkala panchayats.

Childhood is unknown. Starting from the false idea one has of it, the farther one goes, the more one loses one's way.

(Rousseau [1762]: Kelly & Bloom, 2009: 157)

## 6.2 Conceptualizing children's participation

The Convention recognizes the child's right 'to express an opinion on anything affecting the child *and have that opinion taken into account*, appropriate to the child's age and maturity' (Article 12.1, *my emphasis*). This is more than simply a passive consultative process. The child's right here is active: she can initiate action and Article 12 is the legal basis for it (Lolichen et al, 2007: 161). The IAWGCP (2008: 7) does not go as far as Lolly, preferring instead to ascribe the practice of children's participation as 'loosely' based on Article 12.

Woodhead (2010) suggests that the practice of children's participation has been hampered, methodologically and empirically, by the very concept itself. It is 'attractively all-encompassing, but at the same time far too bland' (Woodhead, 2010: xxi-xxii). The term "children's participation" is ubiquitous throughout the literature but, with it, there is no single, agreed definition. For example, UNICEF offers that participation is a 'multifaceted phenomenon' (UNICEF, 2002: 4). Farthing (2012: 72) represents this difficulty by an analysis of fourteen definitions of youth participation. In summary, he offers an amalgamation of all of these definitions:

[A] process where young people, as active citizens, take part in, express views on, and have decision-making power about issues affecting them.

(Farthing, 2012: 73)

The extent to which this philosophy holds sway in the makkala panchayats is open to examination.

You are using the plastic so we convince the children that you must think about globalization and you using the outside countries' products and to think about what happens in our country and in our communities when you do this.

(Usha, CWC, 3rd October, 2008)

Acharya was at pains to stress:

Yes, I have to keep in mind as a facilitator always, is it my decision or is this a collective decision? It is not that I am not a part of it; it's not that facilitators are in this other world. We are in it together with children moving forward in partnership together finding out these things.

(Acharya, CWC, 7th November, 2008)

Although Acharya talks of collective, CWC present as seeking a participatory democracy that is inclusive. The quest for participation

generally, and for children in particular, is seen in terms of political struggle.

The most important challenge for structures such as Makkala Panchayats today is the present political environment that is opposed to democratic decentralisation in our country.

(Ratna, 2009: 15)

The makkala panchayats aim at enabling children to participate in the governance of their community through a formal structure of parallel government. Children's involvement in local governance according to the IAWGCP (2008: 66) can be grouped into three overlapping processes:

- (1) children as political activists outside formal government systems;
- (2) children as members of formal and parallel government structures, such as children's parliaments or youth councils; and
- (3) children as partners within political decision-making bodies.

Decentralization may open up new opportunities for children's involvement in governance. On the other hand, local authorities are further removed from international obligations and may feel less bound by [the Convention] than national authorities do.

(IAWGCP, 2008: 66)

CWC argue (e.g. Lolichen, 2006a) that the Indian Constitution recognizes adults, but not children, as having political rights and participatory spaces in which to represent themselves. The interests of adults are represented, for example through gram sabha, gram panchayat, taluk and zilla level platforms. Children, on the other hand, are excluded from such processes, denied spaces to represent themselves and their interests, and excluded from participatory democracy. Children have traditionally been 'treated as ... passive recipients of interventions designed by the privileged development elite' (Lolichen, 2006a: 021).

[C]hildren are seldom consulted and almost never enabled to feed into policies and programmes that are designed for them. Children are ignored in decision-making processes and policy formation. Rather they are discouraged in making any such attempts.

(Lolichen, 2006a: 022)

It is less likely that children will participate in formal or sustainable structures, more likely in temporary platforms, *ad hoc* or one-off events (Ratna, 2009: 7). For CWC, participation should only be through mainstream structures since these are most appropriate and more accessible to children (Ratna, 2009: 12). Through the makkala panchayats, children's participation can and does contribute to the exercise of governance. Whilst children do not govern in any real sense and their input is, technically, advisory, matters brought forward by the makkala panchayats have been acted upon or, at least, acknowledged. O'Kane refers to

power sharing between children and adults [as] an active process of involvement in decision-making (at different levels) based on mutual respect, dialogue and information.

(O'Kane, 2003a: 13)

The makkala panchayat is a process of active involvement. Power-sharing is another matter. O'Kane claims that '[g]enuine participation gives children the power to shape both the process and the outcome' (O'Kane, 2003a: 13).

Brighouse defines consultative participation as the right to express a view but not to 'treat that expression as sufficient grounds for action, even if only his/her interests are at stake' (Brighouse, 2003: 692-693). Archard and Skivenes (2009a: 15), while concurring that the views of children are not authoritative, dispute Brighouse's claim that they are only of consultative value; they affirm the fundamental right of a child capable of expressing a view to do so and to participate in the procedures where decisions affecting his or her interests are made. I find

myself philosophically mid-way between the two arguments: simply, a child's view *may* provide sufficient grounds for action but I acknowledge that such a position avoids locating the power in the adult-child relationship. My view is that the power in the adult-child relationship is not fixed: power shifts between adults and children as process. During my data collection interviewing children with their parents, it was interesting for me to see this power shift in action. For example, in the process of my different meetings with Tesh (makkala panchayat) I saw different configurations of his personality. On 5th November, 2008, when I interviewed him alone, he presented as optimistic and aspirational, whereas when I interviewed him with his father on 19th October, 2008, I watched as "the apple of his father's eye" was able to manipulate his parents into agreeing with what he was saying about the makkala panchayats.

In decision-making, the makkala panchayat is consultative, and authoritative. Venk (CWC, 30th October 2008) makes a clear distinction between the two: 'they only participate in a process'. This distinction was reported by him almost as a "given", although nowhere in my discussions with other CWC personnel has this distinction been made explicit. Indeed, the opposite is promoted in CWC literature.

Our objective has been to empower children to enable their participation in governance processes so that they take decisions on matters that affect them.

(Lolichen, 2006b: 022)

"Protagonism", or "children as protagonists", is standard vocabulary in CWC literature, defined as

the right and ability to advocate on one's own behalf, to be in control and to be a part of decision-making processes and interventions.

(Reddy & Ratna, 2002: 4)

Liebel says that protagonism is no longer exclusively the domain of adults; it requires of adults solidarity and collaboration with children because children 'deeply question the paternalistic structures of adult-dominated society' (Liebel, 2007: 60-62). But that children feel a need to be protagonists is surely that they want to be free from adult controls on thought, but accept adult controls on action.

When children's participation is seen within the frame of protagonism it takes on another dimension. The right and the ability to advocate on one's own behalf, to be in control and to be a part of decision-making processes and interventions.

(Reddy & Ratna, 2002: 4)

Elshtain (1995) argues that children have long demonstrated their protagonism in political struggle, and makes no distinction between the personal and the political.

Children as workers, patriots and protestors are powerful evidence of the ways in which these categories and the realities towards which they gesture, bleed into one another.

(Elshtain, 1995: 282)

Children's protagonism will bring about *de facto* accountability and transparency in local decision-making bodies (Ratna, 2009: 11).

For these children participation is a political intervention irrespective of the arena in which they participate. For them, participation is protagonism in the true sense of the word.

(Reddy & Ratna, 2002: 20)

Percy-Smith and Thomas (2010b) suggest that participation can be seen as providing a masquerade of political accountability, a smokescreen for inaction. Participation, or "having a say" often results in little change, adults continue to make decisions without taking real account of children's views (Percy-Smith & Thomas 2010a: 2).

“It’s not that simple.” This refrain I heard from children reporting to me on adult responses to their petitions for resolutions to issues that were of concern to them. This suggests neither accountability nor transparency but alerts to a lack of agency.

While an individually-driven internal process, agency may be experienced relationally, either through others, or as the property of the group. Bandura (2001: 13-14) defines two forms of relational agency, “proxy” agency and “collective” agency. Proxy agency is a socially mediated form of agency by which an individual or a group is unable to exercise choice without influencing those with resources or expertise to act in their interests. Collective agency operates at group level with a shared belief that it may achieve its aims. Individuals may enhance their collective agency by aligning themselves with supportive adults or influential others.

The people have to be seen ... as being actively involved—given the opportunity—in shaping their own destiny, and not just as passive recipients of the fruits of cunning development programs.

(Sen, 1999: 53)

For Sen, human agency represents people’s ability to act towards goals that they consider matter, an aspect of freedom that is a core ingredient of positive social change (Sen, 1999: 53). Osswell says that children are fully social beings and that children’s research must

hold off on any hierarchically ordered normative judgement as to how we imagine or desire them to turn out. It implies that we understand them ... in terms of what they are, in terms of how they act themselves in social worlds, and how they interrelate with others.

(Osswell, 2013: 40).

Children’s participation is an expression of agency that Warner and others (2014: 5-8) regard as fundamental, the very foundation of

participation. According to Malhotra and others (2002: 9), agency is the 'essence of empowerment'. Agency is not just about actions: more important are meaning, motivation and purpose that individuals bring to their activity (Warner et al, 2014: 8). As with empowerment, agency is always only relative.

In considering children's agency, there is a structure *versus* agency debate. Participation is less an expression of agency, more a matter of necessity imposed by constraint (Cooke & Kothari, 2001: 51), a view which reflects the complex interplay between agency and power. Oswell (2013: 35) suggests that research into the sociology of childhood has sought to understand structure and agency as two aspects of the same issue.

[T]here are two dimensions to protagonism: one pertaining to children's capabilities to have an active role in the world surrounding them; and the other, to children's position in the social structure which, ultimately, is the factor that places boundaries on their access to an active role in society.

(Liebel, 2007: 64)

### 6.3 Typologies of participation

Methodological approaches have been characterized by a number of typologies using various metaphors. The nature of children's participation, and the structures in which this occurs, reflects that complete control by children cannot be assumed (MacNaughton et al, 2007: 461).

Literature has explored how to do participation, mostly through the construction and refinement of typologies. Karsten's (2012) collection of 36 different models and theories of participation from 1969 to 2012 illustrate how typologies have taken on a life of their own. It is Hart's (1992) 'Ladder of Children's Participation' which is the best-known and

longest-established conceptual model in this field. Hart bases his model on Arnstein's (1969) 'Ladder of Citizen Participation'.

Arnstein grades three categories of participation: degrees of citizen power (citizen control, delegated power, partnership); degrees of tokenism (placation, consultation, informing); and degrees of non-participation (therapy, manipulation). At any one time, an individual or group holds different degrees of power: participation is simply a categorical term for citizen power, according to Arnstein (1969).

For Arnstein, various programmes represent public relations vehicles of power-holders by distorting participation, whereby citizens become victims of 'tyranny'. Her work laid the foundation for what was to become, some 30+ years later, the critique or 'Tyranny of Participation' writings of Cooke and Kothari (2001). The fundamental point of these works is that participation without the sharing and redistribution of power is an empty and, at best, frustrating process for the powerless.

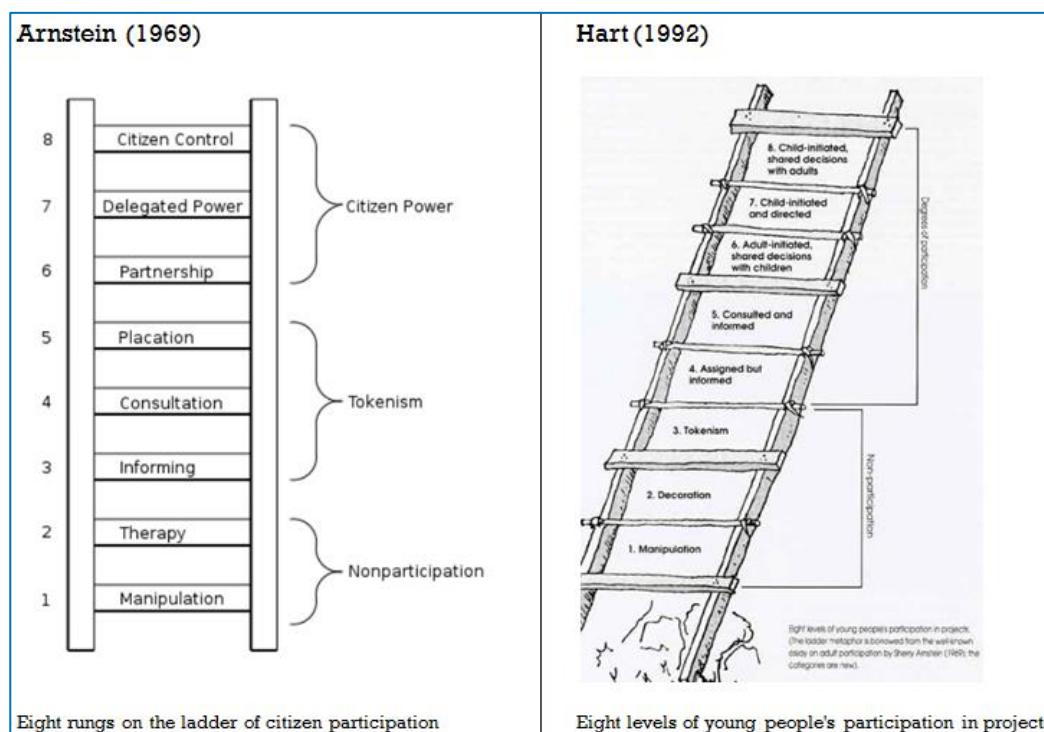


Figure 5: Arnstein's (1969) and Hart's (1992) ladders of participation

Hart's ladder (Hart, 1992: 8) draws on Arnstein's work with a focus on the powerlessness of children and their participation in community development projects, an issue which at the time had been given scant regard. Hart attended to the participatory process.

The bottom three rungs of Hart's (1992: 9) ladder are non-participative (manipulation; decoration; tokenism), the top five rungs are increasingly participative (assigned but informed; consulted and informed; adult-initiated shared decisions with children; child-initiated and directed; child-initiated, shared decisions with adults). Only the top four rungs of the ladder reflect true participation. Williams (2004: 38) suggests that makkala panchayat activities are at the top third of Hart's ladder.

According to Hart, only when children initiate an intervention and share decision-making with adults are they taken seriously at the political level. This is the most challenging form of participation since it requires of adults to attend to children's interests and to enable them to voice their needs (Hart, 1992: 14). Wall contends that '[a]s Hart's ladder suggests ... political citizenship or agency is not necessarily the same thing as political power' (Wall, 2011: 91).

The primary critique of Hart's ladder has been around the implication that all participatory activities must aim at his top rung. For Reddy and Ratna (2002: 4), it depicts not levels of children's participation, but the roles taken by adults, and 'it implies a sequence, whereas in reality one level may not necessarily lead to the next level' (2002:18). Williams (2004: 17) also argues participation is not linear.

In Hart's defence, the model as he proposed it, was offered merely as a 'beginning typology for thinking about children's participation' (1992: 8-9) and that, through misuse, it has become a measurement of adults' work with children rather than merely a tool to reflect on practice (Hart, 2008).

Although their metaphor of the ladder has been widely copied and adapted, Arnstein and Hart were not the only authors to produce a typology of participation. Compared with Karsten's (2012) collection of 36 typologies of participation, Farthing (2012: 74) sets out a compilation of three typologies of justifications, replicated in the Table below. Farthing compares Sinclair and Franklin (2000), Cleaver (2001) and Warshak (2003) across four dimensions of participation, *viz.*, rights-based, empowerment, efficiency and developmental.

**Rights-based**

- to uphold children's rights
- to fulfil the state's legal obligations and responsibilities
  - Sinclair and Franklin (2000)
- citizenship rationale
  - Warshak (2003)
- ends
  - Cleaver (2002)

**Empowerment**

- to enhance democratic decision making
  - Sinclair and Franklin (2000)
- Empowerment
  - Warshak (2003)
- ends
  - Cleaver (2002)

**Efficiency**

- to improve services
- to improve decision making
- to promote protection
  - Sinclair and Franklin (2000)
- enlightenment rationale (depending on why you enlighten)
- outcomes for relationships (depending on why you value relationships)
  - Warshak (2003)
- means
  - Cleaver (2002)

**Developmental**

- to build children's skills and to empower and enhance self-esteem
  - Sinclair and Franklin (2000)

Table 6: typologies justifying participation (*after* Farthing, 2012: 77)

Replacing the ladder image, Reddy and Ratna (2002: 29-31) suggest a 'wide spectrum of 'scenarios of adult-child engagement' in which roles are played, either intentionally or unintentionally. These roles are not fixed and, while they depict 13 scenarios, Reddy and Ratna contend that

there are many processes involved and that their list is illustrative, not definitive.

It is possible that the same group of adults play one or several of these roles with the same group of children or different groups of children at different times.

(Reddy & Ratna, 2002: 31)

For Reddy and Ratna, the conclusion of successful participation is where adults and children, having developed a partnership, jointly initiate and direct the process. They have joint ownership of the idea, the process and the outcome (Reddy & Ratna, 2002: 30).

The childrens' panchayat and the adults' panchayat are not different. They all work together, working as a partnership. The demands of the children are raised with the adults and implemented in partnership with them.

(M.B. Gowda, GOK, 6th November 2008)

Going back to Arnstein (1969), the sixth rung of her ladder represents partnership and the redistribution of power, 'historically it has had to be wrested by the powerless rather than proffered by the powerful' (Arnstein, 1969: 10).

These are some of the elements of this partnership: openness; respect and trust on the part of both; freedom to express oneself; sensitivity; affection; commitment; understanding; mutual support; empowering; based on friendship; based on negotiation; flexible; one of sharing; mutual accountability; sharing both rights and responsibilities; joyful; agreeing to disagree sometimes; challenging; accepting of each other's reality; shared vision; based on listening to each other.

(Reddy & Ratna, 2002: 32)

Underpinned by an implicit assumption that children's participation is intrinsically a "good thing", participatory discourse has been dominated by the "how" to do it, while critical analysis of the reasons for

participation itself, or the “why” of participation, have been limited (Farthing, 2012: 74).

#### 6.4 Aspects of participation

In any relationship, there are degrees of power exerted by one party or another: adult-child; person-person; student-teacher. That power is exercised by the one is not, intrinsically or necessarily, harmful for the other. That said, there is almost always a power differential that favours the one over the other. CWC fieldworker-makkala panchayat child.

Foucault (1980: 97) theorizes that, even when individuals think that they are at their most free, they are in fact subject to insidious forms of power that operate through less visible strategies of normalization. Existing theories classify children’s participation according to who has power: adults, children or both (Hart, 1992; Lansdown, 2005a). Foucault (1980) suggests that it might be useful to look instead at the ways in which power circulates and is exercised through networks of relationships. Power is not static; it weaves, is transient and fluid and manifests its purpose not in the conscious intentions of those who exercise it but in its effects. This analysis is useful in addressing issues of manipulation and coercion of children since he characterizes ways in which power is wielded and, more significantly, how it masks itself.

Power must be analysed as something which circulates, or rather as something which only functions in the form of a chain. It is never localised here or there, never in anybody’s hands, never appropriated as a commodity or piece of wealth. Power is employed and exercised through a net-like organisation.

(Foucault, 1980: 98)

This has important implications for children’s participation since Foucault claims that power as such does not belong to anyone exclusively. Consequently, to say that someone is exercising power is in

fact to say very little. What matters is *how* power is exercised, in what contexts and with what effects. While the exercise of power is intentional, there are aims intended by the exercise of power, and are a choice, the outcome of this exercise is not certain and cannot be predicted by the choice and intent of the chooser (Gallagher, 2008: 403). This allows an analysis of children's participation not as a process by which adults, who *have* power, empower children by *giving* the children power but to look at precisely how power is exercised both by adults and children applying a whole range of different techniques in the interactions between them (Gallagher, 2008: 403). Children's involvement as an oppressed social group is crucial in the consideration of power imbalances in the construction of knowledge about marginalized groups (Clark et al, 2001; Doucet & Mauthner, 2002).

This postmodernist approach can and does make no claim to objective truth. The process is as, if not more, important than the outcome itself and this is the company line of CWC. A practical issue caused by leaving outcome measurement to subjective process interpretation is that it not only makes it difficult to evaluate the impact of children's participation in the field but it also allows for grand, unsubstantiated, claims to be made and unwelcome outcomes to be hidden. This is also a criticism of qualitative research in general.

#### 6.4.1 Participation: the rights aspect

Bell (2008: 9) says that children have rights that are not granted to them, but are inherent in the mere fact of their being human. Although Bell's comment is an assertion, rather than an incontrovertible fact and while this view may be seen, on one hand, as another construction or, on the other, as baseless in purely evolutionary biological terms, it forms a central plank of the Convention and it is a view that I came across often in my discussions with CWC.

The rights are coming with that child. It is not the rights that we are giving them.

(Acharya, CWC, 7th November 2008)

The political relationship between children and adults is that of rights holders and duty bearers or rights-protectors '[G]overnment is the principal duty bearer' (van Oudenhoven & Wazir, 2006: 90). Children's participation in governance ensures mutual accountability between children as rights holders and adults as duty bearers (Ratna, 2009: 3).

Although participation is a right recognized in the Convention, when it is recognized as a means to an end, as well as an end in itself, 'the right to participate is the right to claim other rights' (Eyben, 2003: 2; see also Lansdown, 2001: 33). This suggests a means-end binary in rationale. However, some<sup>60</sup> rights-based arguments promote the right to participate only for its own sake (Farthing, 2012: 76).

It is nothing to do with your political right, it has to do with your right to realise your right. It is the premise that I have to realise my right. It is the responsibility of the adults to create an environment where I can realise my rights. When you acknowledge state responsibility to help children realise their rights then you have to create a proper environment for that so that is what they are doing. They are demanding a proper environment for that.

(Ganapathi, CWC, 14th October 2008)

Understanding participation as a right, according to Eyben (2003: 2), has been 'one of the biggest shifts in agency thinking ... It means switching from a technical to a political understanding of development'. UNICEF (2009: 33) reports that GOI is moving towards fulfilling children's rights and children are voicing their concerns through their communities which is critical to India's human progress.

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<sup>60</sup> The "some" is unspecified in Farthing at this point.

The vision of the ‘good society’ invoked by this justification is of a nation-state that upholds its international legal obligations, as codified in various human rights charters.

(Farthing, 2012: 75).

The concept of children’s rights developed in recognition of their de facto exclusion<sup>61</sup> from having rights in many aspects of their lives (Alanen & Mayall, 2001: xii). Lister (1990: 62) claims that ‘The very status of a child means in principle that he or she has no political rights’. King (1997: 212-213) writes of the paradox ‘[c]hildren have rights because they do not have, and cannot be expected to have, full citizen’s rights’. Civic institutions and the adult world with its power relations are, by and large, inimical to children’s participation.

The adult world does not recognize children’s praxis, because competence is defined merely in relation to adults’ praxis.

(Qvortrup, 1994: 4)

In granting children rights, the world ‘withhold[s] from them the most essential right: to be a child’ (Veerman, 1992: 397). The debate surrounds issues of capacity: that children, lacking capacity to make informed choices, cannot possess rights. ‘They argue that children are just not qualified to have rights; they lack the capacity to do so’ (Freeman, 2007: 12). That rights have content has created this issue of capacity. Each right is a right of existence, of action or of possession, or the negative states of these. Only those rights can be held whose content can be appropriately attributed to their owners and, as such, children cannot have rights, merely needs (Archard, 2006).

Archard (2006) contends that, while children have rights in law, these need not be accepted as moral rights and likewise, if they have moral

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<sup>61</sup> Exclusion is multidimensional (e.g. UNICEF, 2005: 7), it includes deprivations of economic, social, gender, cultural and political rights, making exclusion a much broader concept than material poverty. The concept of exclusion includes the reinforcing socio-political factors that are the basis of discrimination and disadvantage. Tackling exclusion requires a strong focus on the processes and agents behind deprivation to guarantee inclusion and equality of opportunity. It is beyond these broad principles that there is less agreement regarding the dimensions of exclusion.

rights, these need not be enshrined in law, although there would be a presumption that they should. Franklin (1989: 60) suggests, granting the moral claim is undoubtedly a precondition for, and may prompt a firmer statutory framework. 'The symbolic significance and desirability of the Convention is hard to refute' (Franklin, 1989: 60).

The Convention (Art. 5) recognizes that adults must provide adequate and appropriate direction and guidance in the exercise by the child of the rights recognized therein. Participation, if considered conservatively, places much emphasis on children's views without regard to whether they are able to offer their views rationally. It places the burden of decision making on the still-developing child with potentially disastrous consequences for the realization of other rights. It may be asked whether or not the realization of children's rights is a "good thing" (Purdy, 1992: 7). Participation in itself does not necessarily produce the best outcomes for children; nor does it necessarily enable children to realize other, indivisible, rights.

In similar vein to Cantwell (2008: 4), Archard (2006) grounds this skepticism of children as rights' holders as part of an increase in the proliferation of rights more generally. He suggests that rights have been devalued both on account of the increasing number of rights holders and that more demands are expressed as rights claims. 'The inflation of rights talk devalues the currency of rights' (Sumner, 1987: 15).

A conclusion from my data is that children, while appreciating that their participation was as of right, did not pursue additional rights, preferring to use their right to participation to pursue the work of the makkala panchayats. "Inflatory" discourse did not arise in my fieldwork discussions with CWC.

#### 6.4.2 Participation: the empowerment aspect

Do makkala panchayat children consider themselves as empowered, or consider the makkala panchayat process as empowering?

Some of the confusion about empowerment arises because the root-concept – power – is itself disputed.

(Rowlands, 1997: 9)

There is no single, widely accepted definition of empowerment.

(Mosedale, 2003: 12)

While empowerment is about how a person sees themselves within society and, while it is in a sense proactive, in its essence it is a reflective strategy. Upadhyay and others (2004: 28) say that empowerment requires two sets of development: personal, in relation to self, and socio-political, in relation to family and society. At the very least, likes and dislikes contribute to the development and reinforcement of identity.

Empowerment is often cited as a corollary of children's participation, 'empowerment of the disadvantaged through enhanced voice, access and control' (White & Choudhury, 2007: 534) and, accordingly, an expression of agency. CWC argue that for self-determination to be exercised most effectively, participation must either lead to or result in children's empowerment. Participation is not an end in itself, but an empowering process (Lolichen, 2010: 167). 'Their participation should embody processes that empower them to negotiate with the duty bearers' (Ratna, 2009: 2) and redress their oppression and marginalization, since these are a "bad thing", so their empowerment must be a "good thing" (Farthing, 2012: 76).

For Reddy and Ratna (2002: 4), the three key dimensions of children's empowerment are:

- (1) an organization or forum;
- (2) access to owning and use of relevant information; and
- (3) access to and use of resources (structural, material, human and financial).

Through these, children gain strength through collective action which is, of itself, empowering.

Kabeer (2002: 6-8) also conceptualizes empowerment as possessing three dimensions: resources; agency; and achievement. These interdependent dimensions, 'each of which contributes, and benefits from, changes in the others', run from individual achievement to social transformation.

The *resources* dimension encompasses (a) conventional economic resources (eg. land, jobs, equipment, assets), (b) embodied resources (e.g. analytical and practical skills, knowledge, creativity, imagination and wisdom) and (c) social resources (e.g. networks, associations and connections). 'The terms on which the poor gain access to resources are as important as the resources themselves when empowerment is at stake' (Kabeer, 2002: 7).

The dimension of *agency*, for Kabeer, is more than its operationalized synonym "decision-making", it is the ability to act; it also includes the meaning, motivation and purpose that individuals bring to their activity, 'their *sense of agency*' (Kabeer, 2002: 7; *her emphasis*). Kabeer's conceptualization incorporates such inner, cognitive processes as reflection and analysis, encompassing a range of behaviour more broad than just the more observable forms of action and embraces collective and individual action and reflection.

*Achievement* is Kabeer's third dimension of empowerment, the breaking down of structures of constraint such as class and gender. Empowerment gives the poor and disenfranchised 'the capabilities they need to achieve their valued goals, without violating the rights of others

to do the same' (Kabeer, 2002: 8). The failure of, for example, dalits or untouchables, to achieve valued goals is a reflection of underlying asymmetries in their basic capabilities (Kabeer, 2002: 8).

According to Williams who uses Kabeer's terminology, the makkala panchayat activities impact on social attitudes towards children and are, arguably, starting to generate a 'deeper level of empowerment' (Williams, 2004: 38).

Warner and others (2014: 8) give attention to the individually-driven internal process of empowerment, which ultimately leads to meaningful participation. Kellett and others (2004: 332) refers to the 'self-fulfilling prophesy' of empowerment: the more it is experienced and develops competency, the more effective participation becomes and the more empowered children feel. This is what Rajani (2000: 6) refers to as a 'virtuous cycle'. To become empowered is not a linear process but similar to a loop or a spiral (Prahlad & Tinku, 2002: 19).

There is broad agreement ... that empowerment is a process; that it involves some degree of personal development, but that this is not sufficient; and that it involves moving from insight to action.

(Rowlands 1997; 15)

That empowerment is an ongoing process rather than a product or outcome seems clear, there being no final goal. A child does not become empowered in some absolute sense. Empowerment is relative.

People are empowered, or disempowered, relative to others or, importantly, relative to themselves at a previous time.

(Mosedale, 2003: 3)

Deepak, in interview and in the makkala panchayat, presented two different people it seemed. As will be seen later, in the interview

situation, Deepak was withdrawn whereas, in the working atmosphere of the makkala panchayat, he was empowered.

Despite its having identified empowerment as a... primary development assistance goal... neither the World Bank nor any other major development agency has developed a rigorous method for measuring and tracking changes in levels of empowerment.

(Malhotra et al, 2002, 3)

Indicators of empowerment may each have some value, but none can be taken as a complete or absolute measure and are unquantifiable since the term is a multi-faceted process, not a condition or state of being (Prahlad & Tinku, 2002: 5).

In makkala panchayats, empowerment is politicized within power structures and inequalities. Empowerment as democratization is seen in the makkala panchayat project.

Empowerment cannot be bestowed by a third party. Rather those who would become empowered must claim it ... [Facilitators] may ... create conditions favourable to empowerment but they cannot make it happen.

(Mosedale, 2003: 2)

Chambers (1997: 207-208) draws attention to the importance of NGO behaviours and attitudes in enabling empowerment. Development agencies cannot claim to empower: rather, they foster and support empowerment (Prahlad & Tinku, 2002: 20).

To Cooke and Kothari, empowerment is rhetorical, a feeling which shapes individual identities, and has been individualized and largely depoliticized as a normative value. It is 'tantamount ... to subjection' (Cooke & Kothari, 2001: 13). Since it is not a community or collective phenomenon, it cannot lead to structural changes in society. Rather, existing power relationships remain and worsen; the rhetorical mask

maintains power in an élite: it is the 'tyranny' of participation (Cooke & Kothari, 2001). This is in counterpoint to Sen's (1999) *Development as Freedom*.

That said, there remains the opportunity for underhand manipulation through the containment or co-option of potential opposition and to hide this in the guise of participation. This is far from empowering. Although not finally established, this critique has emerged in the fields of critical theory, international development and youth studies, a critique that Farthing (2012: 78) describes as 'most dominant' and 'radical'.

Notions of empowerment are used in CWC literature and vocabulary, where participation is seen as a catalyst for empowerment. An example is found in Abshire and others (2008: 70) who suggests that the Convention explicitly provides for children's empowerment by giving them voice. In fact nowhere in the Convention is empowerment recognized. Abshire and others' claim could be interpreted as an example of what Cantwell regards as 'rights inflation' (2008: 4). When a child is listened to, her observation of another listening may be empowering but this cannot be taken as a given.

Prahlad and Tinku (2002: 7) argue that certain empirical examples indicate that initiatives aiming at increased equality and given as empowering do not guarantee empowered status: rather, it is the quality of participation that is the determinant.

The process of change is the process of the makkala panchayat itself.

Unconsciously ... their roles could vary depending on the situation and the children they are with.

(Reddy & Ratna, 2002: 4)

Participation is arguably not empowering because the concept of 'power' used to link participation to empowerment is inadequate (Farthing,

2012: 78). Lukes' (1974) influential *Power: A Radical View* highlights this inadequacy and proposes three ways in which to measure the level and effectiveness of power held over people.

The One Dimensional View of Power focuses only on decision-making behaviour on key issues and in observable situations, such as policy preferences demonstrated through political action (Lukes, 1974: 15). The Two Dimensional View of Power qualifies the First Dimension's view of behaviour and focuses on making and not making decisions on current and potential issues. It expands the focus to those types of conflict that might be openly or secretly observed (Lukes, 1974: 20).

The Three Dimensional View of Power is a 'thoroughgoing critique', per Lukes, of the behavioural focus (Lukes, 1974: 24) and it concentrates on political decision-making and control over the agenda, to include overt, covert and latent conflicts. He goes on to state that a full critique of power should include both subjective and objective interests that might be held by those excluded by the political process (Lukes, 1974: 25) and highlights 'the ability of the powerful to shape the norms and values of the powerless ... reinforce[ing] the very power relations it [i.e. children's participation] claims to challenge through complex, less visible manipulations' (Farthing, 2012: 79).

Williams (2004: 37) notes the degree of agency encouraged in, and even expected of, children involved in the makkala panchayat. Ratna (2009: 5) claims that the makkala panchayat gives children identity, confidence, collective strength, and ownership of their initiatives, and these are all dimensions of individual and collective agency.

Berman (2003:108) argues that the result of treating children as a homogeneous group perpetuates the processes by which sub-groups such as those based on gender are marginalised and disempowered (Berman, 2003: 108). There is evidence (Cockburn, 2005: 115) to suggest that participation is all too easily co-opted by adult agendas, to

the avoidance of children setting the agenda, and it simply becoming a disempowering process.

The languages of participation and empowerment are cosy but we need to be more critical of the circumstances of inclusion and the kinds of adult support (e.g. advocacy and representation) that children might need.

(Roche, 1999: 489)

It is important to be mindful of children's right not to participate or choose to opt out of the process completely. Cooke and Kothari (2001: 151) suggest that, in this sense, exclusion can be empowering or even necessary in order to challenge existing structures of domination and control.

It is evident that the term empowerment has become a buzzword within development studies and is used to add glamour (rather than value) to interventions which actually seek to achieve a variety of economic and social outcomes, which, though they may be extremely desirable in themselves, do not necessarily challenge existing patterns of power

(Mosedale, 2003: 17)

#### 6.4.3 Participation: the citizenship aspect

No one is born a good citizen; no nation is born a democracy. Rather, both are processes that continue to evolve over a lifetime.

(Annan, 1998)

We can understand the democracy and in the future we can understand how to participate in the society.

(Poornima, makkala panchayat, 3rd November 2008)

The modern concept of citizenship originated in the construction of European nation-states in the 19th century. Defined objectively as legal status and subjectively comprising a sense of belonging and identity

(Savigny, 2007: 80), this minority-world tradition sees citizenship having a reliance on rights, individuality, liberty and “freedom under the law”.

Children are citizens now and not of tomorrow. They have their own political and social identity.

(Lolichen, 2006a: 022).

Devine (2002) claims participation is central to any definition of citizenship, offering that Marshall (1950; 1981) says

that “true” citizenship could only be realized by enabling full participation of citizens in the civic, political and social spheres of community life.

(Devine, 2002: 304)

‘Nevertheless, it is true that citizenship, even in its early forms, was a principle of equality’ (Marshall, 1950: 33). For Hart (1992: 5), participation is a fundamental right of citizenship. UNICEF suggests (2011: 7) that the Convention ‘opens the door’ to children as full citizens; claims have been made to recognize them as such (e.g. Invernizzi & Milne, 2005; Liebel, 2008: 32).

From the beginning itself we are saying they [children] are citizens of society. They have the right to practice citizenship.

(Acharya, CWC, 7th November 2008)<sup>62</sup>

CWC argues that, by keeping children away from politics until the milestone of 18 years, it is no surprise that India’s children have few real-life democratic experiences.

[T]he values of democracy are embedded in the child’s approach to life – a far more effective grounding for democracy than a sudden transfer of power at the age of 18.

(Lansdown, 2011: 9)

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<sup>62</sup> As written, Acharya’s statement ‘practice citizenship’ is potentially ambiguous. When he said this to me, the context of his remark and my understanding of it were that he meant: They are citizens and they have the right to be citizens.

When they are required to enter into democratic structures and processes, it is unsurprising that they lack the 'civil or political maturity' to do so (Ratna, 2009: 6).

Confidence and speaking capacity they get. They are listening about the government about the parliament structure and they can practice, it's the practical learning.

(Parvathi, Teacher, 2nd November 2008)

In setting out a strong case for citizenship that encompasses both civil rights and civic engagement, Theis (2010: 344) is adamant that participation can only be understood when rights and citizenship are considered as interdependent.

Whether children are full or partial citizens, their claim to citizenship on the grounds of restricted rights has been the subject of much debate: 'children are not respected and therefore do not enjoy genuine equality of status as citizens' (Lister 2007: 709); 'citizenship is a powerful political term' (Tisdall 2008: 424; *see also* Tisdall, 2010: 320). Cohen's take is to stop constructing citizenship as an absolute and to create the concept of semi-citizenship (Cohen, 2009). CWC recognizes that children's citizenship 'remains a difficult concept' (CWC, 2008: 25).

CWC claims that the experiences of the makkala panchayats are set in the larger frame of democracy in India and 'in *establishing* the citizenship of children' (CWC, 2009: 12, *my emphasis*). This suggests that children are not citizens today, signifying that CWC are claiming rights for children as citizens. However, it is not clear what "citizenship" for children actually means, which lacks clarity itself.

Hill and Tisdall (1997: 38) question how conducive the notion of children's citizenship is with a construction of children as dependent on adults and lacking political rights, if 'political rights are recognized as not just part of citizenship but its very core' (Marshall, 1950: 33). Without such rights which, according to Marshall's classic definition,

are a precondition of citizenship, then children are not full and equal citizens. Marshall was not writing about children. CWC promotes children's participation on the grounds of citizenship. I offer it as a given here that children are not, and cannot be expected to be, autonomous citizens. The interplay between children and their status as citizens becomes a political discussion, while losing focus from the extent of children's rights to participate.

#### 6.4.4 Participation: the democratic aspect

[I]f the hallmark of a democratic society is a plurality of expressed opinions and contributions by those living within it then the participation of children ought to be valued.

(van Bueren, 1994: 131)

For Hart, participation is the barometer by which democracies should be measured, and is the very foundation of democracy. 'It is the means by which a democracy is built' (Hart, 1992: 5).

Participation rights are the human rights most directly connected with the concept of democracy.

(Stern, 2006: 97)

Democracy and participatory approaches to development, based on citizen involvement in bottom-up decision-making processes, call for power-sharing at the local level. Schaap and Edwards' (2007: 663) claim the core principle of participatory democracy is equal right to liberty and self-development is debatable. They argue (2007: 666) in a similar vein to CWC that individuals increasingly identify with local, recognizable issues.

A decline in participatory democracy has taken place in India, according to CWC, and a transformation of civil society, through empowerment and resocialization, is necessary to reverse this trend from the present

centralized, top-down structure of governance (Lolichen, 2006b: 033-034).

The circumventing of democratic processes and the bending of justice systems to suit the needs of a fraudulent State are being interpreted as the failure of democracy that paves the way for the ushering in of Privatisation of basic services and Corporatisation of Governance, the new model of Globalisation advanced by neo-liberal lobbies.

(Lolichen, 2006a: 021)

CWC argues that the participation both of children and of adults is a critical ingredient of a healthy democracy based on egalitarian principles. CWC contends that the makkala gram sabha, the makkala panchayats and the Five-Year Planning process

have proved, for several years now, that children's participation in governance is not only critical for children to realise their Rights, but that it is also fundamental to protect, nurture and strengthen democracy.

(Ratna, 2009: 7)

However, much critical literature challenges participatory approaches within development projects where issues of power occupy much of the debate (e.g. Sen, 1999; Cooke & Kothari, 2001; Kapoor, 2002).

Problems arise when there is no overriding theory of democracy. There is, instead, a jumble of approaches to democratic theory that have values in common: participation; representation; popular elections; citizenship; and the ability to choose freely among political options or alternatives. The translation of democratic theory into practice has been problematic since there is no clear-cut consensus regarding the exact meanings of these terms; definitions are applied indiscriminately, laden with value claims and, so, based on normative ideals (Feng, 2003: 42). Farthing (2012: 77) suggests limited critical reflection about what sort of society they want to be citizens of is essential to participation. It is

unclear exactly how this participation links to better outcomes particularly for children and the extent to which it is meaningful.

[I]t has been said that democracy is the worst form of Government except all those other forms that have been tried from time to time.

(Churchill, 1947<sup>63</sup>)

Cooke and Kothari (2001) argue that the participatory approach is not the bottom-up democratic process that it claims. In allowing those in power to make claims of inclusion, it allows all but a few to reap any gains from the process. It is a façade that is neither liberating nor redistributive. It maintains the status quo and perpetuates inequality. Participation is ‘the new tyranny’. Cooke and Kothari consider inadequate models of individual agency within participatory approaches and link these to overwhelming social structures (2001: 9).

Farthing (2012: 72) puts the blame firmly at the Convention’s door in claiming that it recognizes children’s right to “do it” albeit within the confines of their abilities defined and structured by adults. But what “it” is, the Convention does not make explicit or recognizes.

Children and adults who have been actively part of local governments have had an education in democracy that no university can match

(Ratna, 2009: 15)

## 6.5 Barriers to participation

Franklin and Sloper (2005: 18) present a number of barriers that they suggest prevent the effective participation of children. With regard to adults, negative attitudes towards the capabilities and competence of children, coupled with a perceived need to protect children, is fundamental. Children’s fixed ideas about adults or fragile relations with

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<sup>63</sup> Winston Churchill, in a speech to the House of Commons, 11th November 1947. Details are in the Bibliography.

them, confidence and self-esteem issues with children, circumstances or unwillingness could impact on their ability to participate.

Other barriers erected by Franklin and Sloper (2005: 20-21) are, to my mind, capable of progression, if not resolution. The complexity and bureaucratic nature of organizations could be a stumbling block but, in my fieldwork, I saw representatives of India's notorious bureaucracy attempting to engage with the makkala panchayat process. The lack of relevant training and support for adult facilitators and children participating highlighted by Franklin and Sloper (2005) and at the time of my fieldwork, was a challenge: insofar as the children were concerned, they had had, in addition, for most of them, to school-based education, input from CWC in group participatory exercises. I saw no evidence of training being given to adults involved in the makkala panchayat.

These barriers such as time, resources and dedicated funding, are essentially all practical issues, barriers that have been to some extent overcome in the makkala panchayats that I researched, not without cost to the children involved

Consequently, I take the view that they could be resolved, provided the political will is there to do so. What is required is more than a little playing around the methodological edges.

It becomes a running theme that weaves through every engagement with children and for adults to understand and internalise it, it requires nothing short of a major paradigm shift.

(Ratna, 2009: 4)

It is this shift that I believe CWC wishes to be at the very forefront of.

## Conclusions

It has been asserted but, in my view, far from proven absolutely that “childhood” did not exist before modern times. Rather, using the sociology of childhood as a theoretical touchstone, I have come to the view that, while “childhood” may have meant different things in different epochs, childhood has always been a factor in adult considerations through time. However, I am drawn to the additional conclusion that “childhood” is, in fact, a social construction which can have different elements attaching to it according to the context, both temporal and geographical. The broad context of space and time are further divisible into discrete areas within communities, giving rise to an imperative for the researcher to be able to assess what “childhood” means in the research field.

Embedded within my research data are themes that fall under the umbrella of participation and children’s rights to that participation. Themes such as protection and participation, agency and protagonism. Participation is seen to have four main aspects: rights, empowerment, citizenship, and democratic. Within participation the question arises of the locus of power. The need to incorporate these, at times discorporate, elements mirrors my data which show how children negotiate, overtly and covertly, their access to participation rights. While there are barriers to participation in the makkala panchayats children are resilient. They have achieved, not only because of CWC involvement, but also through their own agency, the participation rights conceptualized by the Convention. In my analysis of participation thus far, I have found it necessary to analyze the meaning of the concept as it applies in Kundapur, as foreshadowed by Cooke and Kothari (2001: 32).

## ॥ ८ ॥

From this point onwards in the thesis, I present the body of my data. In the following six chapters, I delve into the lives of children of the makkala panchayats, with a view to painting a picture of what some of the concerns of these children are. I find that my data divides into six themes relating to firstly, the nature of childhood experienced in the makkala panchayats with reference to: loss, burden, risk, and competence; and secondly, with reference to the collectivization and individualization of The Child with reference to: homogeneity and authenticity of voice. It is something of a self-perpetuating circle to ask what came first the data or the themes. I would like to be confident that the themes did indeed induce from the data but I have to take account that, while these themes may have struck a chord for me in my western-centric outlook, the children themselves did not appear to me to be aware of these as themes of specific or significant concern to them. The manner in which the data were presented to me by the children was often matter-of-fact and throwaway.

## Chapter 7: Lost Childhood

so as

[W]ork contradicts the very essence of childhood.

(James et al., 1998: 106)

... a time to grow, learn, play and feel safe and adults are duty-bound to ensure that every child enjoys a childhood.

(UNICEF, 2005: 1)

Throughout this chapter I examine the concept of and potential for, childhood to be lost through children's participation in the makkala panchayat. Much writing on the subject of the loss of childhood is non-specific about what this loss represents. I explore two motifs emanating from my data, the potential loss of childhood innocence, and the loss of play.

The earliest example of the phrase "lost childhood" that I have found is in the title of a Graham Greene essay written in 1947. He grieves in adulthood for the loss of the experience of reading fiction. 'Perhaps it is only in childhood that books have any deep influence on our lives' (Greene [1947], 1969: 13). Layson (with Viola, 2008) describes a childhood lost in a World War II Japanese prison camp (Nir, 2002).

Gregory's (2004) childhood was lost to her mother's Münchhausen syndrome by proxy. Cuddihy (2014) lost her childhood at A.S. Neill's Summerhill School.

These accounts share three key features: mourning a temporal situation that did not happen or exist<sup>64</sup>, *viz.* a "normal" childhood; a sense of theft; and, the accusation that, instead of a person, it is school, prison camp, parent's psychological illness which is responsible.

The negative affects of a lost childhood are significant. The opportunities of childhood are said to be temporal. A lost childhood is, therefore, irretrievable. 'Childhood comes only once. A lost childhood can never be regained' (Sinha, 2013: 38). Simpson talks of this loss in terms of the irreversibility of certain kinds of knowledge (Simpson, 1993: 619).

A representation of the child and childhood purity dates as far back as Rousseau's ([1762]: Kelly & Bloom, 2009) *Emile or On Education* (Bragg, 1999). Declining innocence is replaced with adult corruption, 'the world is terrible; so let them have a few years off' (Rousseau paraphrased by Theodore Zeldin on Bragg, 1999). Higonnet refers to Reynolds' painting (c. 1788) entitled 'The Age of Innocence' as that which became 'the foundation of what we assume childhood looks like' (Higonnet, 1998: 23). Buckingham (2001) argues that the childhood of contemporary children is presented as a distortion of this so-called "natural" childhood.

Childhood is the only time in your life when you can play and be free from the worries and anxieties that plague adults.

(Karen Luckhurst in Martin, 2006)

Childhood is a separate space from adulthood, not a time for children's "premature" entry into "adult roles" (UNICEF, 2005: 43). This interpretation is grounded on assumptions of developmental maturity

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<sup>64</sup> except in the case of Greene.

and the “traditional” activities associated with both adulthood and childhood. It sits alongside a romanticized and idealized notion of children’s supposedly “natural” innocence. There is a distinction to be made between “innocent children” and “childhood innocence”. While used interchangeably and while they are interdependent, they are two discrete conceptualizations. “Innocent” refers to capacity and ability, while “innocence” refers to the conceptualization made by adults. In minority-world society, children’s innocence is represented as one of naïveté, of un-worldliness (Kehily, 2009: 3).

I know we tend to complain that children today are not playing hopscotch and ropes the way we did. But I think we’re looking through rose-tinted glasses. I doubt I’d have been skipping if I’d had access to the internet.

(Maureen McGeouch *in Martin*, 2006)

This ideal of childhood as a time when children are allowed to grow and develop to their full potential as ‘healthy children in school and at play, free from fear, safe from violence [and] protected from abuse and exploitation’ is espoused by UNICEF (2004: 1).

There is a garden in every childhood, an enchanted place where colours are brighter, the air softer and the morning more fragrant than ever again.

(Lawrence, 1960: 24)



Figure 6: Reynolds (c. 1788) *The Age of Innocence* © Tate, 2015

This is not to say that a childhood of growing strong and confident, gradually assuming the responsibilities of adulthood, with the love and support of family and caring adults, is not something to be striven for, but there is more than this taken-for-granted view.

The stark reality of course, for an increasing population of children worldwide, and India is certainly no exception, childhood is brutally at odds with this minority-world idealized conceptualization. Kitzinger (1997) illustrates how, for many children, childhood is an unhappy time. Many studies indicate that childhood is no sweet-scented-garden bursting with nature's brightly-coloured and delicate fresh morning petals, unripe fruit, and emerald green leaves. It is grey and damp, uninviting. There are no flowers growing here. There is no fragrant springtime. Only threatening thistles, unrelenting weeds and piercing thorns cover this hostile, cruel and stony ground. Here is where abuse,

deprivation, exploitation, disease, malnutrition, poverty and neglect live, deeply rooted.

Several terms related to loss are often used interchangeably with it; disappearing, hurried or stolen. Steinberg and Kincheloe (1997) refer to the 'dilemma of postmodern childhood' and the traditional minority-world notion that is implied in its absence by 'the disappearance of childhood' (Postman [1982], 1994). Postman contends that childhood flourished between 1850 and 1950 but had disappeared by the time of writing his book (i.e. 1982) as a result of the media, culminating in television.

an outgrowth of an environment in which a particular form of information, exclusively controlled by adults, was made available in stages to children in what was judged to be psychologically assimilable ways. The maintenance of childhood depended on the principles of managed information and sequential learning.

(Postman [1982], 1994: 72)

Elkind's (2001) biologically-deterministic stance is reflected in notions of the "hurried child" in his examination of the deleterious effects of hurrying children through life<sup>65</sup>. Finally, "stolen childhood" is a phrase coined from King's (1995) *Stolen Childhood* detailing the historiography of children, slavery and education<sup>66</sup>.

[E]lectronic media play an increasingly significant role in defining the cultural experiences of contemporary childhood.  
... [W]e now need to pay much closer attention to how we prepare children to deal with these experiences; and in doing

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<sup>65</sup> In this third edition he describes where hurrying occurs and why, hurried in the context of exposure to the internet, school violence, media and a growing societal incivility.

<sup>66</sup> King's assessment is that enslaved children were deprived of experiences that constitute childhood. Missing these opportunities according to King, children had no childhood. They prematurely aged through forced labour, separation from family, punishments no different to those exacted on adults and failure to avoid abuse.

so, we need to stop defining them simply in terms of what they lack.

(Buckingham, 2000: 16)

Burman sees innocence as integral to childhood (1994: 243), with the result that the cultural politics of childhood are seen as a minority-world construct. Kitzinger (1997: 168-175) says that the notion of innocence is an instrument used by adults to isolate children, regulating their participation in political and public spaces. Similarly, Lee (1999: 468) refers to a 'vulnerability complex' whereby children's innocence equates to their vulnerability, legitimizing their political exclusion and adult representation of them.

The majority world's children are, obviously, the vast majority of the world's child population, yet paradoxically tend to be 'considered deviant when examined within the globalized model of childhood which is based on western ideals' (Punch, 2003: 277). To this point through Sections 5.1.1-5.1.3, I have deliberately concentrated on white responses, minority-world contexts, to the so-called theft of childhood. This is to highlight what I see as the potential for a form of unhappy and unintended discrimination, in that

detected in processes, attitudes and behaviour, ... discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.

(Macpherson, 1999: para. 6.34)

Although the term "institutionalized racism" is far too strong<sup>67</sup>, there is evidence that the research focus on white childhoods disadvantages both discourse and children themselves. In the context of child sexual

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<sup>67</sup> The Macpherson Report, as Macpherson (1999) is popularly known in the UK, in accusing the Metropolitan Police of institutionalized racism as defined above, created controversy and much soul-searching in the years following the Report's publication, and remains a lodestone in UK national discourse today.

abuse, often itself referred to as a theft or a violation, Kitzinger (1997) draws attention to the imagery of, usually white, children

represent[ing] not individuals, but a concept. The image of a solitary black child would represent a different concept – racism means that, while a white child can represent ‘Childhood’ the black child is only used to represent *black* childhood, or ‘The Third World’ or ‘Foreign’ or ‘Starvation’.

(Kitzinger, 1997: 166)

The examination of this issue has been on-going since the 1980s; my examples cited above do not go beyond 2001. In the opening up of childhood studies, to sociology in general and to a social constructionist approach in particular, the focus was on the subjective experience of “the child”, although through individual children in research, as a concept rather than the individual.

[T]he call for ‘children’s liberation’ seems to be characterized by a kind of Romanticism which is very similar to that of the protectionist arguments it has sought to oppose.

(Buckingham, 2001: 15)

Here, Buckingham asserts that the “real” child or, rather the approximately 2.2 billion children on the planet (Humanium, 2014), is ignored in the pursuit of a concept. These children live in a developing country and, depending on which country they live in, a child will not enjoy the same rights or conditions of life as their minority-world counterparts. In conceptualizing “the child”, there are at least 2.2 billion parts to that whole.

Focusing in on my study location, the real childhoods of Kundapur’s children do not reflect the conceptual childhood of the minority world. This is due, in part, to some nebulous loss that minority-world commentators talk about and is minority-world centric. Although, even within this minority-world tradition, many childhoods cannot be aligned to this view. The context in which Kundapur’s children grow up is

materially and emotionally entirely different from the growing-up experience of a minority-world child, or even an urban Karnataka child. Punch (2003: 277) says that quantitatively, in a global context, 'it is more common for children to work and go to school than to have a childhood dedicated to play and school'. Insofar as childhood is a social construction or a social institution, any loss fails to recognize these cross-cultural variations and the multi-varied cultural practices that constitute different childhood(s).

I do not know if the children of the makkala panchayat understood or related to loss as a concept. But loss, time and again, is a key event in the lives of these children; their different experiences of loss were clearly real to them. The losses they spoke of were concrete, unconceptualized realities. These included loss of friends, loss of relatives or parents, loss of home, or loss of paid work. The list is sadly so long that I cannot do it justice here.

These losses are not those that would generally be regarded as beneficial or advantageous but, from the list, it is evident that they are commonplace. Prior to any involvement with the makkala panchayat, it was apparent that children were, and always had experienced losses in their daily lives. This kind of loss is quite evidently not an adult conceptualization.

I made no mention of loss during my fieldwork, a theme I had not anticipated and a weakness of my interviews. Loss, as a theme, came at me when I came away from the field and began the process of analyzing my data. The term is neither mentioned in CWC literature, nor was it raised by CWC in our discussions. There are perhaps two possibilities for why loss for CWC does not warrant consideration: the relevance of loss has been constructed by me from my minority-world lens; CWC is aware of the children's losses as significant but find the issue at best impracticable, at worst inconvenient, to address. These two possibilities are not mutually exclusive.

Corruption in India is endemic. A study (Transparency International India, 2005: 1-3) found that more than 62% of people had first-hand experience of paying a bribe or using influence to get a job done through a public office.

There are some who skip true childhood and arrive precociously in the world of the adult without experiencing much of the innocence that childhood ignorance guarantees.  
 (van Beek, no date)

A further study, looking at corruption practices on a scale from “alarming” to “moderate”, found corruption in Karnataka to be “very high” (Transparency International India, 2008: 5).

In this community, many negative aspects of local government were reported to me by allegations that decentralization<sup>68</sup> is not working, that local government represents a bureaucratic and corrupt system and government officials are not to be trusted. In an interview with an assistant teacher, we discussed children’s exposure through the makkala panchayat to local government, a system she was at pains to describe as corrupt, inefficient, inequitable and bureaucratic (Chandrahebber, Teacher, 3rd November 2008).

Nowadays, there is corruption in politics and children are clean-hearted. When they enter politics they mingle with other corrupted person.

( Jaycintha, Head Teacher and Shankar, Teacher, 3rd November 2008)

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<sup>68</sup> ‘Political decentralization refers to processes where the power of political decision-making and certain functions are transferred from a higher level of government to a lower one. This can be from the level of the central state to lower levels such as local, municipalities. It can also refer to the transfer of political decision-making powers and functions from a region (state) to the municipal level. Administrative decentralization means the transfer of a number of tasks and functions from central departments to lower levels of the administration and may take different forms. Political decentralization has become an essential element of democratization and regional’ (Yuliani, 2004).

“Clean-hearted”, I find, is part of the innocence that children lose. Children’s participation may corrupt their perspectives through their exposure to a “bad” system. ‘The political persons are giving wrong direction to the children’ (Jaycintha, 3rd November 2008).

It is not a good age to enter the politics, and trying to understand it, and be involved in it ... They are not studying good things. They should be doing other things.

(Chandrahebber, Teacher, 3rd November 2008)

Chandra, a member of the Ampar gram panchayat, thought otherwise.

Now children are at the bottom stage at the gram panchayat only area, local area and they are getting good experience here. When you see the state government and central government maybe the corruption, but here in the gram panchayat, there is not that much corruption.

(Chandra, gram panchayat, 7th November 2008)

The argument runs that children’s exposure to corruption and self-interest risks corrupting their outlook and worldview. They may become sceptical and disheartened, losing their innocent perceptions, their naïveté. According to this argument, it may be said to be harmful, since this knowledge is learned “too soon”.

Chandrahebber (Teacher, 3rd November, 2008) spoke of how the makkala panchayat exposes children to the machinations of a “bad” model at “too early” an age. If this loss is referred to in terms of a loss of secure trusting relationships, corruption will, by its very essence, create an attack on trust in relationships. This may affect an aspect of childhood or childhood innocence. They are no longer innocent of the conspiracy of local government process or self-interested local government officials, and no longer ignorant of the truth.

That there is a growing awareness by children of a corrupt system may result in a lack of interest to participate in the gram panchayat when

they reach the age to do so. Political participation in adulthood is declining. Macedo and 18 others (2005) are

especially worried about declining involvement among the young—a tendency that may portend an even greater impoverishment of democratic life in the years ahead.

(Macedo et al, 2005: 8)

Civic disengagement is seen as a negative for the future of representative democracy, at least in the west (Macedo et al, 2005: 18).

But is this loss a bad thing if, indeed, it is a loss at all? Children may have no desire to participate in the gram panchayat as adults; this was a message I came away with from my study. Children's ambitions for adulthood may be influenced by their makkala panchayat new-found knowledge and experience.

I want to be an engineer when I grow up. Today there is lots of corruption in the buildings and roads and I want to do it correctly. Sometimes the bridge will fall down just after the inauguration. I want to do it right.

(Tesh, makkala panchayat, 5th November 2008)

The idea of losing innocence through exposure to a bad system, is to suggest to that children have no idea that the system they are living in is not so perfect. I learned this in the short time I was there, simply by overhearing conversations between disgruntled adults. It is a circular argument to infer that, because a child knows the system's imperfections, the child is not "corrupted" by the system. I found that children wanted to join the makkala panchayats' activities precisely because they were fully aware that the system is not working for them or their families. The experiential awareness of corruption impacts and influences the child way before participation. Loss of innocence as a result of their corruption and corruptibility can, therefore, be ruled out

of any loss caused by the makkala panchayats. Corruption as a dimension of lost innocence does not fit here.

When you look into a child's eyes you expect to see hope, trust and innocence, but when you see these signs of childhood are replaced by betrayal, hunger, fear and suspicion, we need to take serious stock of ourselves and the society we have created.

(Reddy, no date)

CWC (Ratna, 2009) talks of the question: 'How can it be ensured that the Makkala Panchayats do not become corrupt?' She does not pick up the question. 'As CWC sees it, the key concerns are not these' (Ratna, 2009: 15). The conclusion I reach is that, either CWC are unconcerned with corruption because CWC is itself corrupt, or CWC believes that, in knowing the truth, children are not corruptible and therefore, cannot be corrupted. It is true to say that children in my study have grown up aware of corruption endemic throughout their communities and are, therefore, unlikely to be corrupted by their participation in the makkala panchayats; if there were corruption within the makkala panchayats, it would most likely have been brought in by outside influences. My research findings, however, identified that children were well aware of corruption (which they saw as having a negative impact on their communities) and did not uncover any undercurrent of malfeasance among the children themselves.

In the minority world, play is an important theme to which adults ascribe value in the pursuance of the "ideal" childhood. In what follows, I question whether the whole conceptualization of play as an essential feature of childhood is simply a western construct. I explore this question by examining the role that I found play to offer children in the makkala panchayats. "Play" tends to be used to describe 'what children do' (James et al. 1998: 90), voluntary and pleasurable activities that have no extrinsic goals (Garvey 1977: 10). Play, as an element of majority-world childhoods, is rarely acknowledged or explored. Makkala

panchayat activities are “voluntary” and reportedly “pleasurable” but they do have extrinsic goals.

Play is heavily implicated in the concept of childhood and, as recognised in the Convention (Art. 31.1), it is ‘the right of the child to rest and leisure, to engage in play and recreational activities’. The historical construction of play, according to Huizinga ([1944], 1949: 46), contends that an activity of play parallels the social and cultural forms of society. Agreement on a definition of play is problematic since the role of play is a social construction and each theory defines play differently. Modernist research sought an overarching definition of “play”, principally so that all researchers could feel they were talking about the same thing (Garvey, 1990). Some theorists consider play a crucial childhood activity in which children create their own opportunities to explore and learn (Elkind, 2007). James and James (2008: 98), in the postmodernist tradition, define play as ‘pleasurable activities freely engaged in by children; freedom from work; to act frivolously or capriciously’.

We feel happy when we play. We include every child and we make the team. If we play just for half an hour, we are very happy.

(Sowjanya, makkala panchayat, 26th October 2008)

Children’s participation in makkala panchayats may prevent or limit the time available to them to engage in playful or recreational activities.

They should be playing, not sitting round talking like old men.

(Patil, gram panchayat, 2nd November 2008)

This opinion, at least, I felt valued something that was being lost.

It was the Opies’ work in the 1950s and 1960s (e.g. Opie & Opie, 1959; Opie, 1993) on children’s culture as expressed through play that encouraged an understanding of the child determining her own cultural

world, a perspective termed the ‘tribal child’, a social culture separate from that of adults, where children act autonomously with their own rituals and rules<sup>69</sup>.

Liebel (2004: 180) suggests that the several effects and benefits of play lie in opposition to the subordinate status of children. Through play, children gain control over roles and identity. ‘In playing, you are allowed to both agree and to reject, hunt and flee, attack and defend’ (Liebel, 2004: 180). Montessori, the learning method behind CWC’s Appropriate Education Programme (“AEP”), describes play as the work of the child.

These experiences are not mere play nor are they haphazard, they are consciously brought about by work.

(Montessori, 1949: 238)

Common to most definitions of play is a desire for competence, cognitive problem-solving, motor skills, and improvements in overall health, physical development and opportunities for forming social relationships, particularly in facilitating friendships (James & James, 2008: 99). If play is a necessary component of children’s development conversely, their development, if deprived of play, will be limited (Lansdown, *post*-2002: 4). James and James (2008) suggest that a child deprived of play risks impoverished social and cognitive development.

The “irrationality” of play becomes a symbolic marker of developmental capacity, as age increases and maturity looms. The irrationality of play (Montessori’s ‘haphazard’) recedes and this is reflected in an increasingly “rational” development of thought.

They may have missed festivals, ceremonies, family functions, but they are proud of their achievements ... They can solve children’s problems.

(Pragathi, gram panchayat, 24th October 2008)

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<sup>69</sup> James and others (1998: 4) describe the tribal child as the empirical and politicized version of the socially constructed child.

Children reported the same, and expressed pride in achieving for their villages. The children's work raises an important issue: do children get the same value from makkala panchayat activities as they do from play?

Different types of play are more or less emphasized, however, between cultures, based on attitudes to childhood and to play, which are affected by social and economic circumstances.

(Whitebread with others, 2012: 5)

Whitebread with others conclude (2012: 28) that it seems self-evident that children who, for whatever reason, deprived of play will be disadvantaged in their development. Setting aside that some children's need for play will be more or less significant depending on the individual, participation in the makkala panchayats offers a similar process and functionality. This is seen by children to be equally, if not more, important as play. Here, children enjoy play but may not always value it on equal terms as the makkala panchayat activities, or they enjoy both equally but they place less value on play.

In my attempts to compare the value of play with the value of the makkala panchayat activities, I found consistent perspectives from all children. In the Ampar group interview (11th October 2008), children indicated that they enjoy play, but they like to participate in play and makkala panchayats equally.

We like playing but when we are playing it is a waste of time.  
When we work, it is better use of time.

(Group interview 1)

When describing the difference between both activities, some children reported that playing is just going outside, the makkala panchayat is learning also. In play, they meet with the same friends but, in the makkala panchayat, they meet new friends and they learn and hear different stories that they do not experience through play.

When we participate we can get more information. When we play we cannot solve the problem, but when we participate we can. We like to play, but a little play.

(Group interview 2)

There is a potential to miss out on playful activities since the children have less time available to them. However, there is a compensatory effect, and this was consistently reported to me by them. The values placed on participation by the children include positive significance for their social recognition and identity, independence, rights, and development. Their participation appeared to be essential for the acquisition of knowledge and skills, for the children's social integration, and their own estimation of their abilities. Children's roles during play reflect their subjective and collective reality of social construction.

I had also to consider the possibility that children make a comparison between play and schoolwork. The value of play is relational. There was some indication by children that they are bored in class and this is *why* they like to play. Play is an enjoyable activity when school is boring.

Sometimes the children are getting bored in class and that's why we like playing. There is no time for playing at school, we are studying then come home and parents say we must study so we study. We feel happy when we play. We include every child in our playing. If we play for just half-an-hour, we are very happy.

(Sowjanya, makkala panchayat 26th October 2008)

This coincides with Katz's research which indicates that majority-world children do play, in particular by combining play with their work responsibilities (1986; 1991). Many children's work activities are more closely aligned to play than work. The dividing line between work, play and education becomes blurred,

Children's play itself was often a creative means for the acquisition, use, and consolidation of environmental knowledge.

(Katz, 1991: 503)

Katz also argues that 'when play and work are separated, play becomes trivialised as "childish" activity in the eyes of adults' (1991: 509). When the two are combined, they have a mutually-enhancing socialization and educational value. This suggests that play and the makkala panchayat activities complement and re-enforce the importance of each. The separation may be viewed as possibly artificial, a construct certainly.

Sociological studies of children's culture tend to focus on the types of play or the language children use (Opie & Opie, 1959). Relatively less research is focused on the importance to children themselves of combining play with other activities, such as work and school, by negotiating their own time and space to unite these activities (Punch, 2003: 288).

This suggests that children are conceptualizing what play is and what it means for them. They see the role that play performs in their lives and the difference between the functions of play and of makkala panchayat activities. Children perceive each as having a value but the value attached to each is different.

Playing is entertainment and makkala panchayat is solving our problems. Play is physical strength and makkala panchayat is getting experience.

(Sowjanya, makkala panchayat 26th October 2008)

I found it interesting that there was not much variation in children's views on play. They did not report that either play or makkala panchayat activities were more or less important than the other, and it was clear they did not feel that they were "missing out" when they were not able to play or resented the little time available to them to play.

The responses from children regarding the significance of play may represent a misconception of its importance to the child. Adults may not understand correctly what play means to children. It may also reflect a misconception by adults of the developmental relevance that play has for children. Has the role that play plays in the development of children been overplayed?

Despite over 40 years of research examining how pretend play might help development, there is little evidence that it has a crucial role; equifinality and epiphenomenalism<sup>70</sup> have as much if not more support. ... [W]e cannot definitively state which of these models is most supported.

(Lillard et al, 2013: 27)

Ginsburg and others (2007) argue that 'play allows children to create and explore a world they can master' (2007: 183). Hogan suggests '[c]hildren are viewed as living in an ephemeral fantasy world' (2005: 27). This would suggest that the single dimension of play that is not found elsewhere in school, work or even the makkala panchayat is this other world that children fantasize. Creativity, role-playing and imagination are all dimensions of fantasy, as are privacy and freedom. If fantasy is what play is all about, it does not live in the makkala panchayats. This is perhaps a significant loss.

The academic discourse around "the lost childhood" is a construction different from those losses experienced within the childhoods of the makkala panchayat children. For the adult, the lost childhood is a reflection on times past, perceived from a vantage point of recollection that supports the conceptualization. Boyden (2003: 25-26) contends that there are many reasons why adults' recollections of childhood may not reflect the perspectives and feelings of the children they once were,

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<sup>70</sup> Lillard and others (2013: 27) explain '[w]ith equifinality, pretend play would be just one of many routes to a positive developmental outcome. With epiphenomenalism, pretend play would often go along with a positive developmental outcome, but for extraneous reasons; it would not itself serve any causal role in that outcome'. *My Footnote.*

not least because human resilience partly involves ‘blotting out’ memories.

The lost childhood can only be a subjective evaluation from an adult point-of-view and stems from adult experience of childhood rather than those of children who are going through their own markedly different childhoods. It is adults who declare “It’s not like it was in my day,” which is used to imply that “my day” was “better”. Adult nostalgia for childhood is at odds with the kind of childhoods that many children experience.

Parents often reported to me that they wished the makkala panchayat had existed in their day. This suggests that not only have these children gained, not lost, but that parents’ nostalgia is for “the golden days that never were”.

## Conclusions

What if anything do children lose as a consequence of their participation in the makkala panchayats? In temporal terms, while involved with makkala panchayat activities, children cannot spend their time doing other things. Is this a loss or a gain? Some children experience through the makkala panchayat what they have never had. The compensation for participation is that it provides important social recognition, a critical aspect of children’s development. Children may be losing out on many experiences associated with a minority-world childhood, but their lives have improved in other ways.

I believe there is no “lost” or diminishing to be found in the makkala panchayat. Simply the nature of childhood is changing in part due to ongoing social constructions. Childhood was lost, in minority-world terms, by virtue of the socio-economic and political status. This does not equate to a minority-world age of innocence. The lost childhood is a red herring.

These themes are reflected in “The Watercress Girl”, by Mayhew, (1866), detailing his encounter with an eight-year-old girl street vendor. He regards her as a child yet, to him, she displays few “child-like” qualities. He regards her as disadvantaged, deprived and abused, materially, emotionally and experientially. She has no experience of play; she is ‘in thoughts and manner, a woman’.

In contrast, the makkala panchayat displayed “child-like” qualities. They giggled, they ran, skipped and jumped, teased each other mischievously in a manner indisputably “child-like”. They looked like children; they behaved like children because they are children, albeit with starkly different roles and responsibilities to those of the conventional idealized minority-world child. They were living their own distinctively different childhoods.

With no comparative experience of “not-lost”, a child cannot experience loss. A child cannot lose something without having experienced it in the first place. They had lost nothing. They never had it to begin with.

## Chapter 8: Burdened Childhood



In this chapter, I explore the potential burden children face by participating in the makkala panchayat and ask whether they are able to bear such burden, and whether this is appropriate, useful, deleterious or potentially or actually harmful. In an impoverished community, the children of my study undertake heavy workloads; juggling household tasks; paid and unpaid work and school, while also making space for play and free time.

I consider the methodological challenges to researching what constitutes burden, highlighting that my research did not have a control group for me to research alongside the makkala panchayat children. Issues of vulnerability, individuation and gender discrimination, resilience, autonomy and peer support are discussed. I locate potential for these children to experience being burdened in the context of their homes, their paid work, their schooling and their free time.

On the whole the potential for assertion of the underprivileged remains vastly underutilised in India and the daily struggle for survival leaves them with little leisure to engage in political activity

(Drèze & Sen, 2002: 29)

The examination of children's participation 'has been the catalyst for a serious review of children's multiple contributions to society' (Woodhead, 2010: xxiii). In light of the voluminous literature on the subject of children's participation, I found relatively less consideration of burden than, say, issues such as competency.

In Farthing's examination of the Why? of participation, he refers to the term burden only once (2012: 82). Typical of the literature, UNICEF (2002: 16) says that 'children should not be forced to take on responsibilities for which they are not ready' but they do not take this much further. 'There is a sense among some researchers that it is almost a luxury to worry about the sorts of "subjective" children-in-environment issues foregrounded in the North' (Stephens, 1994: 7). Weston (2007: 156) argues that the activities, roles and duties of many children go not only unregulated, but unrecorded and unacknowledged.

In my literature trawls, I have been unable to locate any substantial research that does not rely on Stephens (1994), Ackerman and others (2003) and an unpublished manuscript<sup>71</sup> that I have been unable to trace.

Reliable data on excluded and invisible children are usually in short supply, often because of significant practical difficulties for data collection.

(UNICEF, 2005: 60).

I have been unable to find detailed information on the economic or social circumstances of Kundapur's children, a dearth of research that has impacted on my study. This challenge is due, in part, to the inaccessibility to me of what information there was. This problem warrants far greater attention.

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<sup>71</sup> The unpublished manuscript is cited as <Chaudhury, S. (2003) 'Children's citizenship and participation in good governance: a realistic development initiative or imposed agenda of the child rights regime? An analysis in the South Asian context' Paper submitted for MSc in International Development, University of Bath>. Ackerman and others (2003:13) also cite this in their literature review.

Alongside the lack of information, was my normative minority-world cultural lens. I had some experience as a foreign visitor in rural India and spent time working with NGOs in Bangalore's slums, but I had no prior "insider" knowledge or experience of the daily rural lives of Kundapur's children. In my study, I also had no control group. I cannot categorically claim, therefore, that a makkala panchayat childhood is more burdensome than a non-makkala panchayat childhood. What I have done, with this piece of qualitative research is to attempt to describe what participating children feel.

Burdens are culturally relative. James and James argue (2008: 52) that, in order for childhood to be understood in terms of diverse experiences, it must be located in its social, geographical, cultural and historical contexts. Lansdown notes (2005: xiii) '[a]ssumptions of responsibility deemed beyond a child's capacities in one culture will be part of their daily experience in another', mediated by social acceptance.

In determining potential burden, I briefly consider the concept of vulnerability. James and James (2008: 139) define vulnerability as a state of weakness with the potential for harm to be inflicted, which may require preventive intervention.

Children are vulnerable because they are children. ...  
Powerless is not "all in the mind".

(Kitzinger, 1997: 182)

Lansdown (1994: 35) suggests that children's vulnerability is two dimensional, stemming from their physical dependency on adults and their lack of political, economic and civil rights. Greater attention has been given to children's biological and psychological vulnerabilities than to their civil status, and the effect their status has on creating this vulnerability.

The irony is that the mechanism of the makkala panchayat has the potential to amplify children's overall vulnerability to burden. While the process relieves the stresses and difficulties in one area of a child's life, participation creates burdens in other areas.

Ultimately the burdened child has to face the challenge of individuation. The conflict between loyalty to the others and the requirements of one's own life is very challenging.  
 (van Beek, no date)

Individuation is a lifelong process through which an individual seeks to integrate herself with potentially conflicting social forces<sup>72</sup>. Hurd suggests (2011: 193) this challenge is the result of "too much" responsibility and exposure to inadequate care and protection. van Beek (no date) claims that the psychological effect of overburdening a child is frequently masked due to the child's constant need to respond to the pressure of her on-going responsibilities.

Gender, according to UNICEF (2005: 87) is a delineating factor in determining vulnerability and discrimination, reflected in 'the majority of the 115 million children out of school are females'. Liebel (2004) suggests that girls are more likely to be assigned heavier and greater responsibilities than boys as a result of adherence to traditional gender roles.

If the child is a girl there are greater restrictions on her movements and she is not allowed to participate. Boys face other kinds of restrictions such as pressures from work. ...

(Uchengamma, quoted in Reddy & Ratna, 2002: 33).

There appeared to be a gender-based division of labour in the community. This suggests pressures, if not unequal, are gender-specific. Given girls' ability to take on and manage tasks and responsibilities, I suggest they are more likely than boys to be burdened by the makkala

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<sup>72</sup> The definition is from OED online "individuation, n. 2(d)".

panchayat. Other factors, such as social mediation and resilience, make this an uneasy claim to make, not least due to the different roles traditionally required of boys and girls.

Boys face a lot of pressure and their families put a lot of responsibility on them. Because of this, they lack time to seek out information, to learn and to participate.

(Uchengamma, quoted in Reddy & Ratna, 2002: 33).

Boyden and Mann (2005: 11) suggest that children's structural vulnerabilities are compounded by living in rural areas with limited access to basic services. In these villages, children's access to clean water was a daily trial. Almost every child recounted their daily responsibility to fetch water from wells over long and arduous distances. Short-cuts are taken often through the fields where venomous king cobras lie in wait during the harvest to feast on the rats<sup>73</sup>. Franklin suggests that 'children's most basic rights to drinking water' are being denied globally on an alarming scale (Franklin, 2002: 1). This was certainly true for the makkala panchayat children.

There is a water problem ... but drinking water ... [is] the main problem. I have a water problem at home. ... At my home, there is no well and no tap facility so, if we want to bring the water back, we have to walk so far and we have to bring the water from the well, a heavy weight to carry.

(Prangerin, makkala panchayat, 3rd November 2008)

This community is riddled with poor infrastructure. I was told by Usha that the reason some children are not able to regularly attend the meetings was due to poor transportation or family finances preventing children from travelling by public transport. 'Many discussions of the value of public participation leave out a large barrier—cost' (Irvin &

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<sup>73</sup> These snakes have claimed the lives of many adults, but mainly children in this region. A few weeks before my fieldtrip a young girl had died from a king cobra bite on campus. During my stay a king cobra nest was found in the storeroom below my room. With the highest average rainfall in India, the semi- and evergreen forests of the Western Ghats are renowned for sightings of these creatures.

Stansbury, 2004: 58). This also illustrates the impact participation has not only on the child, but on the whole family. Much is written in the literature about the impact and benefits of children's participation in decision-making on the children themselves. There seems to be less attention paid to the impact their participation has on the family.

Sometimes it is difficult; parents give money to go to bus. Mother says it is difficult but I'm learning something so it's worth it. I go even though it is difficult with the bus fare money.

(Amarit, makkala panchayat, 28th October 2008)

Sometimes it's difficult because it's far away and, if he wants to go, we have to pay the money, the bus charge. ...We try to find the money so he can go and he does go but it is hard. We always give money because we think it's important because all makkala panchayat children are waiting, so he must go. We will arrange money.

(mother of Abishek, 28th October 2008)

Sometimes some people asking them did they get money for going to meeting? But we don't think this. Money is important but participation is important.

(relative of makkala panchayat, 14th October 2008)

There is certainly a financial burden. Whether it is "too much" will, in part, reflect the value placed by the household on the makkala panchayat project and the degree to which benefits parents see as offsetting these costs. Irvin and Stansbury (2004) talk of cost as a barrier. For some, it is a barrier preventing participation; for others, it is an obstacle to be overcome to participate.

For those who participate, rural infrastructure and financial constraints impact on the ease with which children take part. I asked children about their journey to and from meetings:

“Takes 45 minutes”

“I walk 30 minutes or bicycle takes me 15 minutes”

“It takes about an hour in total”

“8 rupees for bus ride”

“Takes 30 minutes”

“Takes one hour”

“Totally 3 kilometres, 2 kilometres I have to walk”

“Takes one hour”

“8 kilometres”

“Takes one hour”

“Takes 25 minutes”

“Takes cycling 20 minutes”

“Takes walking one hour”

“I don’t know, but long time”

It is three kilometres and takes 30 minutes. If I take the short cut [through fields] it is five or six kilometres, and 20 minutes if I get the bus if it’s a long way. The meeting is one hour, but if preparations are needed to do it is two hours and then dark.

(Abishek, makkala panchayat, 17th October 2008)

I have 2 kilometres to walk to a meeting sometimes 8 kilometers. Bus takes 10 minutes, walking takes 45 minutes so about an hour, or sometimes bicycle. Some areas have no bus facility. Sometimes it’s difficult with campaigning and meetings. We need to go to other areas in the panchayat.

(Baramya, makkala panchayat, 13th October 2008)

Children do not have their own allocated buildings and journeys are often taken only to arrive and find them locked, particularly at weekends or holidays. On occasion, local government officers would give the key to the children but, many times, they simply forgot<sup>74</sup>. Holding meetings in school buildings or grounds is not supported by teaching staff.

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<sup>74</sup> This may indicate that local government is not, in practice at least, fully committed to the makkala panchayat.

No, because the headmaster is responsible for the school property, so it's difficult for the children. ... Common meeting is one hour or two hours, children only have half-an-hour for their lunch so cannot have meetings then. Also, all the children have to be in the same meeting, but if they had it in school, not all children would be there as they are all from different schools.

(Usha, CWC, 28th October 2008)

Consequently, much time and energy is spent trying to find a suitable venue.

Aside from makkala panchayat activities, children spoke extensively about their home circumstances. Boyden (2003: 17) suggests, based on anecdotal evidence, children largely bear the prime responsibilities within the household. In this community, children make significant domestic and often financial contributions. In my interviews, it became clear that, while domestic and financial contributions are being made by children, these are not Boyden's prime responsibilities as most parents work. According to Punch (2001a), these contributions vary depending on the season and the intergenerational division of household labour which is based on age, gender, and birth order and sibling composition.

In summer, I bring water, sweep, clean, washing clothes and vessels. Have to carry the water from the bore well an hour away. Like now, in harvest, it is busy for us. ... In the makkala panchayat and in school I am not tired, but then I am at home and lots of work and tiring. There is lots of work at home.

(Ashok, makkala panchayat, 23rd October 2008)

Within households, children variously: fetch firewood; prepare food; cook; sweep; sew; wash vessels and clothes in homes with little or no indoor water facility; work in the fields; in brick kiln and desiccated coconut factories; or in the small hotels of neighboring towns.

Liebel (2004) suggests that, as children grow older, their roles move from helping their parents to replacing them by assuming almost full responsibility of certain tasks and executive functions. For Gopfert and others (2004: 63), parenting is an interpersonal and social role within a culturally-determined social construction. The process of parentification, adult-child role reversal, is an adaptive resource whereby the child acts as parent to their own parent. Cross-generational boundaries are fluid, flexible and dynamic between adult roles and child roles (see Punch, 2003: 285).

If mother has too much workload then it is normal for the workload to be handed to the child.

(Acharya, CWC, 31st October 2008)

UNICEF, (2005: 39) suggests that increasing numbers of children assume the responsibility of carers often with adverse consequences for their rights and development. Jurkovic (1997) examines the social and psychological consequences of parentification for children and adults. Taking a clinical perspective, '[t]he concept is perhaps best understood in the context of psychodynamic theories' (DiCaccavo, 2008: 3). In Kundapur, such roles include sibling care, care for sick, alcoholic or disabled family members.

It is a romanticised view of childhood to imagine that they are not making decisions and taking responsibilities from a very early age.

(Lansdown, 2011: 13)

I found that children have an awareness of exploitation both inside and outside the home.

Sometimes there is exploitation inside the house and sometimes outside the house. Sometimes we are told not to go to school but stay and do all the housework, get water, wash vessels and wash clothes. These problems face the girls more. Sometimes, if they are not working in their home, they are

working in some other's house, domestic work or going to work in the fields.

(Ranjeeth, makkala panchayat, 28th October 2008)

Children recognize that theirs is a hard life.

Sometimes children go to the factories and hotels to do work ... There are many who drop out of school. See if only one person is doing the work then it's difficult to manage the family so that's why children sent to the hotels, factory.

(Pragathi, makkala panchayat, 24th October 2008)

Work is central to many majority-world childhoods. Many of the children in my study were engaged in paid or unpaid work and many from an early age. Children as young as seven work long hours in the fields. This work is adjudged not necessarily detrimental, often having both positive and negative effects (e.g. Punch, 2003: 279).

See if only one person is doing work, then it's difficult to manage the family, so that's why they send children to the hotels, factory and other work. Here, nobody helps because it is selfish nature, not like UK or USA where all are equal; here it is only very rich, or very poor.

(Pragathi, makkala panchayat, 24th October 2008)

I did not get a deep understanding of the extent of children's work, their working conditions or the financial contributions they make to household income. It was rare I got a straight answer from children, who would mention it hesitatingly<sup>75</sup>, or adults. It was usually as interviews were ending that I established that paid work was being undertaken.

Then I am going to work. I work in the hotel in the holiday time ... I wouldn't tell the other children in the makkala panchayat, for me it's difficult to share. Don't even tell best

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<sup>75</sup> This may be due to embarrassment or shame on their part, responses mediated by parental introjections, or from being explicitly told by parents or CWC to downplay the issue when they met me. If it were due to the latter, this has wider implications not only for the validity of my findings but also for the broader issue of children's freedom to consent and their autonomy in the makkala panchayats more generally.

friends. Big secrets, it is difficult, a big responsibility like a school bag on your back.

(Amith, makkala panchayat, 3rd October 2008)

Children's work is assigned by parents, a traditional practice in Kundapur. Paid work is worth more to children than financial recompense. Children are proud of their part in generating income for the family, deriving kudos, identity and self-worth at making a valuable contribution (e.g. Woodhead, 1998; Kabeer, 2003). However, in my study, although children were guarded and secretive about it, they were proud as studies suggest.

One place children work is the Girija Decorative Tiles & Brick Factory. The factory owners had objected to children missing work to attend makkala panchayat meetings. They publicized that children would not be permitted to do both. Children must choose between the factory and the makkala panchayat. This announcement was relayed to CWC and they intervened.

CWC called a meeting with the factory owners and the owners told CWC that if they want children to go [to makkala panchayat meetings or activities] they can go no problem, but they must only take leave for two days, only two days and not three days. Two days only the factory is giving for the children to join [the makkala panchayat].

(Prabhaka, makkala panchayat, 24th October 2008)

As well as the difficulties facing them in home and at work, children also need to negotiate difficulties placed in their paths in respect of their school attendance. Poverty, gender and location are the most pervasive factors linked to disparities in school attendance (UNICEF, 2014: 17). In light of the MDGs and, despite significant progress in children's access to primary education, universal education continues to remain a goal, not a reality (UNICEF, 2014). This was the case in Kundapur and, although it was reported by CWC that school drop-out rates were

diminishing, access to education continued to be a problem for migrant children, and impoverished households.

The importance of formal schooling both to children and their parents was a feature of my fieldwork. This was a cultural philosophy, not an assertion of rights or an adherence to the law. However, CWC see formal education as irrelevant.

Western perspective or the perspective of the upper castes ... defined the parameters of 'good education'.

(Acharya, 2006)

Lolly stressed that schooling in its present form offers children little of any relevance. Lolly's argument is that the educational effort was geared towards producing a uniform model child which, in his view, could not meet the educational or other developmental needs of children. He criticized India's school curriculum on the basis that it could not provide for the future needs of society. This view is expressed more moderately in their literature.

A world where all children can access an empowering and democratic system of education that is in keeping with their age, ability and interest and includes all arenas of learning to nurture, promote, enhance and protect the principles and practice of a participatory democracy.

(CWC, 2005: 32)

CWC aims to address teaching methodology, educational infrastructure and the exclusion of marginalized and working children (CWC, 2005: 32). Its goal is to provide an appropriate, reflexive, accessible and child-friendly education process.

Some parents, despite the importance of school attendance, told me it was at times simply not possible. When children can attend school, they compensate by doing more work before and after school.

It is difficult for the children to balance their school work with makkala panchayat demands. Makkala panchayats good but the problem is study and the education. Gramsabha they take during school hours. Ward sabha meetings also call the makkala panchayat members and president and these are in school hours. With campaigning they need to go to other areas in the panchayat during school time and they miss the school. I didn't let my son participate in the makkala panchayat. He was 15 and I wanted him to concentrate on his study.

(Jayalaxmi, gram panchayat, 25th October 2008)

If school and participation each creates burden, the obvious corollary is that school and participation, in conjunction with each other, has the potential to create a heavier burden. Liebel (2004: 131) refers to school as a 'new form of children's work'.

A common theme from parents and local government was that children must balance their schooling with their makkala panchayat participation.

As long as they have finished their work in the home they are allowed to come. Important chores have to be done before the meeting; others must be done when the meeting is finished.

(Usha, CWC, 11th October 2008)

The implication is that the responsibility for managing the competing demands of school and of participatory activities falls on the shoulders of children alone. Despite the sentiment of adults of the need to balance both, it was apparent that this balancing act was at times, precarious.

We fit our chores and homework and makkala panchayat. The meetings are only in the holidays and teachers support us also so it's no problem. ...Teachers are OK but sometimes they beat us.

(Group Interview, 1)

If we give more importance to the makkala panchayat and they leave the learning and the writing and education then it's not good. School is also important. Children have to have two ways that are important, and they have to manage both.

(Mohan, gram panchayat, 22nd October 2008)

It is difficult for the children in the makkala panchayat to balance their school work with makkala panchayat.

(Jayalaxmi, gram panchayat, 22nd October 2008)

I think some children need the makkala panchayat but my view it's a burden for the children. Nowadays in the school they have lots of lessons and activities. Children are participating and managing both makkala panchayat and school, it's very difficult. Makkala panchayat is a mental pressure for the children. Some children have lots of study and homework and most of the parents don't like makkala panchayat because it's too much.

(Madhava, gram panchayat, 3rd November 2008)

There were instances where teachers actively discouraged children's participation for this same reason.

Yes there are less children participating in Ampar because when we started talking in the high school they have examinations. When we talked to the teachers of that school they told us that the 7th standard<sup>76</sup> is OK but after that they have more study so if they are involved in the makkala panchayat it is difficult to do the study. That is why in that place the high school students are very less. Yes, the teachers are discouraging it because of the exams.

(Usha, CWC, 28th October 2008)

This perception that time involved in makkala panchayat activities takes away from time available for school and school work I did not find rang true. While the makkala panchayat is a commitment of time, it was time that otherwise would have been taken up with chores in the home

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<sup>76</sup> 7th Standard caters for the 11-12 year old age range (Year 7, in UK education). My Footnote.

and/or paid employment. I asked children what advice they would offer other children wanting to start their own makkala panchayat.

One thing is to have the time. If they don't have time it's difficult.

(Ashok and Nagarthna, makkala panchayat, 23rd October 2008)

Children were clear that they need more time than they currently have to understand issues and for training in areas such as: public speaking, group work, organizational skills, negotiating skills, research activities, creative writing, editing, design, reporting and film making. The time burden of information gathering was also highlighted by children.

Difficult sometimes to identify the issues and collect the issues. We don't always know how to approach and how to go about things. CWC staff tell us how to collect the issues, how to meet, how to approach the adults.

(Baramya, makkala panchayat, 8th October 2008)

Children have a broad agenda. This often includes far more issues than those that concern adults. This requires more effort and, therefore, more time. The children's opinions of adults were not exactly favourable.

“Adults are selfish, they only think of their problems in their area.”

”They don't think of other people.”

“Only themselves they think.”

”Children are not like this.”

”We are not like this.”

“We are not like the adults.”

Adults are different. ... Adults also focus on their own area but other problems in other areas they are not so concerned.

Children focus on the whole area not just their own issues in their own area.

(Mohan, gram panchayat, 3rd November 2008)

An unexpected dimension is the energy and effort some children expend in teaching their parents things they learn via the makkala panchayats. This is another example of parentification, an educational one. This takes time and commitment.

He comes and tell us what is child rights. He says "Talk like this, not like this." He teach us all these things and we know more now. He is good boy, and he make us proud.

(father of Tesh, 19th October 2008)

As children's roles in the makkala panchayat increase, there is greater burden potential but, conversely, their competence increases with experience. Does participation become easier over time?

Qualitative longitudinal research is predicated on the investigation and interpretation of change over time and process in social contexts.

(Holland et al, 2006: 1)

Future investigation into the makkala panchayats and this burden-competence question I believe could benefit from a qualitative longitudinal study. However, one area where burdensome experience is militated against is in the peer support children give each other.

It's very good that the children support each other in these communities. They help each other.

(Usha, CWC, 28th October 2008)

Boyden (2008: 196) claims the limited protection accorded to children, particularly in countries such as India, prompts children to utilize group solidarity and peer support networks. I was moved by the noticeably close attachments between children. They consistently offered one

another practical and emotional support. This peer support ran through the veins of these children, a main artery in this community.

Children who face the most challenges are those more likely to be the most burdened or most at risk of being burdened. This includes marginalized children such as dalits or street children and children with learning or physical disabilities. The participation of these children may demand more resources, including human resources, around them, as well as demanding more of children themselves.

Ashish is a boy with learning difficulties. He was the only disabled child put forward for my study. Ashish appeared uncomfortable and said "No," when I asked his permission to turn on the tape recorder. Then he said assertively "I have to leave now." He had no difficulty in doing this and, I concluded on reflection, that he was unperturbed by the interview. Usha reassured me that he was simply busy.

At this juncture, his friend, Abishek came in and sat beside Ashish. I began the interview. Throughout, Abishek remained sat beside Ashish. I was impressed by the support, caring, loyalty, and patience Abishek showed toward his friend. He gently coaxed him where he could, while slowly translating the words that Usha spoke. The experience of a child translating for another child, having two translations going on, one from English to Kannada and one from adultspeak to childsspeak, was warm. I remember the affectionate camaraderie between these two boys. I smiled at the end as they ran off to attend to more important things. They were busy.

Largely unprotected by adults, children have to learn to survive in difficult circumstances, requiring the acquisition of new skills, and a high degree of resilience.

(O'Kane, 2003: 4)

For children to participate, at least in the early stages seems to me, in part a test of resilience. Children must be resilient to balance the many roles and responsibilities of the makkala panchayat with their existing responsibilities and contributions in the home and school. Broadly speaking, resilience refers to the ability to 'bounce back', doing well against the odds, coping, and recovering (Rutter, 2012). Masten and others (1990: 425) define the vulnerability-resilience continuum along which children can be ranged as 'the process of, capacity for, or outcome of successful adaptation despite challenging or threatening circumstances' (Schaffer, 1996: 47).

Woodhead (2006: 11) suggests children's resilience, adaptability and creative ways in which they moderate the effect of risk must be recognized as a resource or asset. Protective factors or processes operate at different levels and through different mechanisms for example through the environment, supportive parents, teachers or significant others or peer group solidarity, and the individual child's characteristics.

Resilience does not come from rare and special qualities, but from the everyday magic of ordinary, normative human resources in the minds, brains, and bodies of children, in their families and relationships, and in their communities.

(Masten, 2001: 235)

This 'ordinary magic' is the result of simple processes, such as a facilitator giving more attention to a disadvantaged child, that render the child more or less resilient.

Resilience is operationally defined as a dynamic developmental process reflecting evidence of positive adaptation despite significant life adversity. ... Resilience is not believed to be an individual child attribute operating in isolation; rather, it is viewed as a phenomenon, a hypothetical construct that must be inferred from an individual's

manifesting competent functioning despite experiencing significant adversity.

(Cicchetti, 2003: xx-xxi)

Resilience is, therefore, more process than exclusive character trait. That children are resilient is not to say that they are, or should be presumed to be invulnerable (Boyden & Mann, 2005: 18). Children who appear resilient in the short term may not be so in the longer term or may initially appear vulnerable but, over time, become less vulnerable. That resilience is process is being increasingly attended to in the 2000s.

[A] key aim of developmental resilience research is to identify the processes by which children acquire adaptive emotion regulation strategies in high-risk environments.

(Yates et al, 2003: 248)

This dynamic view of resilience suggests that individual adaptation results from interactive processes among the resilience factors located within the child, family and community (Yates & Masten, 2004). In reviewing the research, Rutter concludes 'resilience was an interactive concept and had to be inferred; it could not be measured directly as if it was a character logical trait' (2012: 336). This suggests that qualitative, not quantitative, research methods have the potential to make a better attempt at understanding what resilience is.

A strong knowledge base has accrued on the processes implicated in resilience, particularly on factors that increase vulnerability and those that afford protection. ... Collaborative work [is] ... needed to refine resilience-based models of intervention and change, and also to inform the design of primary prevention and social policy programs.

(Wright et al, 2013: 31)

Definition of "resilience" remains, nonetheless, problematic. Rutter (2012: 341-342) offers nine features that he states characterize current resilience research.

There is no question that some children who face adversity do cope. What is not clear is what the mediating factor underlying or explaining resilience is: simply, *why* they cope. Not an academic's conclusion, but Angelou's (1969) observation is not only parsimonious but comes from her personal insight.

Children's talent to endure stems from their ignorance of alternatives.

(Angelou, 1969: chapter 17)

Children reported that, at times, makkala panchayat recommendations were pending. Children's resilience in the face of such rejection illustrates their resilience.

We hope [problems] will get solved. We keep trying. The last meeting they [government officers] told that this year we solve this problem, then next year they will solve the other problem. It's difficult to solve all in one year. If after some time then we will approach again. We say that if we approach again and again, then definitely we will solve all these.

(Nada, group interview, 13th October 2008)

I feel bad when our problems are not solved but I think we must approach the panchayat and then we approach again and again.

(Mamata, makkala panchayat, 22nd October 2008)

These insights show a refusal to give up and a persistence to reframe adversity with optimism (Prince, 2008: 33), consistent with Waller's (2001: 295) theoretical conceptualization illustrating the dynamic nature of how an individual 'moves back and forth along the resilience-vulnerability continuum'.

Resilience was a regular feature in my interviews. For children to perform, day-in, day-out, arduous activities are second nature to them.

We have seen that the children are living in the villages and they know their conditions, they live them how it happens.

(Ashok, gram panchayat, 31st October 2008)

*How they 'live [their lives] how it happens'* is the question that needs to be addressed. "Because they have no alternative" is a place to start. That children's lives are regulated with little autonomy or control must be considered when attempting to determine the freedom of choice they are able to exercise in managing the demands and responsibilities they face.

If we attempt to account for children as both constrained by structure and agents acting in and upon structure, we can make a plausible claim that such accounts, if rigorous, are 'authentic' ... [and] accurately portray aspects of childhood as it is constituted at a particular moment in time and point in space.

(Prout & James, 1997: 28)

At the end of the last century, the literature was suggesting competing standpoints around structure and agency. Firstly, structuralists refer to the structure imposed by the social construction of society restricting the ability to do. Secondly, agentists see agency as trumping any notion of structural determination. These opposites seem now to have been overtaken by a general appreciation that it is the relationship between structure and agency that needs to be described and thus we can see that the debate needs to be described. From a relativist perspective this relationship can be seen as dialogical.

Consequently in facing up to the problem of structure and agency social theorists are not just addressing crucial technical problems in the study of society, they are also confronting the most pressing social problem of the human condition.

(Archer, 1996: xii)

Recently theorists have looked to Bourdieu's (1990) concept of habitus as a way forward with the debate. Bourdieu defines habitus as an individual's personality structure, which he elaborates by explaining its dependency on history and human memory. My understanding of Bourdieu's position is that, reminiscent of psychological projection, a certain belief becomes part of a society's structure and, in the course of time, once the originating purpose of that belief has been forgotten by the society, it becomes socialized into individuals of that society. This in summary is the theory. Looking at this question on the ground, I see certainly a societal dialogue negotiated between structure and agency the dynamics of which change from moment to moment.

To have autonomy there must be some evidence of agency. There is little point in having autonomy if you cannot exercise it. Autonomy is exercised through agency. The agent can only exercise agency if she has the power to do so or permission has been granted through the agency of the power-holder. Whoever has the power has the key to agency and, therefore, autonomy; power, however, is extremely fluid, attracted by one in one moment, in the next moment by another.

Children who seek to participate encounter many obstacles, within their own homes and outside. They have to constantly negotiate in order to make time and space for themselves.

(Reddy & Ratna, 2002: 25)

Children are able to negotiate both "child roles" and "adult roles" simultaneously (Punch, 2003: 23). 'Such negotiation varies according to the extent of interdependence between children and adults, between siblings, and between children' (Punch, 2001: 3). As Woodhead found (1998), supported by Punch (2003), children negotiate limited choices, despite being constrained by many factors, and 'reconcile competing

pressures to work, to go to school, to do domestic chores and to play' (Woodhead, 1998:157)<sup>77</sup>.

Morrow (1999:153) says that children express an awareness of the limits of their autonomy, and that decision making is contingent upon what the decision is about. Children in the makkala panchayats appear able to devise strategies to manage their experiences and to create what Punch (2003: 288) refers to as 'their own autonomous childhood culture'.

We can't put all the pressure on the president. Other children we also have to share the responsibility. We share the problems together.

(Ashok and Nagarthna, makkala panchayat, 23rd October 2008)

Children have time constraints and face difficulties as a result of their participation, and they are aware of these hurdles. They have an understanding of the commitments involved and an innate awareness of their own abilities and limitations, their strengths and weaknesses.

I said myself no, to being elected because other girls have more time, whereas for me it's more difficult because at home no one is here and I have to be home. It's better other girl does it, then can go to all the meetings. I can't give more time.

(Mamata, makkala panchayat, 13th October 2008)

## Conclusions

To conclude, in this chapter, I have examined the very real burdens that the children of the makkala panchayats face. That they are able to do so

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<sup>77</sup> Although it has been recognised that many children in the majority-world combine both work and school (Boyden 1994; Woodhead 1998), very few studies have shown how they combine work and play (Katz, 1991). Virtually none have shown how they integrate all three areas of work, play and school; exceptions are Nieuwenhuys (1994: 53), Woodhead (1998: 99) and Punch (2003: 281).

is testament to their resilience, as well as the positive effects of peer support. Nevertheless, the lives these children lead are hard and their work for the makkala panchayat does take a toll. I found no evidence of great harm being caused to children resulting from their involvement and any harm needs to be considered alongside the children's own wishes to be involved and the benefits that this involvement accrue to the children themselves.

An unexpected result of my research was in the related issue of the burden falling on the household of the makkala panchayat children. In order to pay travel expenses or loss of the income from the child's not being able to secure paid work in the time set aside for makkala panchayat activities; the whole family sees a financial loss. In the household, chores that would have been carried out by the makkala panchayat child need to be shared among other siblings who, themselves, have tasks of their own, another burden on other members of the family.

## Chapter 9: Risky childhood

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Keep your kids well back. Childhood's not a place for children.

(Morrison, 2011: 26)

This chapter examines the potential risks facing children in the makkala panchayats. The Convention is quite clear that children need protection, and CWC acknowledge in a limited way that there is risk to children as a direct result of their participation. There is no risks' discourse, no attention to risk, in the local community, as if it were not there. I explore this silence by presenting three dimensions: the risk inherent in the struggle for children to be heard; the interplay between school and makkala panchayat; and the children's project to ban arrack shops.

Policies relating to children may produce moments of conflict and contradiction when they collide with the realities of children's lives.

(Kehily, 2009: 12)

The imperative that children's rights are indivisible blows like a storm throughout the Convention. Protection swirls around the Preamble and

thunders in ten Articles<sup>78</sup>. Participation is the soft breeze of three Articles<sup>79</sup>. The middle ground, a still day, is the child's right to best interests, recognized in seven Articles<sup>80</sup>. The Convention is also resolute that no child be exposed to risks that threaten her immediate or long-term wellbeing.

Broadly speaking, risk, actual and perceived, encompasses anything that has the potential to cause harm. An aspect of risk that came to my attention in my fieldwork was:

boundary performance, which can be seen as behaviour involving low levels of danger that allow an escape from tedious routine.

(Hope, 2007: 96)

“Risk”, as a topic of conversation, was absent in my fieldwork. Parents made no reference to risk in the context of their children's participation. I believe this is due, in part, to their knowing little, if anything, about their children's activities. Where “risk” arose, it was only because I raised it. Only then did some CWC personnel and some local government officers admit that participation carries some risk.

I found a number of times that, although the word “risk” was understood in definitional terms, the understanding was not being extended to include children's participatory activities. Frequently, I would have to conceptualize risk for my interviewee, by way of example, such as through discussion of the arrack problem, before the rupee dropped.

CWC makes little reference to the issue of risk in its literature.

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<sup>78</sup> *viz.* Arts. 3, 8, 13, 15, 16, 17, 20, 22, 25 and 38.

<sup>79</sup> *viz.* Arts. 12, 23 and 31.

<sup>80</sup> *viz.* Arts. 3, 9, 18, 20, 21, 37 and 40.

CWC aims to create a safe environment for children and several structures have been put in place to ensure this.

(CWC, no date: 4)

Despite my asking, CWC offered no further information on what these several structures might comprise. There are three possible reasons for this omission: the fabric of rural life; the partnership approach; and children know the risks involved, so their own strategies act to safeguard against risk.

There is a link between risk-taking and child abuse resulting from proximity of boundary testing and its consequences. ChildLine India reports that many child abuse cases are 'settled quietly and that is extremely dangerous' (Surendranath, 2014). Community policing, argue ChildLine, may result in perpetrators not being brought to justice, leading to the continuing abuse of children. 'There are lots of cases of child abuse here. No-one does anything' (Manjayya, gram panchayat, 13th October 2008).

GOI addresses child abuse in rural areas through MWCD. MWCD (Kacker et al, 2007: 3) says that the increasing complexities of life brought about by India's socio-economic transitions have rendered children vulnerable, exposing them to newer and various forms of abuse. The protection of children remains largely unaddressed, under-recognised and under-reported. MWCD was formed by GOI for precisely this reason.

[From New Zealand, there is] a substantial body of research ... showing the association between poverty and deprivation, and child maltreatment and neglect ... [C]urrent policy responses to ... child abuse are focused not on dealing with the causes of abuse but on reporting and monitoring, and risk assessment.

(Wynd, 2013: 31)

This seems to be the black hole into which India has fallen.

Without implying any derogatory stereotype or making assumptions about intelligence or worth, it is accurate to say that the parents I met in the rural villages were unschooled<sup>81,82</sup>. Traditional customs and beliefs would often take precedence over scientific and logical reasoning. This is both culturally significant and an indicator of risk.

I argued with [my parents] that menstruation is not bad or impure and it is a natural process. But they didn't agree with me, saying that "It is our traditional custom and how can we disobey the same? It's our culture and it has been followed since our ancestral time." ... I explained to my mother about sex determination and it doesn't depend on women. My mother said that I am small and I should not speak as if I know everything.

(Manjula, quoted in CWC, 2005: 23-24)

'Sometimes we take help from the community. We do not always go to the police in every situation' (Suresh, CWC, 4th November 2008). For Boyden (2008: 211), rural communities have their own traditional measures of policing to manage risk. He suggests that life in rural communities is played out in public through a large social network and tight-knit support system.

That's why I am getting full details from the family first and afterwards I am talking to the child. I talk to the children and I tell them don't fear and if there is any problem after this, then you talk with me directly.

(Manjayya, gram panchayat, 28th October 2008)

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<sup>81</sup> See Footnote 28

<sup>82</sup> While a recent '[a]nalysis of the affirmative action policies instituted for the OBCs since 1993 [is] seen to increase both their share of government jobs and the proportion finishing secondary schooling' (Deshpande & Ramachandran, 2014: 29), they find little evidence to support any positive effect political representation has had in improving OBCs' socio-economic outcomes. Deshpande's and Ramachandran's is a sobering conclusion.

This normative cultural practice is openly employed and widely-known in Kundapur. It is the traditional surveillance system. For CWC, Usha had this responsibility.

And I collect information from the neighbours, what is the condition of the family, and how the parents treat them.

(Usha, CWC, 12th October 2008)

CWC's presumption, that the CWC-adult-child partnership is "the best of all possible worlds" is reflected in its approach on the ground. Through early identification, it militates against potential harm by offering children 'lots of systems and opportunities to say their problems' (Suresh, CWC, 4th November 2008). The makkala mitra idea is one such system.

Partnership with those adults who support them and if children have any problem they are talking with the makkala mitra.

(Prabhakar, CWC, 25th October 2008)

Always I am giving protection to the children. Before children talk to the parents they talk with me. I take [the child's] issue very seriously and children know I can solve the problem. They trust me and every family trust me.

(Manjayya, makkala mitra, 28th October 2008)

Partnership between CWC+adults+children should be on a par, with CWC=adults=children.

It is a partnership that adults have to enter into with children, it involves adults sharing power with children. It means ... acting on the basis of a consensus.

(Ratna, 2002: 38)

Risk cannot be understood without reference to the social, cultural and moral contexts children inhabit (Boyden 2003: 14).

An approach to children's participation that is radically at odds with the values and behaviour of the community concerning how children and adults interact may also create risk for children and threaten the viability of their project. This point suggests the necessity to consider power relations between children and adults not only in a general sense but in each specific location where an agency intends to work.

(Hart et al, 2004: 48)

Hart and others (2004) note how participation may lead to overconfidence and actions that are directly in conflict with the values of parents and the wider community. They argue that adult-child power relations mean children's participation may result in tension and disruption 'in a manner that is seen as inimical to others' interests or potentially threatening to existing modes of organisation' (Hart et al, 2004: 48).

He is asking questions for us [adult panchayat members] and then panchayat adults go to the parents and asking "Your son is asking questions in front of everyone. You can talk to me, why are you sending your children?" ... And neighbours say "Yesterday your son is in the gram sabha. He is asking questions with everybody and is talking with everybody please control your children." Neighbours are saying and panchayat members are saying, and parents don't want to be heard like that in the community. Parents want to be a good name in the community. The children are getting the bad name, and parents don't want to get this.

(Madhava, gram panchayat, 3rd November 2008)

It is not enough to say that children are merely participating in the decision-making process. Participation necessitates children confronting adult authority and challenging adult assumptions about their competence (Woodhead, 2010: xxii).

There is also a need to recognize and address conflicts of interests and inequalities within families.

(Ratna, 2009:9)

This makes participation political. Essential to raising issues through politics is the almost inevitable route to conflict.

Many adults feel that children's questioning of adults' dominant position, their new demands, and their ways of behaving constitute a lack of respect, a total loss of "values," and a menace to adult authority. ...In some countries, children who defend themselves against abusive practices and demand their rights run the risk of being silenced by violent means.

(Liebel, 2007: 61).

Participation necessitates a shift in roles for children, and is conditional upon such a role change. Conflicts are bound to arise due to differing socio-cultural perceptions of childhood among various stakeholders (O'Kane, 2003: 7).

Children's cultural competences (particularly those of girls) are valued based on their *tihitina* (honesty, politeness, respectfulness, and good manners), and that if they are 'participating' and 'vocal' it sits at odds with the diligent, respectful 'good' child traditionally valued by parents and communities.

(Abebe, 2009: 459)

Adult perceptions of children, the role of children and the nature of childhood may be lead adults to be hostile to change seen as attempts to break with, rather than question, convention, whereas children adopt their own instinctive 'win-win' strategies' in partnership enabling them to negotiate from a position of strength (Ratna, 2006: 6). CWC promotes participation, in part, on the premise that children are fully competent at devising strategies in their own best interests.

These advocacy strategies are not party or class based, nor are they manipulative, exploitative or discriminatory.

(Lolichen, 2006a: 024)

Reddy and Ratna (2002: 12) refer to two case studies of how children have dealt with alcohol in Keradi and Mathihalli<sup>83</sup> as good illustrations of children's skills at conflict resolution.

CWC identify, as needed, in-depth study of the strategies children use to address conflict situations (Reddy & Ratna, 2002: 12). Accordingly, CWC does not offer what these strategies are or should be. CWC take a hands-off approach to facilitation, reflecting its faith in children's natural abilities.

On one occasion, I visited a home with Usha. She told me that two boys wanted to participate in the makkala panchayat but their father would not allow it. We visited the home together and the father aggressively came to the gate to meet us. Usha asked if we could come inside to talk but he refused. The two boys, his sons, stood by the door of their home watching while Usha tried to persuade their father to let his children join. He became increasingly agitated and intimidating, and angry towards her and, in no uncertain terms, he then told us to leave immediately. He, provoked and wrathful, propelled the two boys back inside the home. They looked back at me fearfully as the door slammed behind them. I cannot say that this incident preceeded domestic violence; the impression I was left with, however, was a palpable feeling of emotional bullying at work.

Abusers rarely have to display any great brutality to get their own way: the father-abuser's power runs like an undercurrent through the whole family.

(Kitzinger 1997:181)

...this was a revelation for me, that even when their parent was obnoxious, abusive and causing them and their families great hardship, they still loved him. They were concerned about him and embarrassed for him.

(Reddy & Ratna, 2002: 15)

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<sup>83</sup> A small, inland village in the Davangere Zilla of Karnataka, approximately 275 kms north-east of Kundapur.

MWCD claims that an under-reporting of crimes against children is indicative of the low priority accorded to children by parents, caregivers and police, a problem where indigenous children are particularly susceptible (ACHR, 2003: 12). Furthermore, MWCD suggests (Kacker et al, 2007: 5) that one of the problems is the difficulty in getting information out of children. Children are notoriously secretive about their vulnerability or abuse in the home.

Sometimes it's difficult to share information with anybody so we are keeping it to ourselves. Like father drinking and he's beating the children then we can't share with others because there is our reputation.

(Amith, makkala panchayat, 13th October 2008)

I raised the issue of risk in the home, secrecy and silence with Acharya to which he stressed, due to the fabric of this community, that there is no real risk in the home to children. The silence of abuse was an issue he preferred not to answer. His silence was not matched by Ganpathi (a CWC Director).

They often won't say there's any problem in the home, they say "I don't have any problem [of abuse] in my home," and then the teacher said "I know at least five children in this class where there is abuse in the house, both parents are alcoholic." But when you ask [the children] whether they have any health problem in their home they say "No, I have no problem." It's an issue of shame and fear for children and identity crisis where they are only identified as a victim.

(Ganpathi, CWC, 23rd October 2008)

Where cases are made against perpetrators, GOI's legislative system is so weighed down that, across India, 'as many as 1.4 million cases pending, of which 50 per cent relate to children' (Chowdhury, 2006)<sup>84</sup>.

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<sup>84</sup> GOK has informed Karnataka High Court that orders necessary for appointing special public prosecutors for cases under the law were to be issued by September 2014 in respect of 788 cases pending, 11 of which are in Udupi (Kumar, 2014). I have seen no further reports on this.

Children first need to be prepared and enabled to make “informed” decisions that may be seen to shift the burden of responsibility away from duty-bearers onto children themselves.

(van Oudenhoven & Wazir, 2006: 93)

On one hand, participation allows children to take responsibility for themselves and others (Lansdown, *post*-2002: 9). On the other, Boyden and Mann restate participation is not about children taking on ‘the full complement of adult responsibilities or that they should be treated as adults’ (2005: 20). Somewhere in the middle ground is a negotiated settlement, to meet local circumstances.

Engaging many stakeholders in the makkala panchayat process and structures and, thereby, defusing liability for decisions raises questions of individual accountability for any given decision.

We don’t have many resources though, so we have to educate the community. So, if something happens, they can address it. Before, all the risk would come to us. But now, lots of ex-teachers and panchayat members in the community are working with these risks.

(Venk, CWC, 30th October 2008)

Ganapathi seemed not to have considered the issue and gave me an on-the-hoof analysis.

If a child is hurt, or injured, during a makkala panchayat activity, whoever called the meeting would be responsible. Usually, the panchayats would be taking responsibility but in the training CWC are responsible. Legally, I don’t know, I’m not sure [who is responsible]. But like child going to school, if something happens it’s not the responsibility of the school, so I think the family would be responsible. The makkala panchayat cannot be responsible, like the school cannot be responsible.

(Ganapathi, CWC, 24th October)

Continuing, Ganapathi has a worrying take on the issue.

Risk is not the children's problem. It's not either the family problem. It's the whole society's problem.

(Ganapathi, CWC, 4th November 2008)

'How far we are not [protecting children] is our blame' (Acharya, 7th November 2008); by "our", Acharya is referring to adult society, not CWC.

It is adults' fault that they are not listening to the children and children are asking questions and adults beat the children and get angry with them. That is adults' fault. We are saying don't hesitate and don't fear you can speak. Then they ask and adults beat the children. It is the adult's fault. We have to support the children, and not discourage them.

(Suresh, CWC, 4th November 2008)

Parents are key stakeholders in the makkala panchayats.

When we were ... discussing the Convention on the Rights of the Child, one mother of a 10-year-old boy flatly stated, "My kid doesn't have rights until I say he does."

(Cook, 2009: 7)

A tension between the rights of parents and the rights of children was a feature in my study. Participation is seen by some as a relinquishing of parental authority. It is also one of the reasons why certain adults are skeptical of the makkala panchayat. There is comparatively little attention paid to parental rights, generally, in the literature on children's participation, and very little, if any, consideration given by CWC. Parents I interviewed often reported that they were unaware of the aims and objectives of the makkala panchayat.

The term “parent” is recognised in the Convention’s Preamble and in fifteen of its 41 Articles, Article 5<sup>85</sup> being the most widely recognised. Parental rights are indivisible from children’s rights. Parental rights include those pertaining to parents or other adults acting *in loco parentis*.

One of the difficulties in balancing the rights of children and those of parents is the best interests’ principle (Art. 18), which, as so often, muddies the waters.

Parents ... have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

(UN, 1989: Article 18)

Children have human rights to which dignity should be accorded, not as possessions of their parents. The more competent the child becomes, with experience and knowledge the more the persons legally responsible for the child must allow the child to exercise those rights on her own behalf. Accepting responsibility for a child is not the same thing as taking responsibility away from them. Parental responsibility, therefore, cannot be the determining factor for a child’s participation where the child has the capacity to understand the decision whether or not to participate. However, in reality

adults do control children. If children have chores these must be finished before the child is allowed to come. We have sometimes problems when we have a function at home ... If a festival or function the parents are not sending us.

(Baramya, makkala panchayat, 9th October 2008)

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<sup>85</sup> States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention. (UN, 1989: Article 5)

During my fieldwork, many children reported that parents supported their participation although Usha told me this was not always the case; parents do prevent their children from attending activities at certain times.

Yes, mostly the girl children [are prevented from participating] that's the problem. Some families know it's OK but some don't let their children and children cannot say anything.

(Usha, CWC, 28th October 2008)

Presently, children are not being given the opportunity to understand the reciprocal and mutual responsibilities that arise when they exercise their right to participate. While children are entitled to express their views and have these views accorded respect, this does not mean they are entitled to disregard the views of parents, or to behave exactly as they want. This was seen in the case of Deepak who dropped out of school following his participation in the makkala panchayat.

If we give responsibility at this age then they can misuse the responsibility, like discontinuing their education.

(Shankar, Teacher, 19th October 2009)

Provision of this information is, or should be, part and parcel of CWC's facilitation. I saw no evidence that CWC is doing this and the consequences of omission is falling on children. This becomes an ethical issue; do parents have the right to know their child is participating in sensitive issues? Sensitive by definition, means that these issues go against the grain of cultural traditions and norms.

We tell the parents that it is a study of the community, and it is done to avoid negative responses from the parents and families. No, because if we go and tell them about the alcohol issue they will respond very negatively.

(Anupama, CWC, 4th November 2008)

Children have the right to make choices; parents have the right to protect their children from making bad choices. Parents have rights in view of children's relative immaturity; any regulation or guidance they provide must take account of the evolving capacities of the child. As children acquire capacities, so they are entitled to an increasing level of responsibility. However complex the whole area of parental rights is, in practice parents do have rights, duties and responsibilities to their children. To withhold information from parents is an infringement of their rights.

Unable to solve the tension between the child's right to autonomy and agency, and the rights of parents, the issue is then placed firmly at the door of best interests. This is the battleground where CWC and parents can come to war. It does not have to be this way. Parental rights and children's rights can be, and usually are, complementary and not mutually exclusive. Recognizing that children have rights need not detract from the rights of parents. Indeed, that they do not is crucial to the success of the makkala panchayat and, children's welfare.

It was apparent that CWC overlook or interpret these matters in a way that is different from the way I see them, that is to say the delicate balance which must be struck between children's rights and those of parents. Parental rights have been overshadowed by CWC's rush for children's inclusion in local government. Only one fieldworker appeared to recognize parental rights as a consideration in children's freedom to participate.

The protection of children from harm requires that adults be fully informed about children's activities and the framework within which children's participation is being facilitated. That [protecting children from harm] should be happening. The first principle is that when children are coming, families should be involved otherwise I will be anxious as the parent.

(Venk, CWC, 11th October 2008)

It is entirely legitimate to involve children in decision-making without seeking parental consent and, although it is often considered that parental consent should be sought and ethical to do so, there is no absolute duty to inform parents<sup>86</sup>. Ultimately, informing parents about their children's activities depends on the philosophy of the facilitators and their resources to carry this out. Do they need parental consent and do they need it for each activity the child participates in? In practice, the position of CWC has taken is to assume parental consent, unless the parents particularly indicate that their consent is not given.

From my interviews with fieldworkers, although little was being done to include parents in the loop, it is clear that there were differing views on the subject. Some fieldworkers believe that CWC does inform parents and that this information is sufficient, while others that no active process to involve parents is at all appropriate or necessary, for others it is necessary. There did appear to be small attempts being made by some facilitators to keep parents in the loop.

We used to have this thinking. We had to convince the parents, the school teachers that this is good thing, not politics. That the children have to understand about the area, about the area problems, have to participate and they now agree.

(Ashok, gram panchayat, 7th October 2008)

Where CWC are known to the family, the process of consent is more straightforward. The families' trust that CWC are acting in their child's best interests. At the same time, many of the families I interviewed had no knowledge of CWC fieldworkers or the work that they do. That parents continue to allow their children to participate is either: an indication that they assume CWC is acting in the child's best interests or in the very least, are protecting children from harm; or they are not

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<sup>86</sup> In the UK, the *Gillick v West Norfolk and Wisbech Area Health Authority* [1986] case created much controversy in this area (see e.g. Wheeler, 2006; Hunter & Pierscionek, 2007).

aware the child is participating at all. I believe this was the case for a handful of parents. The concern is that parents may turn a blind eye, until the child is in some way harmed.

In the initial phases of the makkala panchayat project, support from parents was, and continues to be, a slow sea change. Adults have no experience of this initiative, or of the Convention. To assume that they will immediately embrace a trend towards greater child autonomy that goes against traditional custom is unrealistic, and unethical. To avoid informing parents about children's activities seems, at the very least, a careless oversight on the part of CWC and is counterproductive to the promotion of participation. Other than government intervention, parents are the single one potential barrier to CWC's strategic aim to see the makkala panchayats mainstreamed. Parental rights have the potential to bring the entire pack of cards tumbling to the ground.

Most often barriers to children's participation come from families, from neighbours and other members of the community, especially if they lack awareness about [children's] participation.

(Uchengamma, 2002)

The formal responsibility to implement the Convention lies with the state party and this necessitates the engagement of all sectors of society, this includes both CWC and parents equally. The difficulty for CWC working with parents and children is great, the underlying tension being the implied difficulty in achieving this. There are no easy answers or hard and fast rules, and nor can there be. It seems that what is considered ethical is a matter of moral judgement, definition and position. This is not to say that the matter is clear-cut. The rights of a parent and the rights of a child are, or should be mutually compatible; that they are not suggests that the question is far from answered. In particular, the issue of the locus of capacity to consent is, in practice, a matter of real debate: when and how does the child attract capacity and

when and how does the parent lose capacity to consent in the child's best interests?

It is necessary to ensure continuing consent which Munhall (1993: 267) describes as an on-going dialogue or process consent<sup>87</sup>. This approach enables children to make decisions regarding the potential risks and benefits involved in their participation, it helps minimize the ethical dilemmas inherent in the concepts of freedom to informed consent.

Depends on the information the adults are giving, we tell them they have to use the able person [in the elections] but it depends on training [whether the children understand].

(Chandrahebber, Teacher, 3rd November 2008)

It was not clear to me the exact nature of the training children were given.

For others it is a slow process. We can't meet all children all the times to give the training programmes, so it's a slow process.

(Venk, CWC, 30th October 2008)

The following quotation highlights two problems facing children. Firstly, children receive two days' training to prepare for their participation. This training is provided only once they have been elected.

Before I did the training I didn't understand about the makkala panchayat and what it was for. Then when I got the training after I was elected I understand what the use of the makkala panchayat is, but the training wasn't enough. We need more, how to solve problems, and how to understand some problems.

(Poornima, makkala panchayat, 9th October 2008)

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<sup>87</sup> This is a process of continual information giving and permission seeking by facilitators at key points which maintains a trusting relationship between facilitator and child as well as ultimately reducing the potential for unethical practices or outcomes.

Secondly, children have insufficient training and information during their term of office. Children consistently told me that they need more information, particularly when problems are difficult to solve, or activities are difficult to undertake, or negotiating with adults is complicated. I asked Usha and children if they thought they should have more training.

They [CWC] support us and they ask us "what is the information you need for your area?" We need more information. Like when we have to do the Five-Year Plans we need more knowledge so it changes what knowledge is that we need.

(Baramya, makkala panchayat, 12th October 2008)

This was reflected by some children seeming to understand the meaning of rights but often I was left sensing that that they have not really understood. Some children, particularly younger ones, often repeated phrases, without appearing confident that they knew what they meant. This highlights the issue of the purpose of information. What is the point of having information unless it has meaning?

Some of the older children members seem more informed about children's rights, why they are important and what they mean, because in the training we gave them the information but the younger members sometimes they just keep in their minds just the headlines, not the other information, they don't remember the other things.

(Usha, CWC, 17th October 2008)

The problem of information giving by facilitators is that it is the facilitator, often an individual on the ground, who determines whether or not children are informed. Children, almost categorically said they are not. Similarly, other stakeholders reported that they are also not informed.

The teachers don't know about the guidelines or what kind of information the children are getting from outside. It's sometimes difficult to control the children in the school and

difficult also for the parents to control the children, we don't know what information they are getting from outside. The makkala panchayat children tell other children in the school about the information they have learnt and the training, but the teachers don't know what information is being shared and the parents are sometimes coming to the school and talking to the teacher saying in my home it's now difficult to control my child.

(Chandrahebbar, Teacher, 21st October 2008)

Information and informed decision-making is a normative ideal. While the ideal may never be attained, to approach it requires that it be strived towards and always improved. In practice, there will always be a discrepancy between this normative ideal and actual practice. For the makkala panchayat, access to information is a stumbling block to children's free and informed participation.

Children's participation in research and social planning is not an end in itself, but rather it is a process that continuously needs to be re-evaluated, altered and evolved according to their needs.

(Lolichen, 2006a: 023)

To break free of the straight-jacket of convention is a risky business for the makkala panchayats as a collective and for the makkala panchayat children as individuals. Participation divides into two mutually-exclusive approaches: the radical that is 'systems transforming' through which marginalized and disadvantaged groups challenge authority; and 'systems maintaining' that mobilizes co-operation with pre-determined policies, the status quo in other words (Chawla & Heft, 2002: 202). The makkala panchayat project is intended to be systems transforming. A consequence of this is that the makkala panchayats will be risky, as children push at the boundaries to effect change.

In the early years, they did not have enough support, but once stronger in membership, they were able to question adults. Some families tried to discourage them, but children

said “You may not want anything more from your lives, but we do. We want the world.”

(Manjamma, gram panchayat, 30th October 2008)

Qvortrup suggests that ‘nowhere have rights to have a say in one’s own affairs been won without serious struggle’ (1997: 85). The inevitable struggle, according to Qvortrup, is to reduce the power imbalance between the strong and the weak. Risk is inherent, as dismantling ‘different types of autocratic and paternalistic forms of domination’ (1997: 85) will be attempted. This language resonates with Engels’ 1883 preface to The Communist Manifesto.

[A]ll history has been a history of class struggles, of struggles between exploited and exploiting, between dominated and dominating classes.

(Engels [1883]: Blunden (2004))

CWC actively encourage dissent.

They [children] should be encouraged to reason independently and have the courage to dissent.

(Ratna, 2009: 8)

UNICEF argues that risks, immediate and future, must be weighed against potential benefit, particularly when attempting ‘broad sometimes incremental societal changes’ (UNICEF, 2002: 4).

There are sometimes when we have to ask some questions.  
Yes, we have to ask: “Are there risks?”

(Acharya, CWC, 7th November 2008)

Children will take risks. Risk assessment in children is usually poorly formulated and immature. Adults have a duty to protect children under the Convention; it is left to local systems to address safeguards. How far can children be expected to assess risk? How do children make decisions in the context of perceived risks? When should adults

intervene? (Hope, 2007: 94). 'To date, such questions have been barely addressed' (Stakskud & Livingstone, 2011: 366).

The Convention provides children with the right to an education. Children missing school or being distracted at school may be seen as a gamble against their future welfare as adults. Societies in general censure children who miss school and also censure their parents for permitting this. Makkala panchayat activities have the potential both to distract children from formal education and to discourage their attendance altogether.

When participating in politics there is diversion of concentration, not good for the study. When they are participating, they are totally participating in the politics and not thinking about wanting to be a doctor, etc. They are involved in the politics and it is a diversion to thinking about their future careers.

(Shankar, Teacher, 8th October November 2008)

Several parents told me that the makkala panchayats have not adversely affected their child's school performance. In some cases, the child's grades have improved.

Family and parents are very supportive of her participating. Doctor says she was born early and needs a lot of nutrition and is very dull at education. This should give her more knowledge and be good for her and we always hope that she will participate more and more and when meeting we always say you go.

(parent of Rangith, makkala panchayat, 6th October, 2008)

Prabhakar (CWC, 24th October 2008) alleged that teachers 'identify only the bright students'. The less able are discouraged from taking part and segregated, sitting at the back, not in the front, of class. Teachers have no expertise in local matters, their training academic.

For those who are weak in school, their participation may exasperate this weakness, pulling the child into a vicious cycle of diminishing interest in subjects causing greater weakness, until finally dropping out of school completely. Children's cognitive abilities are different as is their preparedness for the rigours of school life, each child with a different constellation of intelligences (see Gardner & Hatch, 1989). Overall, teachers will assess these differences and will attempt to close the gaps, otherwise these gaps will widen.

James and James (2008: 114) argue that some children find it difficult to fit in with a school system that stresses conformity and standardization of achievement. In Kundapur, conformity is demanded both in school and in the home; children's deference is the normed adult expectation.

[R]espect for elders is demanded, and enforced by fear of (as well as actual) beatings, which are still commonplace in homes and schools.

(Woodhead, 2010: xxii)

One of children's greatest concerns is the violence they experience in school (Lansdown, 2005: 10). Lansdown argues that cultural traditions of education in many countries, particularly India, are characterized by authoritarianism. The child is constructed as the passive recipient of adult wisdom, expertise and authority, rather than involved in an interactive dialogue (Lansdown, 2005: 21).

Because when they are going to school they are just listening there are no answering questions. There is a one-way communication. If they want to say something they can't and in the home also they just listen to the parents and not so much asking the questions, so one-way communication. In makkala panchayat, there is two-way communication

(Usha, CWC, 9th October 2008)

The children consistently reported the different nature of education that these two processes offer.

In makkala panchayat we are learning as sisters and brothers, as friends. Learning skills we develop in the makkala panchayat but in the school if we don't say anything with the correct answer they beat us scold us. That's the difference.

(Ashok, makkala panchayat, 4th October, 2008)

In the following table, I extrapolate the differences that were reported to me by children between the environments of school and of the makkala panchayats. It was straightforward to draw out the themes, as listed below, from the childrens' reports.

<b>Theme</b>	<b>School</b>	<b>Makkala Panchayat</b>
<i>Curriculum</i>	set	fluid
<i>Voice</i>	no talking	discussion
<i>Activity</i>	compulsory	optional
<i>Subjects</i>	academic	vocational
<i>Learning style</i>	rote	experiential
<i>Required habit</i>	conformity	identity
<i>Dress</i>	uniform	informal
<i>Attitude to adults</i>	deferential	co-operative
<i>Discipline</i>	authoritarian	Freedom/agentic
<i>Punishment</i>	physical abuse/fear	Autonomy/empowerment
<i>Gender/religion</i>	discrimination	equality

Table 7: school-makkala panchayat comparison

If we give responsibility at this age then they can misuse the responsibility like discontinuing their education. After 18 they are capable of understanding and can make the decision.

(Shankar, Teacher, 9th October, 2009)

I write of a particular instance of a child missing school. Aged 14 at the time of my study and within the age bracket for compulsory schooling,

Deepak had dropped out of school. Withdrawn and with head hung, he told me that his father had suddenly left the family home a few years ago. Deepak knew nothing of his father's whereabouts. He lives only with his mother. When Deepak asked her about his father, she was silent. His home life clearly disturbed him. He began to tell me his story but then abruptly shut down.

From that moment, he captured me. Watching him throughout my study, I was left in no doubt that this boy with no father needed the makkala panchayat. He was completely engaged in all its activities. He ran around enthusiastically and energetically, happily, helping other children, organizing discussion groups. He made things happen. He was skilful and adept and animated in his descriptions of the makkala panchayat. His enthusiasm was infectious.

I noticed how Deepak struggled with activities requiring numeracy and literacy. Despite this, he told me he had no desire to return to school. On the contrary, he could not have held it in any less regard.

In considering Deepak's situation, I wondered whether he would have been more likely to return to school, had the makkala panchayat not existed or whether formal education was in his best interests. He had no time for school. Why would he choose the under-resourced, lifeless, dusty, authoritarian classroom of curriculum-based rote learning, imposed through fear by teachers demanding conformity? School had no place in his life. He wanted more than school could offer and needed more support than these schools were structured or equipped to provide. The reality of education provision in rural India, regardless of the socio-academic model claimed, is poor in minority-world terms. Whatever it was Deepak was looking for in his life, he was not going to find it in school. I believe he found some of what he sought in the makkala panchayat. Should he return to school? I do not know. He thought not.



Photograph 2: Deepak in my interview



Photograph 3: Deepak enjoying makkala panchayat activities

These two photographs were my attempt to capture the essence of what these two learning opportunities represent for Deepak at least. In the interview, I was an adult asking adult questions, the adult in control essentially telling him what to do. For Deepak, this interaction was

undoubtedly formal. When the interview had finished, he swiftly left to join the activities going on outside. I saw him later, and took the second photograph. He had come alive.

[Formal e]ducation, while it sensitises a man's fibre, is incapable of turning weakness into strength.

(Wingfield, 1880: 1, 70)

Controversial and politically sensitive issues that directly affect children are those more likely to be raised by them. CWC report that the sensitization of children and their parents to issues, such as alcohol abuse or child marriage, is undertaken in a sustained and integrated way (CWC, 2005: 22).

Children are taking up the responsibilities to build a movement to address the issue of alcohol use.

(CWC, 2005: 29)

Arrack is a distilled alcoholic drink produced in small distilleries. The shop is, typically, a small wooden roadside shack that also sells a small range of other items, such as coconut, coca-cola.

Drink problems in my home, father has drink problem.

(Amith, makkala panchayat, 3rd November 2008)

CWC contends that declining employment opportunities have fuelled an alcohol abuse problem throughout Udupi. This has impacted negatively at an individual, family and community level. As in the school environment, there comes a fear of violence in the home.

First I want to solve the children's problem, second some children are beaten by their parents when the parents drink liquor so I want to stop it, that's why I want to stand for election. It is big problem because then children can't get education because lack of money, the poverty. It is a bad problem.

(Tanju, makkala panchayat, 15th October 2008)

CWC told me that children try to convince their parents or family members to stop drinking arrack, 'Sometimes the father will stop the drinking if the children tell him, or they may stop the drinking a little' (Nira, gram panchayat, 19th October 2008). CWC told me that children wanted to ban arrack shops in the region and it is difficult to get information on alcohol abuse the children conducted their own survey to determine the extent of arrack abuse in the community.

Every house there is people who drink. But we couldn't get much information from the houses because alcohol is something that is very difficult and hard to get information on.

(Anupama, CWC, 4th November 2008)

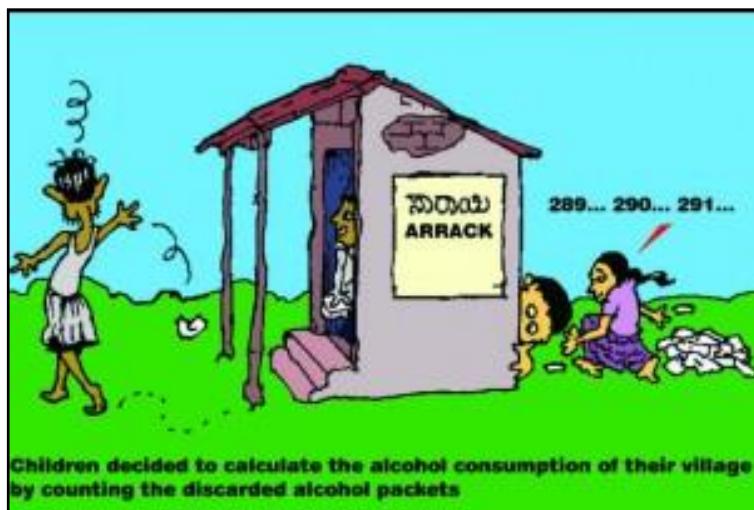


Figure 7: children's research into arrack consumption (CWC, post-2012)

CWC claims that children have raised the arrack issue repeatedly in the makkala panchayats and gram sabha.

Prior to coming together for the gram sabha meeting, the children had collected several case studies of drunkenness and the problems caused as a result in the village.

(Reddy & Ratna, 2002: 13)

I asked CWC whether parents were aware their children's activities to ban arrack.

No, the parents weren't made aware of the study because if we go and tell them about the alcohol issue they will respond very negatively. What CWC tell them is that we are doing a census about the school. The makkala panchayat called all the children to the school and interviewed them there so there are no family members know about it. Also when they see other children talking with similar problems they will also tell their own problems in the family ... So far no bad reactions have come. They may come, but we are not aware of it.

(Anupama, CWC, 4th November 2008)

Usha told me that children continue to tell their parents to stop drinking even if they are beaten by their parents for doing so.

Yes, and he beat her and spend lots of money and the girl kept telling her father this. She was 14 years and was working at beedi rolling. He would beat her and tell her "this is what Usha is telling you and you listen to her and now you argue with me" and he beat her ... Yes, [children do not want me to come to their homes] because they say "father is having liquor and they scold us and beat us. Then what can we do? So please do not come to my home."

(Usha, CWC, 28th October 2008)

I asked CWC or government officers whether they consider this approach to carry any risk.

Yes, because sometimes the father is angry, very angry. It is difficult for them to stop, yes it's difficult ... Yes, they just carry on [drinking].

(Usha, CWC, 28th October 2008)

In my discussions with CWC it was Venk who acknowledged it with a definitive: 'Yes. That [closing the arrack shops] could be a problem' (30th October 2008). In my interviews with CWC, I tried to understand the drive to ban arrack shops. It seemed too simple, naïve: Ban arrack. No more problems. Only in my interview with Venk was the complexity of

the problem recognized. He contradicted the line taken by other CWC staff and gave me an unambiguous analysis of the situation as he saw it.

If you stop the shop, you don't stop the drinking problem because if alcohol is not there then frustration and fighting with his wife in the home. If you are stopping the shop, the drinkers are using some other method to drink. Father stops work early, then gets bus to get arrack, and come home so he spend more money. Money expenditure is higher when arrack is banned. Sometimes they also drink outside and then cannot come home and so tension in family. Also ban means children's needs not met because earlier when they are drinking the arrack they have money to give to children. So alcohol shop ban is not a solution. Need other intervention because there is no alternative in the village so need negotiation, but still we don't know how to address the alcohol problem. We found some illegal shop we can stop because if there is an access to alcohol then they do drink more. So easy to access is problem and problem to access is problem. Very difficult. And if ban arrack they drink whisky. Compared to 20-30 rupees per bottle on arrack now they spend 40 rupees per bottle or more. Arrack is also not poisonous like whisky not so bad for health like whisky or other spirits.

(Venk, CWC, 30th October 2008)

The outcome of the “War on Arrack Shops” is not clear. Arrack was banned in 2007 throughout Karnataka. Lolichen and Reddy (2006) describe in a Save The Children report how, after several failed attempts, the makkala panchayat managed to present financial details of village expenditure on arrack to a taluk panchayat.

The entire gathering felt ashamed that they had to be informed by children, that they as adults had not recognised this issue and that no one, including those in senior positions, had taken any action. A unanimous public response demanded that the concerned authorities take the matter seriously and take stringent and immediate action.

(Lolichen & Reddy, 2006: 95)

Newspaper reports at the time made little of makkala panchayat involvement in the ban. Sanjana (2008) summed up the effects of the ban. Increased revenue, no health benefits, same alcohol problem<sup>88</sup>. In 2014, *The Hindu* reported 'the arrack ban has not helped curb alcoholism' (The Hindu, 2014c)<sup>89</sup>.

India is obliged to ensure the rights of children are realised and that children's right to self expression, best interests, participation, information and association are rights that ... are upheld at all costs.

(Ratna, 2009: 6)

When a person has a particular right, he or she is entitled to a certain level of protection.

(Brooks, 2007: 423)

## Conclusions

Children involved with the makkala panchayats do not experience a separate class of risk compared with other children, as far as I could tell. The main risk posed by participation was the inroads made into the child's time available to do other, principally educational or family economic, tasks and dealing with the consequences of this. The children I interviewed were all, to a greater or lesser extent, able to negotiate these risks in safety. The balance to be had, in terms of the child's future, relates more to school and school work than to the family

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<sup>88</sup> The ban, per Sanjana, (2008) resulted in increased duty revenue, attributed to the accelerated sales of Indian Made Foreign Liquor ("IMFL") which had doubled by December 2007. People who were drinking arrack had shifted to IMFL, the cheapest brand costing at least twice as much as arrack. The expectation that banning arrack would lead to better health proved unfounded. While legitimate sale of arrack stopped, it led to an increase in illicitly-brewed arrack. In May 2008, 162 people died in Karnataka after consuming illegal arrack. A voxpop contributor to Sanjana (2008) reported, "Ironically, our struggle became stronger after the arrack ban. More and more women joined us because the problem had not gone away, it had in fact multiplied. People were still drinking but were now paying more to get drunk."

<sup>89</sup> The Hindu (2014c) reported the arrack ban has not helped curb alcoholism but it has affected the livelihoods of those who were in the arrack business. 'While a packet of arrack was available for ₹12 and a person would have spent ₹24 a day for two packets he is now forced to spend over ₹100 on IMFL' (Karnataka Chief Minister Siddaramaiah in The Hindu, 2014c).

economics. Whether, and the debate is a live issue for me, the child will in fact learn more appropriate life skills and apprenticing skills for their adulthood in the makkala panchayats than in school is moot.

Alongside time as a risk factor stands the capacity of the makkala panchayat to challenge convention, the customs and mores of traditional village life. For example, the disputes over the attempts to close arrack shops led directly to some children being beaten by their parents. A challenge to the status quo is inherently risky, more so for children because they are subordinate to adults.

CWC take the view that children should not be prevented from participating in a political arena simply because such participation carries risk.

You cannot say to the child “You cannot participate.” You cannot say: “I cannot protect you, so I am preventing you from doing that.” You cannot say that.

(Acharya, CWC, 7th November 2008)

I do not accept the CWC argument. While I support the intention of the Convention to allow participation that is inherently risky and allow children the freedom to take the risks involved, because children lack a mature ability to risk assess, I consider it essential that children be given as a minimum rudimentary tools and sufficient information to have a better than even chance of successfully negotiating such risks.

# Chapter 10: Competent childhood

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We do not grow absolutely, chronologically. We grow sometimes in one dimension, and not in another, unevenly. We grow partially. We are relative. We are mature in one realm, childish in another.

(attributed to Anaïs Nin, quoted by Alkire, 2005: 217)

This chapter introduces the theme of competency. Competency enters into debate between social construction and child development studies. The stage theories of development appear to reject the concept of multiple intelligences, together with zone of proximal development theory, and, historically, the research has not taken account of cultural relativism although this is changing, not least as a result of political shifts in attitudes to diversity. Nevertheless, both social construction and child development continue to generally relate to the minority world. My data reflect a competency in children that is both adequate and appropriate to their cultural context. CWC provides a space in the makkala panchayats within which children can develop their competency.

Albert and Steinberg (2011: 211) argue that current interdisciplinary perspectives have made it difficult to define the boundaries of adolescents' judgement and decision-making. Theoretical understandings and research methods based on normative models of rational decision-making have evolved from developmental, cognitive, social and emotional perspectives and neuroscience.

In my study the youngest child was 11, the eldest 15. Morrison (2011) says that children aged 10-14 have a moral sense but not a moral conviction. They understand the difference between right and wrong and, as they get older, they have a better understanding of it but they are not old enough to act according to that understanding, to that conviction. Morrison argues the children accused in the Bulger case<sup>90</sup> presented maturity, judgment, intelligence and capacity during their trial but they did not possess conviction. Of his ten-year-old self he reports

I knew what I was doing was wrong but desire – such a good feeling, which as a child I hadn't learnt to distrust – made it feel right ... How could I have had conviction? I was a child.

(Morrison, 2011: 99)

His argument, with reference to the ten-year olds Thomson and Venables, is that children aged 10 have no real sense of the consequence of their actions and, therefore, cannot be held responsible for them. Do things have the same meaning for a child of 10, as they do for an adult? 'I submit your Honour, that the answer ... is no' (Morrison, 2011: 101).

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<sup>90</sup> A UK case, Robert Thompson and Jon Venables, two 10-year-olds, were controversially tried in an adult court for the murder of two-year-old James Bulger in 1993. Both 10-year-olds came from violent and chaotic homes and had been consistently abused (Morrison, 2011). In England and Wales, the age of criminal responsibility is set at 10 years old. Thompson's and Venables' anonymity as juvenile defendants was denied them on "public interest" grounds, in the context of high media attention. They were the youngest people to be convicted of murder in British criminal history (Davenport-Hines, 2004).

According to Smith (2005), the juvenile justice system in every country exists at a point of collision between competing principles.

[M]ature adults are treated as moral beings that make choices ... Children, on the other hand, are regarded as a force of nature, and not as independent moral agents. They are restrained, supervised, trained and prepared to assume that status when they reach maturity. ... [F]ew ... have qualms about making choices for young children, especially if they can explain and justify their choices as being in the best interests of the child. Juvenile justice is the site of conflict between these two principles.

(Smith, 2005: 182)

The English legal framework of children's competency has moved from the age-of-majority definition, to an approach based on capacity, as seen in the Gillick [1986] competence ruling.

[W]hether or not a child is capable of giving the necessary consent will depend on the child's maturity and understanding and the nature of the consent required. The child must be capable of making a reasonable assessment of the advantages and disadvantages of the treatment proposed, so the consent, if given, can be properly and fairly described as true consent.

(Woolf in *Gillick v West Norfolk and Wisbech Area Health Authority* [1986])

'Parental rights are seen to give way to the child's right to make her own decisions when she has sufficient understanding to do so' (Wheeler, 2006: 807). As well as the matter at issue and the severity of the consequences of the decision, UK courts assess the extent to which a child's decisions are upheld ('a primary consideration', (UN, 1989: Art. 3.1). This depends not solely on the child's age but, more importantly, on factors such as the child's abilities to understand, retain, use and weigh information, and communicate their decision to others.

The law recognizes that mental capacity is a continuous quality that may be present to a greater or lesser extent. Legal competence, however, cannot be present to a greater or lesser extent. A person is either entitled or not entitled, at law, to have their wishes respected.

(Buchanan, 2004: 415)

Gillick competence has been used more widely<sup>91</sup> to help assess whether a child has the maturity to make their own decisions and to understand the implications of those decisions.

It will be a question of fact whether a child seeking advice has sufficient understanding of what is involved to give consent valid in law.

(Scarman in *Gillick v West Norfolk and Wisbech Area Health Authority* [1986])

Nowhere in the Convention do “competence” or “competency” appear, rather the child’s ‘age’, ‘maturity’ (Art. 12) and ‘evolving capacities’ (Art. 5) are recognized. These Articles infer process that Lansdown (2005b: ix) considers central to the balance struck between respecting children’s agency whilst also recognizing their need for protection on the grounds of their relative immaturity. The Convention also recognizes that a child has the right to be heard in ‘all matters affecting the child’ (Art. 12). Decision-making requires an ability to make and articulate decisions and to understand the consequences of those decisions. This is supported by many who write about the Convention (e.g. Hill & Tisdall, 1997; Drèze & Sen, 2002; Greene & Hogan, 2005; Bajpai, 2006; Jones & Welch, 2010; Oswell, 2013; Hart et al, 2014).

It is often debated worldwide whether or not children have the potential to articulate their concerns.

(Ratna, 2009: 7)

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<sup>91</sup> more widely, that is, than the original case, which revolved around the legality of health workers giving under-16s contraceptive advice, without the parent’s consent or knowledge.

Competency is, according to Renne (2004: 39), an “all or nothing” principle, a specific level of skill, knowledge or ability that an individual either does, or does not, possess. Lansdown (2011: 20) refers to competence as the child’s ability to form a view, not that the child has a comprehensive understanding of the issue. Woodhead (2006: 30) sees the Convention as demanding respect for children’s views, not as evidence of competence, but as evidence of children’s unique experiences and stake in society, a view supported by CWC.

CWC applies the “milestones of development” approach in relating the abilities of children to participate in decision-making. These milestones are sequences said to mark the significant progress children make throughout their early years. These are “typical” or “normal” physical, social, emotional, language, and cognitive milestones that are seen as a recognized pattern of development that children are expected to follow.

Children’s participation should also be in keeping with their capacity and ability (milestones of development) and contribute positively to the process of children’s growth and development. However, all this operates within the context of children’s rights and their participation is the means by which children realise their rights.

(Reddy & Ratna, 2002: 4)

The word ‘however’ suggests that some tension exists between these two CWC objectives.

The view of some adults is that ‘If they are not capable, then they are not capable to learn any subject’ (Amu, gram panchayat, 21st October 2008).

If they are too young to understand then they can’t learn any subject at that age, then they should not be in school. In school they are learning about social studies, mathematics and political structure also, but the political structure they can understand practically here at local level.

(Chandra, gram panchayat, 29th October 2008)

CWC says that, if children have the ability to participate in formal education, they have the ability to participate in decisions concerning them in local government. 'If they are able to practice, then they are able to access' (Acharya, CWC, 7th November 2008).

Children have proved that they are capable of abstraction, verification, rigor and meticulous work; objectivity and rational or logical thinking.

(Lolichen, 2006a: 025)

An examination of competency would not be complete without reference to child development studies. These studies consider childhood as an evolutionary process of natural growth. Heavily influenced by the work of Piaget, whose socio-cognitive theories of conflict dominated much of the 20th century (Alderson, 1992: 120), the approach defines adulthood by rationality.

Cognitive conflict created by social interaction is the locus at which the power driving intellectual development is generated.

(Perret-Clermont, 1980: 12)

An alternative view of childhood is, on the other hand, that it is a biologically pre-determined stage of apprenticeship. Child development studies conclude that, through a linear progression, the child moves from simplicity to complexity of thought, from irrational to rational behaviour (Prout & James, 1997: 11). Development occurs within age-related, not age-dependent, cognitive stages, each stage reflecting the child's ability to understand or grasp certain concepts at certain ages (Hill & Tisdall, 1997: 9).

The progression through each stage is broadly universal in nature and timing. 'What varies is the age at which the structures appear' (Piaget in Serulnikov, 2000: 114). Consequently, asking 5-to-12-year-old children

in their concrete operational stage to participate in a decision-making activity that requires abstract thinking would be pointless (Farthing, 2012: 84).

Age 6 is not old enough to vote they are too small to do the voting.

(Vani, gram panchayat, 31st October 2008)

Some children do understand when they are 11 or 12 they can, but not younger.

(Jayalaxmi, gram panchayat, 1st November 2008)

I'm not sure 12-16 years is good age for the election. I think 14-17 years children are more capable to understand everything. Feelings change from 14 years. The maturity changes after 14 years and then children are more grown up and can understand.

(Veershekar, gram panchayat, 31st October 2009)

Yes, there are no benefits. Ages 12, 13, 14 there's no benefit [in participation]. After 17, then it's OK this kind of experience. In the later age then the development of the psychology and they understand right and wrong after age 15. No [I don't support the age structure] because of their psychological development, this age is too young.

(Jayacintha, Teacher, 3rd November 2008)

There is a whole area of research on participation in decision-making in early childhood (e.g. Clarke & Clarke, 2000; Woodhead, 2005). However, my data collection was almost exclusively with children aged 11-15.

Stage theories of development therefore, can be used to predict which children have sufficient capacity for understanding, such that their views should be listened to and taken seriously. The theoretical question from this standpoint is when does a child become competent?

In denying children the right to make decisions for themselves, society is merely attempting to protect children from their own incompetence

(Franklin, 1989: 57)

The principal argument for excluding children from participating in decision-making is, essentially, that children are not rational and, therefore, they are incapable of making meaningful decisions. Their accounts are inconsistent and unreliable. They have limited competencies and prone to inventing stories (Hogan, 2005: 25). Consequently, children's views are less credible than adults based, as they are, on unreliable memories and egocentric judgments. Children are open to suggestibility (Centre of Excellence in Child and Family Welfare, 2011: 15). Since children lack wisdom born of experience, they are likely to make mistakes in their choices.

[I]t is at least possible that a desire to avoid the wrong type of mistake has contributed more to the tradition of proportionality ... than has any attempt to balance autonomy and best interests. ... [G]reater emphasis [should be placed] on the nature and source of error in any assessment of capacity. ...

... Second, mental capacity has a qualitative as well as a quantitative aspect. Different decisions make different demands on ... mental capacities.

(Buchanan, 2004: 419)

The equal rights principle applied by CWC is that if children are denied the right to make choices on the grounds that they make mistakes then, similarly, adults should be denied these rights since they, too, make mistakes. Abshire and others (2008: 68) argue that a child's ability should be evaluated by the child's decision-making processes rather than the actual choices made by the child.

At most the perceived wrongness of the child's opinion might be allowed as evidence of immaturity; but it cannot be taken as sufficient to show such immaturity.

(Archard & Skivenes, 2009: 10)

The CWC assert that mistakes are not negative but, rather, they are experiences from which children learn.

If the children make the mistake and see that they voted for their friend but he is not a good representative and able person then they can understand through this mistake. Next time they know they have to select the person who is able and capable.

(Chandra, gram panchayat, 31st October 2008)

Age 6 for voting is OK. I think if they have done a mistake then it's OK, it's good to make mistakes. Second time, they won't make that mistake. It's a learning stage and it's important to learn by mistakes.

(Nada, gram panchayat, 25th October 2008)

The rigidity of developmental stages and the assumptions made about children's, and adults', relative competence have been challenged by developmental research (Woodhead, 2009: 28). While children have certain basic needs and vulnerabilities in a very general sense, there are very real differences between children in terms of patterns of development, experience, perspective and behavior.

[C]hildren's behaviour, thinking, social relationships and adaptation are culturally as much as biologically constituted.

(Woodhead, 1999: 19)

This is in line with Gardner's work on multiple intelligences and the modular design of the human mind. He also believes it problematic that the almost-exclusive focus was on two forms of symbol use: linguistic symbolization and logical-mathematical symbolization.

Although these two forms are obviously important in a scholastic setting, other varieties of symbol use also figure prominently in human cognitive activity within and especially outside of school.

(Gardner & Hatch, 1989: 5)

These factors led Gardner to his theory of multiple intelligences that, he and Hatch (1989) hoped, would identify distinctive human strengths and ‘using them as a basis for engagement and learning may prove to be worthwhile’ (Gardner & Hatch, 1989: 9).

The Seven Intelligences		
Intelligence	End-States	Core Components
Logical-mathematical	Scientist Mathematician	Sensitivity to, and capacity to discern, logical or numerical patterns; ability to handle long chains of reasoning.
Linguistic	Poet Journalist	Sensitivity to the sounds, rhythms, and meanings of words; sensitivity to the different functions of language.
Musical	Composer Violinist	Abilities to produce and appreciate rhythm, pitch, and timbre; appreciation of the forms of musical expressiveness.
Spatial	Navigator Sculptor	Capacities to perceive the visual-spatial world accurately and to perform transformations on one's initial perceptions.
Bodily-kinesthetic	Dancer Athlete	Abilities to control one's body movements and to handle objects skillfully.
Interpersonal	Therapist Salesman	Capacities to discern and respond appropriately to the moods, temperaments, motivations, and desires of other people.
Intrapersonal	Person with detailed, accurate self-knowledge	Access to one's own feelings and the ability to discriminate among them and draw upon them to guide behavior; knowledge of one's own strengths, weaknesses, desires, and intelligences.

Table 8: The Seven Intelligences (Gardner & Hatch, 1989: 6)

Two more categories were later added, naturalistic intelligence<sup>92</sup> and existential intelligence<sup>93</sup>. Boyden (2003) suggests that it is now widely accepted that cognitive development is not unitary and that children have multiple and varied intelligences that are not merely a function of their age and stage of development, ‘biology and culture, working

<sup>92</sup> Morris (2004: 164) argues that Gardner's naturalistic intelligence is ‘an ecological sensibility [that] springs from a sensitive, ethical, and holistic understanding of the complexities of human situatedness in the ecosphere’.

<sup>93</sup> Gardner argues that there is ‘suggestive evidence ... for a possible existential intelligence (“the intelligence of big questions”)’ (Gardner 2011: xiv).

together, generate both differences and commonalities of human development' (Boyden, 2003: 12).

Much theorizing about children's developmental capacities has been based in minority-world child development ideas, in which adulthood is the norm and childhood represents the adult with deficits (Lansdown, *post-2002*: 8). The cultural deficit model attributes majority-world children's deficits to characteristics underlying majority-world cultures which are thereby seen as deficient. That is

research grounded in a deficit perspective blames the victims of institutional oppression for their own victimization by referring to negative stereotypes and assumptions regarding certain groups or communities.

(Irizarry, 2009)

This model ignores what Irizarry sees as the causes of oppression by localizing the issue within individuals or their communities. Because this model frames the problem as one of children and families, the solutions suggested from deficit perspectives, however well intended they may be, fail to deal with issues that limit performance in certain groups. By reference to a cultural deficit model, NGOs and others are, in part at least, absolved from any responsibility to cater for all children appropriately, and this responsibility shifts almost entirely to children and their families.

One criticism of deficit models is the charge of undue abstraction: the representation of an isolated, universal (minority-world) child, unaffected by social context (Alderson (1992: 121).

This deficit model of childhood leads to a failure to recognise the extent of children's actual capabilities. It means that much of what children are capable of is rendered invisible. Their views are not taken seriously because it is believed they lack competence to know what they want or need.

(Lansdown, *post-2002*: 8)

This underestimation prejudice fails to recognise children as capable of doing much more than had been previously thought. We have to constantly redefine our role *vis-à-vis* children in order to maintain the right balance of interdependence, say CWC.

They have proved, time and again, that they are political beings, capable of making extremely astute observations and evolving creative solutions.

(Ratna, 2009: 16)

The approach by UK courts was to declare that the competence of the minor was irrelevant' (Lyons, 2010: 269). Lyons states that increases in age may imply increases in competence however, this is not a given. '[T]here is no precise age that determines competency' (UNODC, 2009: 50). Children vary greatly at any one age and between one age and another and 'there is no biological turning point that acutely renders the incompetent competent' (Lyons, 2010: 269).

The issue is much more than simply age dependent. Young children may have a lot of knowledge but they can't speak in the big group, but they have the ideas. Or they can participate in some ways like giving out the pens, paper etc and organizing. They can't speak in the group but they are actively participating.

(Venk, CWC, 22nd October 2008)

[C]ultures can only be judged through reference to their own status.

(James & James, 2008: 40)

Westcott and Littleton (2005: 146) argue that considerations of competence are negotiated by participants in different social, institutional and cultural contexts.

The conceptualization of culture in most writings about cultural competence fails to recognize the fluid boundaries

and political character of culture ... and how colonial and racial power relations are culturalized in the discourse of cultural competence.

(Wong, with Cheng, Choi, Ky, LeBa, Tsang & Yoo, 2003: 149)

The view of Vygotsky<sup>94</sup> is that children's development is historically and culturally constructed, competence is based in social relationships shaped by social and cultural practices and, therefore, it is inappropriate to attempt to apply universal criteria.

Vygotsky highlighted the essential role of culture as part and parcel of children's cognitive development and social experience has an active, structuring effect in child development.

(McDonald, 2009: 243).

For James and James (2008: 34), culturally relative competence includes physical, cognitive, emotional, social and moral capacities which do not develop uniformly, either in terms of chronology or cultural context. Children's development is 'naturally cultural' with social and cultural context not outside the process of development, 'as that which surrounds [...] but [...] as that which weaves together' (Cole, 1996: 132-135).

The zone of proximal development ("ZPD") (Vygotsky, [1930-1934], Cole et al (1976): 84-91) recognizes that, whereas a child may have attained an actual developmental level which can be established and analyzed according to standard psychological tests, the theory of ZPD represents a child's potential developmental level at the same point. '[W]hat a child can do with assistance today she will be able to do by herself tomorrow' (Vygotsky, [1930-1934], Cole et al (1978): 87). He describes the scaffolding method of assisting children to increase their actual developmental level. The following quotation suggests that no matter

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<sup>94</sup> A difficulty in using Vygotsky's work is how accurately it has been translated. His 1930 book, *My and Society*, is only available in English in an edited version (Cole et al, 1978). Yasnitsky (2012: 144) suggests that 'the whole range of Vygotsky's written works remains largely unknown up to date'.

what the issue, provided the information is presented in the “right way” children can understand anything. It is the responsibility of adults to discover these ways.

Children between 6 to 12 years can understand cosmic rays if you teach them correctly, so it is our challenge. Ours is not to question their capacity.

(Ganapathi, CWC, 4th November 2008)

However, Ganapathi does not address levels of cognitive understanding. Most children will understand, in some way, the concept of cosmic rays: but this is teaching a fact.

Children participate in research but do not interpret and analyse it. They are able to collect great detailed information that adults cannot get access to, in some cases much more efficiently than adults, but the interpretation of the data children are not able. But it is not because they don't have the efficiency, it's that they do not have the experience, and it depends on how complicated the data is.

(Anupama, CWC, 4th November 2008)

If the ZPD theory is correct, then Anupama is incorrect to deny the possibility that children are able, at some level, to analyze data. In practical terms children as young as infants analyze when they compare two items.

Are mistakes made when the child is in her ZPD? If yes, this could suggest that mistake-making is good for development; or children are doing too much too soon, then, in the very least it is a pointless exercise. In an ideal world CWC, as the catalyst of the makkala panchayat project, should be facilitating within the child's ZPD. CWC suggest that they recognise this issue in facilitating capacity-building.

For adults, the most important starting point is to view children as holders of rights ... It is also important for us to equip ourselves with a sound body of knowledge regarding

personhood of children and their developmental milestones. These form the basis on which facilitation skills may be acquired to enable children to attain their full potential as protagonists. We need to develop indicators that will give us an honest understanding of the processes we are facilitating.

(Reddy & Ratna, 2002: 37)

As seen previously, CWC assert that more research is required. This applies to the development of the process indicators spoken of by Reddy and Ratna.

It will be seen from the above that competency and how it is assessed is as much a product of cultural relativism as anything else. Any deficit contributes to the assessment of the individual's competency. What is considered competent in one culture may very well be considered deficient in another. There are several ways of looking at the cultures that impinge on the makkala panchayats, one of which relates to age. If one sees the makkala panchayats as forming a generational subculture, their interactions with adult panchayats are clearly seen as cultural interactions. Initially, the arrack shop dispute was intergenerational and competencies and deficits on both sides were identified and addressed. Ultimately, the children proved their competency to the adults and gained their support.

Children do share the biological processes of maturation regardless of the cultural framing of what constitutes maturity. Children possess important shared characteristics and experiences (James & James, 2008).

Despite the unique developmental process and environmental factors for each child, the research indicates age ranges for general expectations of the child's developmental capacities.

(Abshire et al, 2008: 59)

There is an arbitrary age-structure for makkala panchayat purposes. The electorate comprises all children aged 6–17 years. Children vote for their executive representatives who are aged 12–17 years. That CWC use

age as a marker of competency may be as much a pragmatic decision along the lines of “we have to start somewhere”. However, there were mixed reviews as to whether this age structure is correct.

Age 6 is not too young. They can understand.

(Anil, makkala panchayat, 23rd October 2008)

This is good age [11-15 years] to learn these skills. It is an important age for learn.

(Ashok, gram panchayat, 31 October 2008)

Greene & Hill (2005: 9) suggest that, despite attempts to avoid the age-competency correlation, age continues to act as a proxy for competence and it operates societally as a 'powerful social marker'.

The immaturity of children is a biological fact of life but the ways in which this immaturity is understood and made meaningful is a fact of culture. ... It is these 'facts of culture' which may vary and which can be said to make of childhood a social institution.

(Prout & James, 1997: 7)

[T]he child's understanding is surrounded by powerful processes of 'social interaction and negotiation'.

(Fraser et al, 2004: 182)

The makkala panchayat operates within a network of relationships; peers, parents, extended family members, teachers, facilitators, government officers. The partnership approach encourages children to work collaboratively, each working as a resource for others, taking various roles and responsibilities according to their understanding (Lansdown, *post*-2002: 6). Alderson (1992: 122-123) says that competence is more than a skill, it is a way of relating, that is recognised within a network of relationships and cultural influences. Dex and Hollingworth (2012: 24) stress the importance of children's relationships and the qualities prominent in each. This would be an interesting area for further study.

[The children] showed great organizational capabilities and clarity of thought as they conducted surveys, collected data and documented discussions between groups of children,

women, the differently-abled and other special groups in support of the solutions they come up with.

(InfoChange, 2007)

Hart says by working together, children have the opportunity to see other people's perspectives. One should rather think of what a child might be able to achieve in collaboration with other children and with supportive adults (Hart, 1992: 31).

Peer groups provide an important social context for children through which they are able to demonstrate and receive confirmation of particular competences (James & James, 2008: 97). As a result, they are able to make value judgments about their self-worth, based on their sense of competence and the approval of others. Hart (1992: 31) considers self and self-esteem as fundamental to the successful participation of a child. Therefore, the dominance and exclusion of certain children can reaffirm as much as affirm children's sense of their own competence in certain activities.

If the two claims are correct, that children are competent interpreters of the social world and that they possess a separate culture(s), then the study of adult-child interaction (formerly socialisation) becomes the study of cultural assimilation, or, more theoretically important, the study of meaningful social interaction.

(Mackay, 1974: 30)

CWC sees children as "experts on their own lives", a phrase often coined in childhood studies. Kellett (2005) argues that, 'if research areas emanate directly from children's own experiences and understandings, then 'no adult can hope to acquire the richness of knowledge that is children's own understanding of their worlds' (Kellett, 2005: 9).

‘Children are really great experts. If you are looking for children’s expertise, ask children.’ (de Boer-Buquicchio, *in CRIN, 2014*)<sup>95</sup>.

Adults can only understand adults’ problems, not children’s problems.

(Ashok, makkala panchayat, 7th October 2008)

A view supported by local government officers and teachers.

The children can understand, they observe the area coming back and to school. They know the area.

(Chandrahebber, Teacher, 3rd November 2008)

[Children] can understand their duties and responsibilities. It’s a wrong thing that children cannot understand that they are not capable. The children’s problems only they themselves can know their problems.

(Pavi, gram panchayat, 5th November 2008)

This view is supported by Anupama.

But when I started working with them [children] and going through all the documents, children are so knowledgeable their expertise is very incredible and that has changed my whole perspective ... Meaningful yes, because they have experienced these things in their life so they understand. It’s their life experience. For me, it was difficult to answer some questions because I have a kind of bookish knowledge of these issues, a theory. I felt they asked this question from their own experience. I could feel it.

(Anupama, CWC, 4th November 2008)

In the Rogerian tradition of psychotherapy, the client is expert in their own process and, in my experience of counseling children; this extends equally to children as to adults. Similarly, the children of my study were very much the experts on their lives. That said, children are not the only

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<sup>95</sup> Ms Maud de Boer-Buquicchio assumed her role as UN “Special Rapporteur” on the sale of children, child prostitution and child pornography in June 2014.

experts. There are other personal truths. Adults are still considered to be the final arbiters in any assessment of competency. Children are only experts if adults allow.

Children do what they are told by adults, according to the Centre of Excellence in Child and Family Welfare (2011: 15). This is not borne out by my research. Adults may be the final arbiters but this does not detract from children's own sense of agency.

Yes, children are thinking simply and that is a very good positive thing they have because we have lost that. We have made everything complicated and children have to understand which means that I have to rework my whole system and make it simpler and understandable. Any complex issues I have to work very hard to make simple. So it is not that I am giving the criteria or monitoring tool for them to do, [by making the issue simple then] it is for both adults and children to agree upon.

(Acharya, CWC, 7th November 2009)

## Conclusions

To conclude, in my fieldwork, the issue of competency bore little relation to my literature research. Firstly, the partnership aspect of the makkala panchayat leads older children to help younger children: this is where the real scaffolding of children's learning takes place. I have not seen this discussed in this way. Competency in the literature seems to be debated around capacity, agency and motivation. It boils down to: can the child do it? It depends on the individual child, in the individual circumstance, at the individual time the question is asked. Children's own reports, attitudes were marked by the complete absence of any notion of incompetence. The nearest children came to questioning their own competence was when they reported their lack of agency in certain issues, having to prepare reports for the gram panchayat: that is to say, they could not implement change themselves. Ironically, this was an acknowledgement, not only of the limitations to their participation, but also an example of their competence.

## Chapter 11: The homogenized child



In this chapter, I examine the homogenizing nature of much conceptualization of children and childhood, and attempt to deconstruct The Child as a social construct. As a consequence of the tendency of CWC to view the makkala panchayats as a political collective, I illustrate the deleterious effects inherent in collectivizing by homogenization. The emphasis placed on solidarity and community speaking with a collective voice has the potential disadvantage of losing the individual. I assert that diversity and inclusion of the individual have to be components for a democracy to be more than merely mob rule or subsumed into a herd mentality. Nevertheless, the makkala panchayats do operate democratically and feature a group cohesion which, of itself, fosters and enables conflict resolution and consensus. I conclude the chapter with an exploration of the conceptualization of the self.

Bentham's dictum, "everybody to count for one, nobody for more than one"

(attributed to Jeremy Bentham by Mill [1863], 2001: 60)

In generalizing children in particular circumstances, individual traits and diversity amongst children have been aggregated across a cohort; all

children are the same child in theory and in practice. However, the characteristics of each individual child crucially affect their experiences, self-perceptions and treatment by others.

Our experience shows that those children who are the most marginalised and those who have the severest constraints to participate actually need it the most.

(Reddy & Ratna, 2002: 10)

The following episode I relate in order to question this claim made by Reddy and Ratna (2002) here. While interviewing a local government officer, I noticed a young bare-footed girl walking past our hut along a dusty dirt-track, in the full sun. She was struggling with bundles of firewood, heavily laden with bags. The officer glanced to see what had gripped my attention but was indifferent to the vision that had distracted me.

During my years in India, I have seen and met many children. I have witnessed and been touched by a child or a group of children living horrific lives as child sex workers, as street urchins, as child labourers. I have met inmates - mass murderers, rapists, terrorists - in the prisons of South Africa living in better conditions than those of the children I found in the urban slums of Bangalore or the makeshift tarpaulins of Kolkata's street children, or the cages of Mumbai's child sex workers. Are these children more free than those prisoners?

This girl walking past I had not seen before. No other children appeared to recognize her. She seemed a stranger here, not a member of the makkala panchayat. Are the high-minded notions of participation realistic for such children in their daily realities, or is participation a luxury only for relatively more privileged children?

Despite all that I have witnessed during my time in India, something struck me as different about this girl. She stood out, she stood apart.

She had an almost ghost-like quality. I cannot, to this day, fathom the reason why she threw me, why she has remained in my memory.

That this girl presented me with an image more redolent with the emotion of the watercress girl (Mayhew, 1866) than with those of the children of my sample population, is clearly my own projection: I saw this girl as lost, in counterpoint to my perception of the makkala panchayat children who were developing a place for themselves in their communities. That, in retrospect, I am able to understand my reaction as a protection, both in this instance and at other points in my fieldwork, has enabled me to be witness and evaluator of my own experiences.

This ghost girl presented as being some kind of underclass, rootless, invisible almost even in the context of an impoverished rural community. However, she was not a child of the makkala panchayats. As I have illustrated in regard to kingpins, many of the children came from, in the context of poverty in India, families who were surviving, albeit at a level of extreme poverty, but surviving nevertheless. In both urban and rural parts of India, I had witnessed children living on the edge of existence, for example, the children in the quarry mine, in the slums of Bangalore. The makkala panchayat children live a tough life certainly, but not as tough it seemed to me as that of the ghost girl or Bangalore's urban street children. This calls into question CWC's stated claim (Reddy & Ratna, 2002) to be working with 'the most marginalized and those who have the severest constraints to participate [who] actually need it the most'. Another affect the ghost girl had on me was to appreciate my standpoint, prejudice even, that more important than the collectivization of children, is the individual child.

I refer once again to the murder trial of Thompson and Venables (Morrison, 2011) to illustrate what happens when a child or, in this instance, two do not conform to society's image or expectations of who - or what children are and how they should act. Thompson and Venables

were considered “exceptions” to a rule of what childhood is, or should be. These boys’ heinous crime posed a threat to society’s conceptualization of childhood, and continues to do so. Bulger’s solicitor, Sean Sexton, spoke of the ‘danger of extrapolating lessons for society from these two boys’ (Morrison, 2011: 230). Each child should tell us something about other children, but instead the police officer who interviewed the boys at the time urged that society ‘should not compare these two boys with other boys’ (Morrison, 2011: 231). Thompson and Venables were considered exceptions to a rule. In my view, their action lies at the extreme end of a continuum of boundary testing, albeit with moral overtones of societal construction.

‘[C]hildren cannot be viewed as a homogeneous group’ (James & James, 2008: 34), given their varied abilities and levels of functioning.

Social inequalities on the one hand and multiculturalism on the other compel us to reject homogenized views and to introduce the axis of inequality and diversity in the analysis.

(Comas d’Argemir 2007: 2)

Notwithstanding, dominant typologies and discourse are characterized by the treatment of the child as exactly that, a homogeneous group comprised of the “typical” child. The list of 20th-century studies where an individual ‘case’ has led, via a consistency of similar cases, on to the generation of generalizable theories is enormous: Freud; Klein; Bowlby; Winnicott and many others. While the developmental psychology focus has been on the similarity of characteristics children display, identifying diversity has been obscured and is concealed.

Children in the makkala panchayats are considered under the euphemism The Child. To separate children into heterogeneous children requires recognizing an oversimplified image, and difference and diversity which are more difficult to address. The result is that, for the sake of commonality, the diversity of children’s experiences is masked.

Fernandez refers to the 'subtle exclusionary effects of homogenizing children as a category' (2008: 24). In downplaying the individual child's potentials and vulnerabilities, children's needs are camouflaged (Hill, 2005: 78; Ansell, 2005: 256).

Alldred and Burman (2005: 192) argue that, in merely allowing for the voice of a particular group, children reinforce their construction as 'other' and the adult perspective as central. In drawing attention to children as a social group, Alldred and Burman say that we construct children as essentially different from adults.

The logic of constructing The Child appears to be that, in order to understand childhood, it is necessary to understand adulthood. Does this mean that, in order to understand one invented construct, we have to understand another?

[T]heoretical analyses tend to juxtapose the constructions of adulthood and childhood as if they are respectively homogeneous and unified as structural categories. Although the concept of childhoods has been introduced, adulthood has been presented as a cognate, consistent and uniform category.

(Goldson, 2004: 24)

The Child is a social construct. The "normal" child, the "naughty" child, the "abused" child or the "typical" child do not exist. Rather, these are constructs that vary in meaning, time and place. An aspect of postmodernism is the ability to deconstruct constructions such as these. For this reason, it is necessary to examine the processes and levels by which considerations of homogeneity continue to operate. In what ways and under what circumstances is being a child in the makkala panchayat a shared and common experience, reflected in collective voice, collective decision-making, and collective action?

Emond (2005: 137) suggests that the generalizability of child-related research must be resisted. A standpoint I took in my data collection was that each child has a different personality; each child is an individual, and must be treated as such. However, I have collectivized and categorized the child except when using raw data, but even this I have analyzed and filtered through my own adult constructions. In the same way, CWC, despite claims to the contrary, can be seen to have homogenized The Child.

The organized democratic participation of children and youth gives them collective strength, increased access to information, greater confidence, an identity ... It actively inculcates values of inclusion.

(Ratna, 2009: 5)

The beginnings of CWC's interventions began with a group of working children and their further interventions evolved, based on an assumption that the needs and concerns of working children are indicative of *all* children. For CWC, all children are part of a social group. In CWC literature and in my discussions with them, seldom did they refer to "a child", "his" or "her" or the "individual". They preferred to concentrate on the collectivizing purpose of participation. The makkala panchayat is, for CWC, a democratic collective; it aggregates common interests and champions common action.

[Children] find it easier if they are organized as groups that share common concerns. ... Their coming together also enables them to find collective ways to solve problems.

(Ratna 2009: 9)

This 'coming together' provides empowerment for collective agency and collective action from a position of strength (Reddy & Ratna, 2002).

There is a chink in this armour. CWC also recognizes children are *not* a homogeneous population. Children are 'recognized as "individuals" and

not just another representative sample' (Ratna, 2009: 5). CWC seems to recognize the risks involved in homogenizing The Child.

Assuming children are a homogeneous category risks the individual characteristics of each child, their unique strengths, their specific concerns and interests being overlooked.

(Reddy & Ratna, 2002: 22)

Interestingly, CWC recognizes homogeneity as a consideration in the work of others but, in practice, fails to see this applies equally to them.

Many of our [social policy] interventions fail because we do not take into consideration each individual child and tailor our responses to cater to them.

(Reddy & Ratna, 2002: 21)

Drèze and Sen (2002: 29) consider that the tradition of political activism and solidarity-based movements in India evidences that solidarity is usually the primary route through which underprivileged groups make their voices heard. The makkala panchayat is an act of political activism and solidarity

.. an act of belonging and commitment to the group and most of all a personal contribution to a larger cause.

(Reddy & Ratna, 2002: 25)

The term solidarity refers to group feeling or action among individuals who hold an interest in common and this requires unity and mutual support within the group. It implies consensus, a common interest, shared needs, and free and informed consent (Drèze & Sen, 2002: 29). However, solidarity may lead into 'coercion and further marginalization' (Fernandez, 2008: 31). There is an initial phase of common interest, possibly a one-dimensional issue, in which solidarity is the keynote but this then gets lost, replaced by a hegemony of self-interest.

Stern (2006: 228) suggests that, due to its enormity and size, only one thing can be said for certain about India: it is not just one single society or culture but 'a multitude within the boundaries, physical and spiritual, of a nation'. For children, argues Stern (2006: 228), these differences are to be found in subgroups such as the girl child, the child of the caste system, the rural child, the urban child, who, between them, have very different life experiences and expectations.

[T]hat which in the West is summed up under the concept of 'childhood' is not seen as a rule in other societies and cultures as a homogeneous block, but is in turn divided into phases each of which is characterized by various skills and susceptibilities, and in which certain codes of behaviour or clothing, rights and responsibilities apply.

(Boyden et al, 1998: 33)

Through reservation, girls are divided into a subgroup. Stern suggests that, in giving attention to subgroups, it is assumed children within each subgroup or category are homogeneous (Stern, 2006: 228). The result is that the individual characteristics of each child within each subgroup, their individual strengths, their specific concerns and interests risk being overlooked. Guijt and Shah (1998) question the use of the term "community" in participatory and gender discourses, wherein the interests and needs of the individual are presumed to be shared. This "good will" hides a bias that favours the interests of the more powerful.

Gutiérrez and Rogoff (2003) reject what they see as reductive notions of culture and cultural groups because they

may reinforce the broad application of trait approaches. Often, normative views of culture are employed in ways that appear benign, especially when they purport to focus on individual differences rather than on deficits in the individual or in the social group. ... [T]here continues to be a reductive tendency in the social sciences to seek and accept singular

effects to explain social and cognitive phenomena. Supported by static or normative understandings of culture, the application of trait approaches to individual school performance sometimes leads to ... a kind of “cognitive reductionism”.

(Gutiérrez & Rogoff, 2003: 20-21)

This approach challenges ‘a widespread assumption that characteristics of cultural groups are located *within* individuals as “carriers” of culture’ (Gutiérrez & Rogoff, 2003: 19; *Gutiérrez’s and Rogoff’s emphases*). Their work, in my view, applies equally to the conceptualization of community, essentially a subset of “culture”.

CWC states that the makkala panchayat representatives voice the views and aspirations of the collective since all children have the right to an equal share in the development of the collective voice (Ratna, 2009: 5-9).

Individual children ... who represent their own groups within its framework voice the views and aspirations of the collective.

(Ratna, 2009: 5)

The Mandate to voice an opinion or negotiate a demand is the consequence of the collective voice of an organization, movement or platform.

(Lolichen, 2006a: 021)

Political participation is implicit in international legal treaties such as the Convention (Fox, 1992: 249). The political mandate of the makkala panchayat enables children to speak (i.e. public speaking) to groups and, by extension their advocacy is translated through societal levels. Speaking in this way is seen by CWC as a collective voice, not as the voice of an individual. The Centre for Excellence in Child and Family Welfare (2011: 11) say of voice that ‘it must also be heard and included at the individual level’. This creates an ambiguity between ‘the individual’ and ‘the collective’, and is an unresolved aspect of the political nature of children’s participation.

This ambiguity is identified by Wyness and others (2004) as having two components. Protectionist discourse foregrounds children's transitional social status, whereas debate on collectivism demands political articulation. The underlying conflict as identified by Wyness and others (2004: 95) is 'between two sets of values and practices: between children's needs and interests and western and non-western childhoods'.

Matthews and others (1999: 17) suggest that children would be more willing, and would accept the responsibility of political participation, if they were given the chance to do so. This conclusion is borne out by children's participation in the makkala panchayats. The ambiguity nevertheless remains.

Political apprenticeships, if they do exist, are privatized and uneven in their application ... [C]itizenship education has been seen as political interference ... the road to stakeholder status is not paved with the appropriate duties or responsibilities.

(Wyness et al., 2004: 95)

Makkala panchayat dialogue with GOK officers is, in effect, part of a political apprenticeship. This participation is taken seriously, a concern of Wyness and others (2004).

Wyness and others (2004: 95) suggest that it is wiser to look at the local level in order to address a less ambiguous agenda for children, although this local-level participation, they claim, lacks uniformity or structure. This was not a feature of my data, as the package put forward by CWC was the same throughout Karnataka and structures were available, firstly as process, secondly in the parallel mirroring with the gram panchayats. This political inclusion at the local level is having some impact and this supports Hart's (1997) suggestion that children's

participative structures are more successful at small-scale community level.

When their base is set firmly in the arenas closest to them, only then will children be able to engage with decision makers at higher levels from a position of strength because then they will have an unquestionable mandate, unified purpose and a high degree of accountability to the children they represent.

(Ratna, 2009: 4-5)

Discussing the issue of researchers speaking for disadvantaged groups, the problem as Caplan sees it is

exactly for whom one is speaking ... It may involve colluding in the general pressure for minority groups to speak with one voice, but in addition it brings up the question of representativeness. Advocacy also raises all the hoary questions about the relationship and culture.

(Caplan, 2003: 17)

The children choose their representatives themselves, through a fair and transparent voting process. As with adult representation of a democratic electorate, makkala panchayat members are not necessarily a representative sample, rather they are a democratically-elected executive and these are two very different things. Children may represent their constituency but are not necessarily representative of it.

[children's councils] are often not representative of the diversity of the child population and often include mostly older children from better-off backgrounds.

(IAWGCP, 2008:68)

Cohen (1985: 77), in the context of prison reform, refers to 'an inclusionary rather than an exclusionary mode of social control', described as 'insidious' by Kothari in her critique of participatory approaches generally. The 'production and representation of knowledge is inseparable from the exercise of power' (Kothari, 2001: 143). Kothari applies a Foucauldian reading of power to the analysis of participatory

discourses and practices. Highlighting a lack of attention to microcosmic power structures, she considers that focusing on the local can worsen existing inequalities, illustrating how democratic processes can be hijacked to control people under the pretext of empowering them.

Another hijack of democracy can be seen as coming from wealthy or powerful heritage. Lansdown (2001: 14) also warns of the power imbalance that can come from 'the more articulate, better off, more able children'. A charge against children's participation is that it scoops up the "good" children from more respectable, financially better-off families. I was not able to fully examine this claim. Of the children who did participate, many were from families who found it difficult to financially support their children's participation. However, that they did may, support the claim that these children were relatively better off than other children in the community. Usha suggests that makkala panchayat children are not from wealthy or influential families.

The makkala panchayat member told us most of the families of the elected members of the gram panchayat president are respected families. The panchayat president has the money, they have the power but the makkala panchayat children are not like this. Lots of children's families are very poor and not respected and don't have the power.

(Usha, CWC, 28th October 2008)

However, this view was not corroborated by the reports of a number of other adults I interviewed.

In makkala panchayats most of the children are from respected families so the makkala panchayat children are taking the ideas of only the respected families and those who have the money and the power.

(Ramu, gram panchayat, 6th November 2008)

Overall, my data indicates support for Kothari's position.

Participative methods of enquiry simplify the nature of power ... and the very act of inclusion ... can symbolize an exercise of power and control over an individual.

(Kothari, 2001: 142)

Participation potentially marginalizes certain children; an example is reflected in the claim that younger children are simply ignored by adults or older children (IAWGCP, 2008: 93). Berman (2003: 108) suggests that consequences of treating children as a homogeneous group sustains existing power relations between younger and older children,

Unless they are adequately supported by older children and by adults, younger children often find adolescents intimidating, and may hesitate to speak out in forums that include a wide age group.

(IAWGCP, 2008: 93)

CWC fieldworkers certainly had their favourites and the potential to prime élite sets of children was apparent. This is not true equality. Through the reservation process the makkala panchayat encourages equality among children but equality among *all* children is not realized. That there are kingpins suggests that some children are more equal than others, to misquote Orwell<sup>96</sup>.

Children who become “too” involved in participatory activities risk becoming ‘professionalized’ child speakers (IAWGCP, 2008: 93), an articulate subset of children who dominate group activities, decision-making and interaction with adults. Creating an élite of children affords the panchayat-franchise of the future the opportunity to elect, by then adult, experienced representatives who understand the political process.

The president role is to lead the meeting, he has to take leadership with other children and listen to all the children’s opinions. He has more responsibilities. He has more

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<sup>96</sup> Compare Orwell (1945: 51-52) ‘All animals are equal but some animals are more equal than others’.

knowledge about the makkala panchayat and understands the children's problems and listen's to the children's problems more, and has to meet the gram panchayat president and say everything to the adult panchayat. So it takes a lot of dedication and commitment to be president which he has.

(Sneha, makkala panchayat, 23rd October 2008)

However, the flipside is that this élite becomes an unrepresentative oligarchy. To what extent this happens will depend on the integrity of the individual, the particular activities involved, and how their knowledge is transferred to the group.

I asked Dev, our driver, his views on the makkala panchayat. He used Tesh as an example of how certain children become spokespersons for other children. Tesh is a makkala panchayat president. In my interviews with him and my observations, Tesh was a dominant force. He was articulate, intelligent, enthusiastic, energetic, self-assured, confident and knowledgeable of local government, the makkala panchayat process, and children's rights in general and his rights in particular. His father was proud of him, and told of how Tesh had taught him the meaning of rights and the importance of participating in community decision-making. Tesh knew many of the families of the children I interviewed, and the children clearly respected him. Some children occasionally appeared overshadowed by him, but he was impressively sensitive, considerate, patient, supportive and respectful of all children.

Dev talked of how Tesh is selected more than other children to represent and participate in adult participatory activities in the community, and of how CWC have organized for him to attend children's rights forums across India and in Europe. Dev shared his concern that some children can become overconfident and this prevents other children, particularly younger children, from the opportunity to participate in other more prestigious activities and events. Dev suggested that Tesh is still very much a part of the group that he represents but that there was a potential, if not checked, for Tesh to become 'arrogant' and 'big-headed'

and dominate the group. In my interviews and observations of Tesh, he appeared more confident and self-assured than many of the other children in my study, but this was perhaps why the children had elected him as their president.

These representatives are therefore in a ‘perverse no-win situation’, by demonstrating the skills and knowledge of the ‘rules of the game’, they are accused of misrepresentation or non-representation yet, without these skills and knowledge, they are ineffective.

(Tisdall, 2012: 187)

It has long been recognized despite repeated efforts to democratise the representative system, the predominant result has been that representation has supplanted democracy instead of serving it. What has emerged is that those elected to ‘represent’ a constituency act not as agents of them, but *instead* of them.

(Sørenson, 2006: 20; Sørenson’s *emphases*)

Although Tesh did appear to be a “kingpin”, and he certainly shone brightly, he clearly supported the less confident children. He respected children’s different abilities, and they appeared to hold him in high regard as he shared his experiences with them.

I went to Luxemburg as a representative and in other workshops in other panchayats I shared my experience.

(Tesh, makkala panchayat, 14th October, 2008)

The reality is that some children are more able to undertake the responsibilities of certain roles. However, it does raise questions as to whether those children who are more able to participate gain more from it than the less able.

The makkala panchayats operate on a fair system of voting, which allows all children over age six to vote for their representatives. Ganapathi told me that, if children vote for their friends, then this is

because they know their friends are more able than other children; if children make a mistake, i.e. vote for a friend who is not up to the job, they will learn from it and vote on ability next time. For CWC, this voting system is, in their view, a democratically-representative system. They make no reference to issues of (non) representation or, if they do, it is only relation to adult hypocrisy.

How representative are we? How participatory are the processes we are part of? Should we not work towards ensuring these for adults as well?

(Ratna, 2002: 16)

This exemplifies a critique of comparison, that does not compare like with like. To offer a qualified argument with substance, it must be made in and of itself, not only relationally. This problem of a comparative critique is demonstrated in the controversy surrounding governments' refusal to legalize drugs, which is often presented by comparison to the problem of alcohol being similarly, if not more, harmful than drugs. This does not make the case for decriminalization of drugs any less valid; "two wrongs don't make a right".

In my observations of children's activities and common meetings, and in particular in my interviews with them, children do not question the makkala panchayat model or its protocol of procedures and regulations. There is no avenue for children to dispute or challenge the model. In my interviews with, and observations of CWC fieldworkers, CWC does not encourage or promote opportunity for children to challenge or interrogate the model. Children were not aware that the makkala panchayat process is designed to be reflexive. Fieldworkers appeared to avoid questions or interrogating CWC's strategies and agenda. My conclusion is that CWC is prescribing the rules of the game.

A group is an obedient herd, which could never live without a master.

(Freud [1921] 1949: 21)

Cooke & Kothari (2001: 11) argue that participatory processes may lead participants to take a decision they have second-guessed is what everyone else wants, when in fact the opposite is the case. It is also important that group consent is distinguished from, and in addition to, individual consent in order to prevent group pressure from pre-empting individual decision-making.

Raafat and others (2009: 420-425) describe “herding” as ‘the alignment of the thoughts or behaviours of individuals in a group (herd) through local interaction’. They refer to priming as having applications for herding. Individuals can be primed into certain forms of similar behaviour, such as the performance of certain collective activities, which increase loyalty to the group. Clark (2014) says that ‘individualism sowed the seeds of its own demise, by denying its children the time and space to develop as individuals.’ This, according to Clark, has led to the rise in herd mentality.

Although there is a broad consensus on the concept of herd behaviour, the history of the concept in the various fields indicates major theoretical differences with respect to both underlying assumptions and mechanisms.

(Raafat et al, 2009: 421)

The research discussion of this phenomenon is voluminous; see, for example, Asch (1956), Moscovici and others (1969) critiqued in Millward (1998). The tendency to ‘group think’ is ‘the psychological drive for consensus at any cost that suppresses dissent and appraisal of alternatives in cohesive decision-making groups’ (Janis, 1972: 8). A useful meta-review is Wood and others (1994).

In the makkala panchayats, herding has the potential to challenge their democratic foundation. Raafat and others (2009: 426) suggest the need for further research to include whether herd instinct is genetically-based, what is the balance between herding and deliberate choice in

determining action and what kind of environments induce herding behaviour. My interest is less about genetic and environmental influences, more towards analyzing barriers to autonomy and deliberative choice-making. Further, in homogenizing the child as a collective, the necessary tools to engage in the rough and tumble of decision-making can be taken away from the individual child.

I was aware of the potential for herding in group facilitation before I went into my fieldwork and this was something that I was sensitive to. In the makkala panchayat meetings I attended, possibly as a result of what I saw as honest commitment to the participatory approach by the children, I did not see evidence of such herding.

The children are doing the discussion themselves and they chose what to do themselves.

(Prabhaka, CWC, 24th October 2008)

The process and structure of the makkala panchayat is both relational and interactional (see Enosh & Buchbinder, 2005) and CWC promotes it as a platform whereby children come together to work towards solving their common problems, in an encouraging, caring and safe environment. The underlying assumption is that peer relationships offer approval, harmony and inclusion. Hill and Tisdall (1997: 99) claim that children use these qualities democratically rather than autocratically by taking account of others' wishes and feelings. The reported experiences of the children and adults were that the makkala panchayat is inclusive as Hill and Tisdall (1997: 99) suggest and, from my observations, the children were demonstrably supportive of one another.

In the meeting they are doing the discussion they are not taking their own decisions they are discussing together.

(Shayamala, gram panchayat, 23rd October 2008)

One CWC fieldworker confirmed that the collective decision-making process is democratic.

I found if one takes a decision then others will either agree or raise the question “why you take this decision?” I found this very unique.

(Anupama, CWC, 4th November 2008)

However, I observed that decisions were not always reached collectively or by consensus and that group decision-making can be blocked by a refusal to participate on the part of some children.

Sometimes it is good but sometimes I am disappointed. Sometimes the other members are not giving suggestions and not doing the discussion, and I have thought myself what we can do, what I can do. It is the responsibility to make suggestions and do the discussion. Sometimes I tell [them that,] but sometimes they don't listen.

(Anil, makkala panchayat, 13th October 2008)

Refusal to participate is not the same as group conflict. Whereas refusal to participate undermines the process, conflict has the potential to ignite new strategies or solutions, lead to change and create opportunities (Tisdall, 2008: 423).

Group conflict was not raised in my interviews with CWC and is absent from CWC publications. At times, I observed more dominant children acting mischievously in the group interview, while other children were reticent to speak or were easily dominated by others. Conversely, in the makkala panchayat activities, children were engaged and actively participating and working as a group, albeit some more apparently proactive than others. However, from my limited exposure to group activities, I cannot determine the extent to which activities were consensus driven.

Children appeared to work together, arriving at decisions collectively and inclusively. This is not to assume that all children agreed in all matters, or that decisions were reached by consensus, with informed and free consent. This would be to ignore the complex web of power that

weaves throughout decision-making processes. Processes of conflict, negotiation, inclusion and exclusion are inherent in group decision making.

... an action upon an action, on existing actions or on those which arise in the present or the future ... it incites, it seduces, it makes easier or more difficult; in the extreme it constrains or forbids absolutely.

(Foucault, 1983, in Gallagher, 2008: 397)

Ontological recognition of identity enables subjects (in this case, children) to enter into/take up/develop a form of political agency otherwise (and hitherto) largely denied them.

(McDonald, 2009: 242)

Social constructivist conceptualizations of identity question identity as a natural given, characterized by fixed or (supposedly) objective criteria. It considers identity to be created from mainly political choices represented by certain characteristics, a development seen by Taylor (1998: 332). Thomson (2007) talks of the importance of considering identities as constructed and negotiated, not static.

In the school lots of children are there and there is identification only for those who are talented in study ... some other children are not good in all those things but the makkala panchayat children are getting the identification because they are makkala panchayat members ... If you say you are school-going child not makkala panchayat there is no identity. If you want identification you have to say you are a makkala panchayat president or member.

(Usha, CWC, 28th October 2008)

One way of analyzing “identity” is to divide it into “individual” and “collective”. The former relates to imagos of the self, while collective identity is an expression of behaviour that reflects identification with a group. The question that arises from this analysis is how the personal self relates to the social environment. From the makkala panchayats

(group identity) children gain positive self-esteem which furthers a sense of community and belonging, detrimental perhaps to the individual self the conception of which can be subsumed within the group. For example, Deepak for all the benefits he apparently accrues from participation may lose his sense of personal identiy when he integrates totally the group.

For Erikson ([1968]1994:245), identity involves a sense of belonging, knowing 'where one is going, possessing the inner assuredness of anticipated recognition from those who count'. While Erikson was being specific about individual identity his sense of belonging also relates to group identity. For the makkala panchayat children, the different groups to which they belong are families, peers, the makkala panchayat and the wider community. It seems, therefore, that a conceptualization of identity comes out of social construct. This in itself has been linked to political struggle by feminist and psychological theorists (e.g., Kitzinger, 1997).

The definition "identity" in social analysis remains fluid.

It is time now to go beyond "identiy" – not in the name of an imagined universalizm, but in the name of the conceptual clarity required for social analysis and political understanding alike.

(Brubaker & Cooper, 2000: 36)

CWC argues that the makkala panchayat gives children political and social identity, and the term is common parlance in CWC vocabulary. Ratna (2009: 5) argues that the organized democratic participation of children gives them collective strength and "an" identity. The term was referred to widely in my discussions with CWC. It was also a term referred to by children themselves, used generally, as group identity, and particularly, as individual identity. Whether it was a short-cut term translated by Usha to more easily summarize a point I cannot know. I was in no doubt, however, that children were proud of and pleased with

their work in the makkala panchayat and the resultant recognition gleaned from the community. For those children who were less vocal, it seemed that merely their physical presence fosters identity and recognition. It is possible, too, that the community sees the makkala panchayat as a group with political identity, CWC's collective.

Before we join the makkala panchayat there is no identity for us and the adults do not respect us. When we start [makkala panchayat] we get the adults respect and we are identified.

(Tesh, makkala panchayat, 14th October 2008)

From my interviews with parents and family members, it was clear that they were proud of their children and I believe this sense of collective and individual worth was reinforced by my presence.

How does participation help children develop a sense of who they are? Developing a positive sense of "self" is one of the reasons for listening to children's views and encouraging their participation.

Indeed the idea of a core self that underlies the notion of voice is 'naïve or even deceptive. Darsie Bowden calls a voice a "mythology" that flies in the face of the multiple and contingent ways that voices and selves are actually constructed.

(Eubanks, 2010: 93-94)

Cooper and Rowan describe the notion of a unified self standing out 'like a relic from a bygone era' (1999: 1), in the world increasingly characterized by 'multi-fragmented social positioning and the deconstruction of absolute truths' (1999: 1). They highlight 'multiple narratives as they weave their way through the fabric of social relationships' (1999: 2). Auten attempts a reframing.

Whether we call the self plural or say that there is a many-sidedness to the self does not interest me so much ...

(Auten, 2014: 84)

Lack of interest denies that there are psychologically many different voices tied up in the one person. Views change, there is not one person in the child, there is a multiplicity of configurations and each child has many such, in many different environments: the playground; the family setting; the school; work; the makkala panchayat meeting; and in time.

Children are not simply internalizing society and culture but are actively contributing to cultural production and change through innovative and creative aspects of childhood.

(Corsaro, 1997: 14)

Corsaro (1997) argues that the everyday worlds and language of children are very different to those of public spaces.

In the home they cannot say their opinion. In the makkala panchayat those children can get voice. They have started to speak ... In makkala panchayat every child can speak and say their opinion, in other arenas they do not say their opinion, they do not speak or they say what parents want.

(Prabhakar, CWC, 14th October 2009)

In 1955, Rogers gives a process definition to the question: "What is a person?" Relationality and individuality are found to be the two characteristics of the person:

[A] fluid process, potentiality, a continually changing constellation, configuration, matrix of feelings, thoughts, sensations, behaviours. The structure of the process seems configurational, not additive ... Another way of stating this is that a person is a human process of becoming ... The person as process seems to me most deeply revealed in a relationship of the most ultimate and complete acceptance; a real I-Thou relationship. ... In my experience, the deepest contacts I have with persons reveal them, without exception, to be directional in process, and my experience of that direction is contained in such terms as positive, constructive, creative, toward autonomy, toward maturity, toward socialisation, in the direction of growth, toward greater richness or differentiation.

(Rogers, 1955)

Mearns and Thorne (2000) use the term “configuration” as a hypothetical construct denoting a coherent pattern of feelings, thoughts and preferred behavioural responses symbolized or pre-symbolized by the person ‘which form a coherent pattern generally reflective of a dimension of existence within the Self’ (2000: 102). They report clients sometimes describe aspects of themselves as different ‘parts’ of the Self. ‘From this internal perspective the Self is not a diffuse conglomerate but a myriad structure of interacting components … a myriad of interacting aspects’ (Mearns & Thorne, 2000: 102).

Rowan (1990: 29-30) refers to the transiency of ‘social faces’ and reiterates that people can behave very differently in different circumstances. What is authentic when there are plural selves?

I improve my knowledge and before makkala panchayat I hesitate and fear to go on the stage and make the speech. Now any big meeting or any speech I don’t hesitate. I don’t fear, so now I talk.

(Supritha, makkala panchayat, 13th October 2008)

Cooper and Rowan (1999: 1) say that multiplicity and the plural self, ‘The one and the many’, describes how ‘Everywhere, plurality and inconsistency seems to transcend unity and consistency … and the postmodern individual, the notion of a unified, monolithic self appears increasingly untenable’.

The makkala panchayat children have courage and have to be ready to give the answer, and the second day I could speak. Anywhere I can talk now. I didn’t used to participate in speech competition at school but after I joined makkala panchayat now I participate in the competition and other competitions.

(Nikkita, makkala panchayat, 23 October, 2008)

For Sidorkin, '[a]uthentic voice is born on the boundary of the self with the outside world' (Sidorkin, 1999: 70) and, challengingly, '[a]uthenticity is a function of dialogue' (Sidorkin, 1996: 50).

The individual develops multiple self narratives and a functional or dysfunctional orchestration of a multi-voiced self.

(Cooper & Rowan, 1999: 6)

I have seen the children in the makkala gram sabha and in some meetings, and I have seen the spirit of the children and them participating more and more.

(Shetty, gram panchayat, 3 November 2008)

Sidorkin's (1996: 50) view is that inner feelings do not relate to authenticity, because of his belief that authenticity is a function of dialogue.

Authenticity is being truly and permanently open to the possibility that I am not what I thought I was. My authentic self does not belong to me in a sense but is always shared by others. I have no more authority to say some deeper truths about myself, than other people who know me ... I cannot describe myself if I do not know who listens. There is no authentic self without another engaged, listening self.

(Sidorkin, 1996: 50)

He disputes that the authentic self is only when the person defines it herself.

They are not listened to, at home nobody listen and at school nobody listen, and in the makkala panchayat those children can get voice, they have started to speak they can participate with adults and they have a little bit more courage and confidence and they also start to mingle with the other children and the adults and makkala panchayat they can say their opinion, in other arenas they cannot say their opinion. Every child can speak and have their opportunity to speak and say their opinion and now they listen.

(Prabhakar, CWC, 24th October 2008)

## Conclusions

In conclusion, I have evaluated the conceptualizations of The Child and of children in respect of the homogeneity that ubiquitously follows such conceptualizations sycophantically. The constructs created lose the reality of the individuals who are purportedly described thereby. Since CWC has a political agenda running alongside its facilitatory interventions, much of its published viewpoint relates to solidarity, community and collectivism, all of which also lend themselves to homogenizing. With the concomitant issues concerning kingpins and favoritism, it is clear that there is a danger of losing the individual child. In the final part of this chapter I have begun to review the concept of Self, questioning whether The Self exists. This is in preparation for the analysis of authentic voice in the next chapter.

## Chapter 12: Authenticity of voice



Following on from conceptualizations of The Self, in this chapter, I explore the notion of authentic voice and examine to what extent children are able to speak for themselves. Having sought to define the notion of authentic voice, I examine the relationship between social construction and authenticity.

Lanser reports that, in post-colonial discourse, voice<sup>97</sup> has become ‘a trope of identity and power’ (1992: 3).

Neither child nor adult can speak in a manner which draws on their experience as a source of either power or truth. Any authorial or authoritative voice is always differentiated and dispersed through other voices and texts.

(Oswell, 2013: 68)

The notion of “children’s voices” is associated with the sociology of childhood, ‘perhaps more than any other concept’ (Spyrou, 2011: 151).

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<sup>97</sup> In this section, I have not included “voice” in the context of children’s legal process, for example in divorce proceedings (e.g. Goldson, 2006; Birnbaum, 2009), or in the context of children’s consent to medical treatment (e.g. Kilkelly & Donnelly, 2006). My focus here is voice in the context of childhood studies. However, the considerations I raise here are equally valid in these areas.

For childhood studies, giving children a voice to be heard aims at gaining a deeper understanding of childhood. Along with sociological theory research, it has informed policy, namely, in the form of the Convention which, it is often alleged, confers the right on children to have this voice.

Firstly, a point to note is my research methodology. I have not given, and I cannot find a way of generalizing that gives, the individual child or adult an authentic voice in this thesis. I have applied a qualitative method to describe children's experience and adult perceptions but I have collected and analyzed the data and, by extracting *my* choice of quotations to present *my* findings, I have determined what counts as valid. My interviews are not expressions of the interviewee's own authentic voice, since interviews are 'filtered' (Alldred & Burman, 2005: 181). Marks (1996: 115) argues it is fantasy to presume, in offering a research subject voice, that it is possible to have direct unmediated knowledge of a child's experience. The interview, therefore, cannot represent the expression of the authentic voice which we claim to seek. Burman, (1992: 57) says that both "hearing" and the "analysis" of what children say involves an active process of interpretation. Complex questions arise about epistemology, including who counts as a "knower". However, I have strived to accurately report the considerations that the makkala panchayat children raised.

Voice, in the symbolic way it is employed in children's studies, appears to have come via a lexical development route. To find one's voice is: 'to allow, a person or group, to speak, or have a say in the control or running of something' (OED, 2014: "voice" n, P2b); and 'to find a means of expressing oneself; to arrive at an authentic mode or style of (artistic) self-expression' (OED, 2014: "voice" n, P8b). Particularly in the theatre, an actor finds her voice, and, by extension, the meaning comes into the classroom.

Perhaps, like me, you've pencilled the compliment in the margin of the student's work ... [U]sing the metaphor of voice to describe style, expression, and energy in a text is common practice.

(Hayes, 2000: 38)

For Hart and others, the child's voice is 'the child's ability to articulate concerns and aspirations' (2004: 50). Spyrou questions to what extent these 'utterances' are a reflection of speech genres, social languages appropriated by the child at a certain time which then resurface in dialogue with the child's own particular voice. These are reformulated accordingly only to, once again, enter into dialogue with the social languages, speech genres and voices of the adult [researcher] to create meaning (Spyrou, 2011: 159). This adds a dialogic aspect to Rogers' concept of introjections and makes clear the repeating, dynamic, ebb-and-flow nature of articulation, each episode uniquely constructed according to the demands of the specific spatial-temporal location.

I asked children why they considered voice to be important.

Then anybody can understand our qualities and personality and knowledge.

(Ampar group interview, 11th October, 2008)

If we can't speak then we can't express our problem, so right to speak is important.

(Poornima, makkala panchayat, 3rd November, 2008)

In school they are giving answer to what is in the text book but here we are giving the answer that is our opinion, our thoughts.

(Sowjanya, makkala panchayat, 29th October 2008)

'By speaking, in their "authentic voices" [children] are seen to make themselves visible and define themselves as authors of their own world' (Ellsworth, 1989: 309). Erichsen distinguishes two meanings of "voice",

'the general political and the specific narratological' (2000: 193), which are often used indiscriminately.

My attempt has been is to determine how to capture the unmediated voice and its meaning in order to better understand the child's experience. Voice is, then, made more problematic by the qualifying adjective "authentic".

Although originally authentic voice might have been used as a descriptive term to refer to the fact that previously silenced voices are now speaking for themselves rather than merely being spoken about, the term has increasingly acquired a normative aspect.

(Erichsen, 2000: 193)

This normative aspect is, by its nature, insufficiently questioned and leads to "authentic voice" being used without sufficient discrimination.

An epistemology of this kind assumes that people are transparently knowable to themselves, and privileges their 'voices' as the most authentic source of knowledge about themselves and their lives.

(Gallacher & Gallagher, 2008: 502)

Of the discussions that currently hold sway, I ask what constitutes authentic voice, is it possible to capture, or is there even such a thing?

Authenticity implies authority, reliability, and trustworthiness: original words, thoughts, and so forth gained first hand. But it is precisely such connotations that are problematic, as they risk making "the voice of the child" somehow unimpeachable, given ... the Western mythologizing of "the child."

(James, 2007: 265)

[T]here is the questionable modernist assumption that a core authentic self exists which can find true expression in a certain voice. This is a form of highly dubious essentialism.

(Brookfield, 2005: 328)

I appreciate the authority of the academic arguments around authentic voice and have taken them into consideration. To chase the authentic voice is perhaps to search for an objective measure of a subjective phenomenon. The value is in attempting to understand how children's voice is produced, as well as the interpretive frameworks that are applied to any given context. According to Kjørholt (2005), "authentic voice" implies the person's voice free from mediation and, while not unique to children, Kjørholt sees voice as emanating from interaction.

Children's voices are, then, not authentic voices spoken by independent subjects, but rather voices spoken from particular positions within an intricate web of relationships with others.

(Kjørholt, 2004: 245)

Authenticity does not determine, and does not require, information although, for a child to participate effectively in the makkala panchayat, they must be informed. Komulainen suggests using 'the notions of 'mutuality' and 'multivoicedness' as alternatives to a unitary, atomistic understanding of an individual's 'voice' ' (2007: 23).

Sometimes it's difficult to share information with anybody; we are keeping it to ourselves. Like father drinking and he's beating the children then we can't share with others because there is our reputation. [No] I wouldn't share.

(Amith, makkala panchayat, 13th October 2008)

We tell the adult panchayat to let the children speak; it is their makkala panchayat they are saying their opinion, you must let them speak.

(Usha, CWC, 14th October 2008)

Voice remains the subject of academic debate and I proceed to consider some of the perspectives that inform this debate.

Prevailing constructions of childhood influence how children's voices are heard (Alldred, 1998). Alldred and Burman (2005: 191) assert that this temptation to attribute authenticity to child voice is bolstered by romantic discourses of childhood. Outside 'the larger historical, cultural and socio-political contexts in which [her] voice is situated' (Wertsch, 1991: 104-5), Spyrou (2011: 159) believes voice cannot be understood.

Spyrou (2011: 160) suggests that the significance of the child voice can only be understood and accounted for when seated in the discourses that inform it. Adults similarly, must be aware of the discourses that inform their own analyses and interpretations of voice (Mitchell, 2009: 93). This discursive approach connects what happens on an individual level with the actual context of interaction between the child and adult. This allows for complementary perspectives to be investigated.

In the context of social construction and authenticity, Spyrou (2011: 151) recognizes three works that particularly presage critical analysis of children's voices and the attending challenges to childhood research: James (2007); Komulainen (2007); and Mazzei and Jackson (2009). These two articles and an introductory chapter, together with an article by Coppock (2011), do indeed offer a critique of "the story so far" of the sociology of childhood.

## James (2007)

A powerful and pervasive mantra ... now by politicians as well as practitioners, the voices of children have become a symbol of the modern welfare state's commitment to the values of freedom, democracy, and care.

(James, 2007: 261)

James asks why researchers do not critically reflect on their role in the process of representing children's voices. The question becomes politically significant, not least when the research seeks to balance power differentials between children and adults by relying on the

‘authenticity’ of voice while aiming to empower children. James specifies areas for attention,

1. for adult researchers there is a fine line between presenting children’s accounts of the world and the claim to be able to see the world from the child’s perspective as a new kind of “truth.” ...
2. [the credulous assumption] that research done with or by children—research including “what children say”—is an authentic (and hence unproblematic) representation of children’s voices.

(James, 2007: 263)

James proceeds to observe the sea-change of how children’s voices, gleaned principally through qualitative anthropological methods, now ‘routinely ... are held to constitute children’s perspectives as social actors’ (James, 2007: 264). Referring to the ‘large body of empirically based, often ethnographic work’ that lets children speak out about what it is like to be a child in particular contexts, experiences that, before, ‘adults had been tempted to downplay or dismiss as “childish,” soon and best forgotten’ (James, 2007: 264).

For anthropologists the dilemmas raised by the politics of representation are by now well rehearsed; for anthropologists of childhood, however, these have yet to be fully articulated, and they remain a very present and pressing concern given the rhetorical power that “the voice of the child” wields.

(James, 2007: 268)

I fully accept that in my study, I have hijacked the words of children to provide evidential support for points that I wish to highlight but I hope it will be apparent that I have listened, and tried to accurately report, the things that have mattered to the makkala panchayat children. Nevertheless, using verbatim quotations and implying that they represent authenticity remains problematic and a subject for further scrutiny.

## Komulainen (2007)

Komulainen's article introduces theoretical insights of the Bakhtin circle<sup>98</sup>. One of Komulainen's headlines is: 'In the Bakhtinian perspective, interpersonal communication can never be fail-safe' (Komulainen, 2007: 23) and this leads to ambiguity. In following this, Komulainen considers voice in childhood studies as social and co-constructed instead of individual, fixed, straightforward, linear or clear, with a resultant deconstruction of the notion of 'voice' by paying particular attention to the ambiguity of human communication and the modern, liberal notion of a 'speaking subject'.

Komulainen sees a need for reflexivity in research in three ways: (1) in the context of research methods and ethics, reflexivity typically refers to the relationship between normatively-constituted speaking positions; (2) the dichotomy between realism and anti-realism, that is employing realist methods and then giving reflexive accounts of the data; (3) the link between reflexivity and the ambiguity of the researcher's role as an actor.

These interrelated three areas constituted an epistemological and moral-pragmatic dilemma for me in terms of the child's 'voice' and its place in ethnographic research practice.

(Komulainen, 2007: 20)

Komulainen's concerns are subsequently reflected by Lewis.

[The] quest for access to children's 'true' or 'authentic' wishes and feelings is misplaced. Rather there is a need for careful scrutiny of the conditions of production of children's wishes

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<sup>98</sup> Not dissimilar to the problems presently encountered in the study of Vygotsky, so too with the Bakhtin circle. Interpretation and, therefore, application is adversely affected by (1) the 20th-century difficulties experienced in the pursuit of intellectual discourse in USSR; (2) the circle's theoretical process being framed by present-day concerns over postmodernism; (3) damaged manuscripts and poor textual transmission; and (4) controversy concerning authorship of many items. All have led to there currently being only an imperfect assessment of the circle's works (Brandist, 2006).

and feelings and the frameworks of interpretation applied in any context.

(Lewis, 2010: 16)

Through my own investigation of CWC's facilitation, I came up against this need for scrutiny. While the conditions of production in my study were heavily regulated by CWC as my gatekeeper, I also saw the interpretation by CWC as activistic rather than mirroring. My own techniques for obtaining and interpreting data also deserve scrutiny.

### Mazzei and Jackson (2009)

The thrust of Mazzei's and Jackson's (2009) chapter is that theory and data mutually constitute each other in certain ways and these have important implications for what can be said and done and how. The modern preoccupation with the metaphysics of a unitary subject with an authentic voice speaking the truth is brought into a postmodernist frame, from which to maintain 'polyvocality' in qualitative research does not resolve the problem of representation (Mazzei & Jackson, 2009: 11).

Our purpose ... is to challenge qualitative researchers to use theory to think with their data (or use data to think with theory) in order to accomplish a reading of data that is both within and against interpretivism.

(Mazzei & Jackson, 2011: 2)

However, failure to grasp voice and represent its essence is due to the problem of 'authenticity' and not on methodological deficits, for example, the place where an interview is held, whether it is a group or individual interview, but rather on the wrongly-held assumption that essence can be captured through people's words (MacLure, 2010). Instead of relying on authenticity, Mazzei and Jackson urge researchers to consider epistemologies and power relations in data generation, and thereby more productive ways for representation (Mazzei and Jackson, 2009: 3).

It has been hard to avoid hierarchies of knowledge and linear thinking, partly because many of us are tethered by the grammar and the propositional logic of the European languages. Working the ruins is problematic when the given language speaks of levels and solid edifices – foundations, grounded theory, higher-order categories, and so on.

(MacLure, 2010: 3-4)

## Coppock (2011)

In similar vein, Coppock demands vital scrutiny of attempts, that he sees in the context of in-vogue school-based psychotherapeutic education programmes, to consolidate an adult/professional hegemony.

[W]hat might ostensibly appear to be benign interventions can, without critical analysis, obscure the operation of adult, professional power in constructing children and young people as 'human becomings', thereby constraining their agency.

(Coppock, 2011: 394)

Instead of developing ways in which children's voices can emerge, be heard and responded to, the effect may be no more than to add to a record of policy and practice that strengthens adult control. Such developments offer very little in the way of agency for children.

In so doing, it has revealed the ways in which ... programmes constitute technologies of the self that extend the scope and reach of the late modern neo-liberal disciplinary state in the governance of children and young people both as 'risky' subjects and as social investment for the future.

(Coppock, 2011: 394)

Having reviewed authenticity in the light of social construction, I proceed to the locating of children's voices in the discursive fields of power which produces them that allows us to overcome the romantic notion (see Alldred & Burman, 2005: 181, 192), of children's voices as unique.

It's difficult to give the answer when the adults are giving their opinion. If they listen to the children then it is easy to give the answer to the adults.

(Sowjanya, makkala panchayat, 26th October, 2008)

Alldred and Burman (2005: 191-192) say that it is these romantic discourses of childhood that are responsible for this temptation to attribute authenticity to child voice.

Sometimes parents teach the children what kind of answers they should be giving but then sometimes the children don't listen to what the parents are telling them and they say "I know, I am giving the answers!" So they don't listen to the parents some of them, but some look at their parent's faces first before they answer a question because they fear.

(Usha, CWC, 14th October 2008)

White (2002) argues that children's participation is currently held as the touchstone of authenticity in the development agenda.

In the contested political space of policy communities<sup>99</sup>, critical issues include whose voice prevails, under what circumstances and how competing discourses become authoritative.

(Williams, 2004: 12)

For the expression of 'distinctive and submerged points of view', all that is required is a political space according to Wall (2011: 93). Prout (2001: 199) argues the need to examine the practices that do or do not produce and elicit voice, beyond children's own practices to the settings, practices and relationships that can enable or disable the production of voice.

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<sup>99</sup> The term policy community is used to refer to not a discrete local community or bounded geographical area, but [...] a social and political space articulated through relations of power and systems of governance' (Shore, 1997: 14). *My Footnote, that is to say the content of this footnote did not appear in Williams' (2004) original.*

The importance of seeing children's perspectives and those of adults creating together the construction of dialogue and the negotiation and co-construction of meaning (Centre for Excellence in Child and Family Welfare, 2011: 8) that changes over time, evolves and moves along a continuum of representation and interpretation. It is not fixed.

When we are giving the opportunity to the children to speak and they are not speaking and we say you can speak, you have the capacity to speak, and so when you encourage the children then their confidence increases and without any fear they can then speak on the stage. That's the courage.

(Nada, gram panchayat, 25th October 2008)

The co-construction of meaning between children and between adults and children is an ever-changing dynamic. The shared intention is to develop a comprehension of what the other is meaning through this process of co-construction.

For Bakhtin, all thought and language are dialogical—which means that everything a person says is as a response to what has been said before and in anticipation of what will be said. ... My interest in youth voice research is therefore an interest in entering the cultures of communication of children not only to listen but also to participate in the process of dialogic communication with them, which necessitates an epistemology deeply embedded in a children's rights framework.

(Cotnam-Kappel, 2014: 146)

As Cotnam-Kappel, I see that my contributions in discussion and the social location, "the time and place", shape intrinsic meanings and inevitably influence children's voices. Childhood exists in a temporal continuum, at one end the child is completely adult "fed" and "led" and, at the other, sits adulthood where the individual is less directly or overtly fed and led, but the feeding and leading are continued through introjections and covert stimuli. It is learned behaviour at the very lowest end of the continuum. It is process and it is this that should be

examined. It is from this perspective that it is possible to ask how free is a child to express her “own” voice at any particular time, and in what context.

The process is not a stable and fixed authentic thing, no stability, no fixed opinion and no *the* truth. Social construction is fluid. It is flexible. What is authentic now is not authentic in the future, or was authentic in the past. It is transient.

## Conclusions

In conclusion, of Komulainen’s caution ‘against too simplistic and/or sensationalized a usage of the term “voice” ’ (Komulainen, 2007: 22), Oswell adds that ‘voice’ should be seen as a point of departure and investigation rather than an assumed end point for the individual child’ (Oswell, 2013: 247). A concept that comes some way towards authentic voice is the Rogerian concept of congruence. Here, the individual is psychologically balanced with the individual’s own appreciation of reality at that particular moment in place and time. My understanding of congruence is being inwardly honest and outwardly reflecting that honesty. For its relation to authentic voice, the researcher is in the position of determining whether, and to what extent, the research subject is willing and able to be congruent. Indeed, under the Convention, children have the political *right* to express their opinion as they feel it honestly in any particular moment. The makkala panchayats are operating in an overtly political dimension. The right to be congruent, to express themselves in their authentic voice, can be seen therefore, not only as an ideal prerequisite to research facilitation, but as a political right.

Discussions about the child’s ‘voice’ have typically revolved around whether adult professionals are willing to listen to children, and how listening can be done successfully.

(Komulainen, 2007: 11)

Rather than a focus on representing the child's voice, it is more pertinent to ask: to what extent is the child free to voice her opinion without hindrance? The concept of freedom is itself vague. The Convention talks of freedom but does not define it. Freedom is taken as a given, although everyone has their own definition of it and understandings of freedom are multidimensional.

My difficulty in attributing authenticity is in part theoretical but also the practical issue of the honesty of evaluating my own assumptions. I cannot assert evidence of authentic behaviours from my data. As a result, and specifically on the basis of my data, I cannot answer the question of how important authenticity is to the children in my study. If I were to read subtle implications and make interpretations I would hazard that these children do value honesty and the opportunity to tell their own culturally-relative truths. However, they made no mention of the topics of honesty or truth.

Throughout its literature, CWC accept and promote a perception of the child's voice which is incontrovertibly good and desirable.

This act has to be communicated and therefore communication is a key to participation.

(Reddy & Ratna, 2002: 9)

[Wegner sees the] challenge of making the dynamics of participatory processes visible and assessing them for authenticity has recently been taken up as an important task for discourse analysis, specifically where there is an assumption of participatory inclusiveness and consensus in collaborative processes that produce legal and other types of contested texts.

(Wegner, 2012: 5)

The opinions within the makkala panchayats are a collective collaboration. Children themselves each filter their own opinions and the

opinion distils down to a possession of the collective. This possession becomes an expression of the political collaboration.

Searching for the authentic voice eventually undermines the simple relativism of multicultural enthusiasms. ... A variety of movements – deconstructionism, neopragmatism, feminism, queer studies, to name a few – charge that the universal voice of reason is a sham and is written off as mere male patriarchy or heterosexual hegemony in disguise.

(O'Brien, 2002: 34)

## Chapter 13: CWC as a theme



This chapter reviews CWC as I see the effects of their philosophy and work. I acknowledge that my view of CWC is not shared by all; this is seen in CWC's nomination for the Nobel Peace Prize. I gratefully acknowledge the assistance afforded me by CWC and review difficulties with the arrangement to which we came. This chapter formed late in the process of drawing out elements of my research data for attention. I had not expected to have collected so much data on the facilitating NGO when I first began looking at the makkala panchayats. CWC, I found, had become an issue, a theme in its own right.

I have enormous respect for this organization. They work tirelessly in the name of children's rights and, of particular interest to me, the child's right to be heard. Attempting to translate Article 12 into something tangible, something real, CWC has given life to Article 12 and it has given children to the Convention. The Convention, for CWC, is not just another remote international treaty. It is a route map for this organization. CWC has adopted the Convention, turning it into a model to shape the lives of Kundapur's children for the better. This is no

theoretical minority-world Article 12. This is very much Kundapur's live Article 12.

CWC helped me structure the project and taught me how the makkala panchayats worked, about what they do and why they do it. They gave me access to a cohort of children whom I simply would not have met otherwise. Having organized my itinerary, CWC gave me a driver. Dev, who knew the area, he also knew some of the children and their families. He knew the best routes and the shortcuts to these children's homes. The journeys that we took were difficult and arduous but, without Dev, they would have been logistically hazardous.

Having found a community to research who spoke Kannada, CWC gave me a translator. Usha was part of the fabric of this community. The children knew her, they trusted her and, by association, it seemed that they trusted me. In interviews, between translations, I grabbed precious moments to reflect, to process the previous answer, to think up new questions. These proved to be invaluable moments to recover and prepare. I watched and listened for clues, not ones bound in the structure of language, but non-verbal cues and hints, suggestions and pointers. With the liberation of no shared language, I was more available to see who the children were, rather than hear what they said, more able to read between the lines, to absorb the subtext.

I have little doubt that my presence had, unwittingly, increased the value parents, adults and even children themselves placed on the makkala panchayats. Despite my attempts to emphasize the reason for my visit, simply to get an understanding of what it was they were doing, just my being there contradicted this explanation. My attempts at neutrality were in vain. I didn't achieve it, I'm not even sure it can be achieved. It was inevitable.

I was in the hands of CWC. I had little or no control over the design or implementation of my fieldwork. CWC determined when the study was

to be undertaken, which children would be included, where and when the interviews would take place, who would be my translator, which government officers I would meet and which teachers I would interview. I was the first English researcher to visit the makkala panchayats and I had arrived without a long period of notice. CWC as an organization, while responding positively to my project suggestion, had for the first time to cater for the supporting logistics.

At times CWC made my work easier, but at times they made it almost impossible. They wanted me to evaluate the makkala panchayat experiment. They asked me for a digest document but they disliked my feedback and they disliked my questioning of them or of their principles. At times they seemed only to answer the questions they wanted me to ask. They were sensitive, guarded and defensive and, at times, hostile. This vulnerability is, of course, natural for any organization when put under scrutiny and, for the first time, the scrutiny of a foreign researcher. I posed questions and questions and questions: this made the CWC personnel uncomfortable. I knew before I went in that I would have to tread a fine line between keeping them on side, while simultaneously trying to understand whose side they were on. I actually had nothing very bad to say about the makkala panchayats, but I had to ask questions. How else was I to find answers in order to find new questions?

From CWC's head office, Lolly fought me the entire way and, when communications finally broke down between us; messages were sent through Usha or other fieldworkers. He wanted a programme evaluation, not one that would be included in my thesis, but a confidential internal evaluation. I told him I was not there to do that. I had made this very clear at our initial meeting. Each time Lolly sought this confidential internal evaluation, I reminded him of the position that I had understood we had agreed at this initial meeting: by sticking to my initial planning, it seemed that what was not being achieved was an accommodation and this served merely to entrench positions. I was

frustrated; Lolly was frustrated. As a result, this relationship was, at times, almost untenable. Two weeks in, we had the discussion: should I stay or should I go? I stayed.

A while after completing my fieldwork and in the process of writing up, I met with a film producer at Channel 4. I told her about the work of CWC and the makkala panchayats. We wrote a proposal for Channel 4 to film a documentary on the project. It was approved along with funding. I approached CWC but they declined the invitation. I asked whether this was the decision of the children; the makkala panchayats are, after all, owned by the children. They informed me that the children were not asked and no reason was given. The documentary was never made. Media interest is not necessarily a good thing but, without it, I suspect the children will remain unaware of the interest they have garnered from across the world. The tragedy is that these children may remain invisible to the outside world, and their hard work unknown to all but a few.

This chapter may seem overly critical of CWC. I believe they undertake their work with “good heart”. However, several issues arose during my fieldwork and in my discussions with the organization. Here, I discuss accountability, transparency and reflexivity of CWC.

CWC does not employ predefined measurements or indicators that evaluate the aims, process or outcomes of the makkala panchayats. This is corroborated by its standpoint that the organization must operate independently of government funding. This allows CWC to set its own agenda and implement its own strategic interventions as it sees fit. A negative consequence of this independence is that CWC is not subject to the requirements of external accountability. Similarly, the CWC approach to facilitation avoids operating within externally-produced codes of conduct or good practice guidelines, checks and balances. Consequently, CWC is compelled to operate on a tight budget with the practical and logistical compromises that this necessitates.

CWC envision a need to resocialize adults and children. This requires adults to unlearn their current worldview and the role of children, as CWC sees it, is 'to write their own history and reshape society closer to their vision of a better world' (Reddy, 2007: 195; *see also* Reddy & Ratna, 2002: 4-5). In my fieldwork, children spoke of no such better world.

Rights-based practice strengthens agencies' capacity to support those struggling for social justice, while recognising that the actors themselves may not define their struggle in such terms.

(Eyben, 2003: 4)

CWC's overt agenda is to promote children's welfare. However, I ask to what extent children and their plight become vehicles to promote CWC's own political agenda and its push for decentralization, which it sees as being under threat from central government. Equally, it is possible that CWC considers that, to sufficiently change children's lives for the better requires a fundamental shift in attitudes, beliefs and perceptions within the family and, through this mechanism, thereby achieve the change they want to see in children's lives for the better. These two goals are not exclusive, of course.

Either way, this kind of structural change is political, the struggle being against policy and practices of vested interests. The only real mechanism to effect this kind of political change, CWC might believe, is to empower children in some way and CWC has chosen children's right to participate as a political accelerator. As I write, my views on CWC's agenda, although based on post-fieldwork reading of its literature, are hypothetical. I did not seek to find a deeper level of understanding of CWC's political agenda while I was in the field. This exemplifies the point already made about exclusion of adults from my study. I follow Melton (1987: 359), speaking about the allied field of child advocacy, in his view that the central ethical difficulty for adults working with children is that it risks, amid multiple and confused interests, adults

with apparently noble intentions using children to promote other interests.

Ratna alleges 'extremely well orchestrated and persistent' attempts to undermine the decentralization initiative of Panchayati Raj. The panchayats are the closest branch of government to the people and, therefore, the most accountable. '[O]ften allegations are made about their inefficiency in order to justify the efforts to undermine the local governments' (Ratna, 2009: 15).

Regardless of the ultimate motivation behind the makkala panchayat initiative, CWC rely upon a societal prejudice against children to legitimate their interventions. Children face the same questions regarding their ability, their intentions and their integrity as women's and working class groups and are also struggling for their right of entry into political space (Reddy & Ratna, 2002: 20). CWC however, have avoided this in general. I see a strategy of instrumentalization taking place.

How careful she is with her precious words!  
 When her work is complete and her job is finished,  
 Everybody says: "We did it!"

(Lao Tzu [6th century BC], 2011: chapter 17)

Madhava, a member of the gram panchayat (9th October 2008) suggests that CWC manipulate and instrumentalize children.

Parents, adults and community use children as a thing.  
 Adults can't say it directly so they use the children to raise the issue so the children become the victim then.

(Madhava, gram panchayat, 9th October 2008)

CWC claims to promote the agency of children in that children themselves decide which issues to address and I witnessed this taking place. But I also saw that this is not the whole story. CWC wields, either

knowingly or unwittingly, covert influence and overt direction of activities in a particular way. CWC introduces some of the ideas that children take on board: banning arrack shops; eliminating child labour; ending exploitation in the workplace, and in the home; or ending the practice of child marriage. Children undertook the issues and ran with them, but the seeds had been sown and watered by CWC. Its approach to facilitating these causes was not organic; they were inserted into the children's agenda.

The sentiments below were expressed by CWC fieldworkers and a Director at one makkala panchayat meeting. These comments do not reflect a philosophy that children are experts in their own lives, instinctively discovering win-win strategies, through autonomy and self-determination.

“you must question adults”

“be as strong as the lion”

“do not fear to speak”

“adults are wrong and you are always right”

~ and, by the way, ~

“unfold your arms, Ashish”

“don’t slouch”

“stop talking”

“this is the correct way to do it”

“that is the wrong way”

“do it this way”

Manipulation ‘can be effectively addressed with systematic strategizing, planning, capacity building and monitoring’ (Ratna, 2009: 15). Provided these things are in place, of course. However, for CWC, the manipulation of children is not considered to be a concern (Ratna 2009: 15), because it does not accept that through its interventions there is a potential for children to be manipulated.

Referring to children's right to question authority, Acharya (7th November 2008) told me how CWC needed to build in 'that questioning' to think about issues such as globalization. He saw himself as 'encouraging them to think for themselves and not just to accept'. The effect on participating children who, having been primed with a particular argument, is that they potentially become the target when that argument comes under critical scrutiny.

Coming to the end of my fieldwork, with only two or three days to go, I felt I had reached saturation point. I had heard, it seemed every version of every positive spin that could be placed on the makkala panchayat initiative. I was hearing nothing new, nothing different. I changed tack. I asked slightly different questions. I was desperate to hear something different. I tried hopelessly to winkle out some new incline, some different slant. It didn't work. I had reached a point of diminishing returns, and I was merely treading water.

Acharya is the founding father of CWC. I met him at his residence. He was my final interviewee. I had prepared myself for a long and gruelling interview. He was, after all, the visionary behind CWC's conflict on India's political structure and capitalist globalization. He is the instigator of the need for a better world that promotes decentralization and local democracy against the corporate greed and neo-liberal political oligarchies.

The interview was a disappointment for me. Questions about CWC's principles seemed to me unwelcome and Acharya's responses dismissive. Are children at risk? If they are, it's society's fault, he asserts.

I'm saying the question itself is unethical because that means you are indirectly telling me to come into your arena even though I have a right to my own. The question is not wrong but the presumption behind the question, it is wrong.

(Acharya, CWC founder, November October)

He avoided the questions I asked. He shared with me his political vision in response to my questions about children. Feeling I was not getting answers to my questions, I reiterated many of the questions that I asked, with no success. I felt that, because I kept coming back to my interest in the makkala panchayats looking for more information or the position of CWC, he closed down the interview. I was with him less than 25 minutes. At the end of the interview, I felt I was no longer welcome and was being dismissed.

Driving away from his hilltop residence overlooking Kundapur, I looked for reasons behind this unsatisfactory interview, at my poor interview technique, looking for explanations behind his tone and his manner. Disappointingly, I had failed to conduct a satisfactory interview. This was my shortcoming. Despondent, I felt I had gained nothing from it and had learned nothing from him. It was not until later that, on reflection, I felt his attitude and demeanor toward me had, in fact, handed me the last piece of my jigsaw. It felt to me that this interview was symptomatic of CWC's organizational process and agenda. It summarized, in 25 minutes, many of the interviews I had had with other members of the organization.

# Chapter 14: Benefits and deficits of the makkala panchayats as identified by research participants

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This short chapter presents benefits and deficits of the makkala panchayats from the perspective of the children and their families involved in my research. The intention of this chapter is to give witness to the views and, in a sense, the aspirations of my research participants in their own right, without my mediation.

The following list represents what the children told me they gained from the makkala panchayat. These benefits flowed easily from almost all of the children I interviewed. The children enjoyed telling me what they got out of the makkala panchayat. I have presented these in no particular order of priority, as they were offered to me.

“Good to do the discussion.”

“We can talk with each other as a group together.”

“We can speak and say what we want.”

“We can share our problems and solutions.”

“We are able to explain what we feel.”

“We get the courage like the lion to speak to adults.”

“We can join other programmes in the community.”

“We can have good relationship with local government.”

“We have solved some problems.”

“Adults and other children they are identifying us.”

“We have got respect from the adults.”

“We can take part in the gram sabha.”

“We meet lots of friends and other children.”

“We feel happy talking. At home we don’t feel happy to talk.”

“We like to vote, we are happy when we do the voting.”

“Our parents’ ambition that we are having information.”

“Adults they listen to us.”

“Adults see us now they go to gram panchayat.”

“You coming here is a good thing.”

Almost all of the adults I interviewed considered the makkala panchayat to be a good thing. Adults’ reports were generally positive, particularly those from parents or family members. The families I interviewed either supported their children but knew little of the activities the children undertook (this was a common response from adults), or they supported their children and, knowing more of what was transpiring in the makkala panchayats, felt strongly that it was a good thing. However, that it is not possible to solve all their problems was suggested by Venk.

Generally, parents did not know what the children were doing but they were proud of their children and their achievements and abilities. On occasion, a parent would remark that they had seen marked

improvements in their child's abilities both in school and outside. Specific issues were identified by the parents, such as improved attention span, overall happiness of the child, the child's confidence, and general overall improvements in children who had been previously slow or weak in school.

Parents also reported their conviction that children's participation was valuable to the community. In seeing children participate, some parents reported that they had become encouraged to participate in the gram panchayat themselves; this is of benefit to the local adult democracy. They often reported that they themselves would have gained from participating in a makkala panchayat when they were growing up. Parents would often say to me that, had they had the makkala panchayat when they were young, their lives would have turned out very differently. The few exceptions to the generally-positive reports came from government officers. These include the following:

“The age structure is too young (age 6 is too young to vote).”

“It is a distraction from school.”

“Children are too young to understand.”

“Children have too simple an understanding.”

“Children are exposed to, and learn, a corrupt system too early.”

“Children do not learn anything from it.”

The problems children said they sometimes face did not appear to be of much concern to them. However, it is important to reference them and to provide a broader picture of their experience. That children were not focusing on these issues as a collective suggests that children were content with what outcomes they had achieved.

“Term of membership is too long, for others it is not long enough.”

“Journeys to and from meetings are long and difficult.”

“Money to pay for bus journeys sometimes difficult.”

“Not enough information and training.”

“Other children don’t participate because they don’t have enough information.”

“Sometimes problems are not solved.”

“Sometimes other children don’t contribute.”

“Sometimes it takes a long time to solve problems.”

“Sometimes teachers beat us.”

“Sometimes it’s hard if we have festival or puja we cannot come.”

“Sometimes we have to go to other areas to work so cannot come.”

“No transport facilities and difficult routes.”

“Problems with finding venues.”

“Sometimes the adults don’t listen.”

In conclusion, the benefits and deficits of the makkala panchayats as seen through the eyes of the children and their families involved in my research have been presented here. By reproducing the words of my research population is to honour the contribution made by the people of Kundapur and respect their desire that their own voices be heard. This I have now done. However, I cannot claim that this has been done without my mediation as of course I have edited the comments through my own research lens. This aspect of my research reflects the difficulty of providing an ethnographic snapshot in time of the research context without it being filtered through my own research prejudice. I consider this further in Chapter 15.

## Chapter 15: Discussions and Reflective Conclusions



सत्यमेव जयते

Figure 8: National Emblem of India<sup>100</sup>

“makkala panchayat children have the courage of the lion”

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<sup>100</sup> This illustration of the column capital at Sarnath, Uttar Pradesh, depicting the four lions of Ashoka, which was adopted as the National Emblem of India on Independence. Forming an integral part of the emblem is the motto inscribed on the column which transliterates as 'Satyameva Jayate' and translates as 'Truth Alone Triumphs'. This is a quotation from the Mundaka Upanishad, the concluding part of the sacred Hindu Vedas (GOI, 2014).

In this chapter, I crystallize my thoughts on the outcome of my project. Initially, this involves my looking at methodology – what worked, what did not work and what partially worked – with honesty. In some instances, I appreciate that polarizing an either-or does not necessarily reflect the actuality. This is an evaluative issue and is to some extent subjective.

### 15.1 Ethics and power in the field

For the planning and logistical reasons discussed earlier, I had no control over how the research sample was populated. This meant that I had no involvement in creating a gender balance in the sample or in creating a control group comprising families whose children were not involved in the makkala panchayat. Ideally, I would have had agency over both; in practice in the field, I was powerless, hence gender participation was not a 50-50 balance (in fact a ratio in favour of boys of 3:2) and there was no control group.

That this affected the data I collected I have no doubt. The gender imbalance I have concluded was not fatal; in a child population of 56, 3:2 is not wildly far of the mark. The lack of a control group has resulted in my being unable to report views of children in whose communities the makkala panchayats were situated but who were not, themselves, involved. While I view this as a serious omission, as it means I cannot present views of the makkala panchayat both from the inside and from the outside, again I conclude that this is not fatal, a serious omission nevertheless. I believe my findings would have been enriched with the views of children who were not involved in the makkala panchayats. These conclusions apply equally to the adults in the sample.

As I write, the participants, including CWC, do not know of my findings. They have no influence in my conclusions in that they cannot read and comment on the content of this thesis. As I have already attended to, this is an issue of ethics, specifically continuing and informed consent.

The reality on the ground was that this did not present as an issue to the children or their parents. Therefore, while this has certainly been an ethical issue for me, I conclude that it is not an ethical issue insofar as this thesis is concerned.

The significance of my research to my participants was that my fieldwork took place. Many times, it was reported to me by participants that they felt empowered simply by my presence and interest in their lives. This gave them a sense of identity, through recognition and a sense of confidence and pride which I believe mitigates the ethical issue of the previous paragraph.

Being grown-up means that I can't think as a ten-year-old thinks any more ... I see faces, remember details. But I can't find the texture, the feel of what I thought, the feel of what I felt. As you get older, as you recede from it, childhood becomes strange and unknowable. Once left behind, it's a country you can't visit in person, a place of exile, mourned and misremembered by the adults at its gates.

(Morrison, 2011: 119)

The apparent incongruity raised by Morrison (2011) was a feature of my research. I am an adult attempting to convey a world as seen through the eyes of children. This will be the case for any adult researcher attempting to understand the experiences of children. The degree to which understanding is displayed becomes a subjective evaluation as a result and this needs to be borne in mind as a filter operating in child-focused research. That said, the sense I got in the field was that I was getting honesty and valuable insight into these children's worlds. I find that, while Morrison has something valuable to say, my previous experience as a children's counsellor does give me an empathic entrée into the worlds of individual children.

## 15.2 Translations

Following on from this, I recall the episode where two translations one from child-speak to adult-speak and one from Kannada to English was taking place. The opportunity for misunderstandings was probably at its highest here but I came away from that interaction confident that I had an understanding of the transactions that had taken place across language and across age ranges, communication here did not appear to present as a problem.

Translators choose the words they want to translate and Usha had the added incentive of being a representative of CWC, the organization I was shining a spotlight on. She was by no means independent. Working with Usha was difficult. At times I suspected, from the demeanour of the child sitting opposite me, that the question she translated was not the one I had asked, or I felt she had not quite told me the whole story. As she struggled with translation, I struggled with interpretation. I have no doubt that unspeakable amounts of data were lost either in translation or interpretation. It was a difficult process. To her credit, Usha was gracious in the face of my impatience and frustration. She said the children told her they would find it easier if I spoke Kannada. Never a truer word did she speak.

A conclusion I draw is that, while it would have removed the obstacle to understanding what the child had said, that is the spoken content, had I been a proficient speaker of Kannada, this would also have taken away some of my understanding of meaning and context that I was able to glean in the gaps between my asking a question and hearing the answer as filtered by Usha. It may well be, for future use as a strategy, a practical suggestion that the researcher have some proficiency in the local language and employ the services of a translator which would seem to offer the best of both worlds.

### 15.3 Excluded children

The intention of the Convention is that all children should have equal opportunities for participation. In the makkala panchayats, this intention is not fully realized. My findings indicate that, despite Reservation, children from more influential families were more likely to be elected to the executive makkala panchayats or to participate in the makkala gram sabhas. There was less representation, although there was some, of children from more marginalized subgroups. There were no “ghost children” included. The aphorism, ‘those children, who need it the most, benefit the most from it’ (Ganapathi, CWC, 3rd November, 2008) is not reflected on the ground. Those children, who need it the most, do not benefit from it at all. I find myself concerned that I have concluded here that CWC is not achieving certain aims, upon which its reputation (including its international recognition) is based. Asserting that one is following a particular course, aware that they are not following it, is the behaviour of a wrong-doer hiding untruth beneath a veneer of respectability.

### 15.4 Adult facilitation

My research did not begin its life with any focus on adult facilitation. My study is concerned with children’s input. Nevertheless, my fieldwork has taken me to a conclusion that, in the arena of children’s participation, adult facilitation is key. However, my focus on children, to the relative exclusion of adults from the ground initially, I appreciate will have limited my perspective. As a result, I found dimensions I had not anticipated.

The processes that underlie facilitation would require a completely different research study. My discussion centres on CWC as facilitators, only insofar as what I saw their facilitation to be, both in theory and in practice. It was clear that children took ideas from their adult

facilitators and worked with them with a view to effecting change, hence my conclusion that facilitation is key.

With the importance that I attribute to facilitation, alongside this has to be the publication of, and adherence to, a mission statement or similar comprehensive vision. Indeed, I assert that the mission statement is less important than the NGO's commitment and drive to keeping to its word. This is me valuing truth. Alongside the NGO's mission statement, it must put in place strategies that its facilitators can implement that will, all things being equal, put into effect mechanisms that will bring about or, at least, work towards achieving the vision set out.

### 15.5 Instrumentalization of children

Some of the activities of the makkala panchayat, aimed at addressing wider political causes, position children on the front line, with limited consideration for their safety or wellbeing. Nor is there any consideration for the children's autonomy to freely choose if they wish to be a part of CWC's political conflicts. The smaller battles – for clean water, street lighting, footbridges – I believe children enjoy and want to be a part of. The war on child labour, child marriage practices? Ill-equipped, children are simply not sufficiently informed to really understand the, sometimes, unpredictable consequences of such attempts, until it is too late.

The evidence of my research points to two considerations. The first is an omission. Children are in my view, at risk by being encouraged to give voice to the CWC vision. At risk does not mean grave physical harm but does extend to psychological pressure and physical beatings. The second consideration is a political commission. To do nothing is a political act. However motivation is construed, CWC deflected questions relating to the right of the child to protection, which is how my questions framed risk.

CWC's refusal to engage with me on the subject of risk or, to consider it from a different direction, CWC's denial of the existence of risk to children and its abrogation of any responsibility for the endangerment of children acting on the inspiration of CWC raises a question of research ethics. If the NGO does not provide training and tools for protection of children, should the researcher be a fly-on-the-wall observer, a position in which I found myself in regard to this question of risk. My conclusion is to echo Norris's (2006) response to Bronfenbrenner's (1952) tongue-in-cheek suggestion that 'the only safe way to avoid violating principles of professional ethics is to refrain from doing social research altogether' (Bronfenbrenner, 1952: 453). It cannot be right that the light of research interest is not shone into the dark matter simply because the NGO is apparently not behaving in an ethical manner. After all, who determines correct behaviour and ethical standards? These are essentially context-relevant constructs.

## 15.6 Gatekeepers

Had CWC engaged with, rather than avoiding, my questions about risk and instrumentalization, I have no doubt that it would justify itself by asserting that the organization's focus has to be on the political endgame, that the realization of power decentralization to a rejuvenated Panchayati Raj must be achieved at all costs, and that the makkala panchayat experiment was a tool to achieve this end (Ratna, 2009: 6). In other words, children's participation can be seen as a stepping stone on the road to a political settlement, with the concomitant reality that the achievement of the endgame is being striven for without genuine regard for children's immediate rights.

Thus, it seems that the participation aspect of the Convention is being strategized as a political weapon. The emphasis of the Convention on participation allows the voice of children to be used to camouflage the communication of a dialectical engagement with the Indian public to promote a partisan political vision. The evidence for my conclusion is

grounded in my research data. I cannot know the actual motivation, I can only infer from the mismatch between verbalized aims and behaviours.

*... sed quis custodiet ipsos  
custodes? ...*

(Juvenal [approx. 115 AD], 1918:O31-O32)  
[“but who guards the guards themselves?”]

I am conscious that the grounded theory methodology that I have allowed to guide my project has, unexpectedly, brought a gatekeeper NGO into my focus. When I went into the field, I did not have sufficient academic tools to properly cater for this eventuality. As a consequence, I lost opportunities for learning while I spent time assimilating this growing awareness.

As a result, I have found myself offering a critique of the NGO, alternately positive and negative. While I am confident that such an eventuality is inherent in grounded theory, it leaves me feeling that there is unfinished research work here left to do.

The antagonistic dynamic arising between CWC and me could, in hindsight, have been predicted. Had I the resources, it is possible that I could have structured the research in such a way as to employ a local translator and guide and to have found a more robust NGO with which to work. That would have required a considerable financial outlay and more time to investigate and vet a raft of NGOs. I had neither the time nor the money. As a result, did my research suffer? It certainly made my data collection challenging but I would not have collected the data I did collect had my methodology been different in this regard.

Finding myself in this research situation, I made the best of the resources, both personal and those provided by CWC, that I could. As CWC was the sole NGO facilitating the makkala panchayat project, to

have researched the makkala panchayats without involving CWC would, I forecast, have created great hostility and made data collection less effective than achieved via my approach.

### 15.7 Parental rights

Compared to the published works on children's rights, works on adult rights under the Convention are scarce. Little attention has been given to parental rights *per se*. Little attention has been given to the dynamic relationship created by the Convention between children's and parental rights. As in my own study, this appears to be a derelict area. The discourse of children's participation gives little attention to the Convention's recognition of parents, the family as the fundamental unit of society and children's wellbeing. The recognition of children's right to participate will fail if this consideration is not attended to. Parents, whatever the Convention says about children's autonomy, agency and voice, have a veto as to whether a child participates, or at least, the upper hand with regard to the ease with which a child is able to do so.

When the sociology of childhood leads one to the conclusion that society must recognize children as agentic beings, this recognition by society applies especially to parents as part of that society. Parents have the right to be informed of and sensitized to the Convention. In this respect, parents are a particularly important stakeholder within society and within children's participatory processes, yet nowhere are parental and children's rights found more polarized and in opposition. Children can only exercise their right, in reality, if their parents permit their agency.

The more patriarchal the society, one would expect, the less able the child is to exercise her rights. Opportunities for children to run their own associations tend to be greater in countries with established democratic institutions and strong civil society, such as India (IAWGCP, 2008). An interesting finding of my research is that, in the rural, patriarchal society of Kundapur, some children are being encouraged by

parents to exercise their right to participation. My data indicates that this is due to parents see the makkala panchayats as something positive and as a foundation for learning how to negotiate their futures. This is in spite of parents across the board reporting to me that they had sufficient information about the activities of their children in the makkala panchayats. The right to information applies as much to parents as to children. Nevertheless, in some instances the makkala panchayats were seen as more important than formal schooling. In Kundapur, a stereotype has been deconstructed. I conclude that the lesson learned here, which would be of value to similar small-scale children's participatory projects elsewhere, is that parents are wise to the value of unconventional learning opportunities for their children, which provide what the parents hope will be beneficial for their children both now and in the future.

## 15.8 Tension in the Convention

The principal rights of the Convention are participation, protection and the best interests of the child. By virtue of the nature of these rights, a dynamic is created whereby all three rights must exist together; they are indivisible and this at the centre of the dynamism. On the ground, I have seen this dynamism played out. At one time, protection comes to the fore; at another place, participation is in the ascendancy. Best interests has a kaleidoscopic quality; in one view, best interests lie in one place, in another view, best interests lie elsewhere.

I conclude that there is a existential tension ever-present between participation, participation and the best interests of the child that has been created by the Convention itself. The makkala panchayats merely implement this tension; they are not its author.

## 15.9 Implementation of the Convention

The Convention is, without doubt, the most fundamental potentiality to affect children's lives. I make quite a claim, but I am supported by many authorities wiser than me. A political question that arises from my research is whether the makkala panchayat initiative works, at a local level, to effectively implement the rights 'enshrined' in the Convention.

In the makkala panchayats, I have questioned whether the best interests of the children have been given due consideration and, in outcome, been sufficiently upheld. Participation is a solid, for whatever reason, foundation principle in the inception, policy and practice of makkala panchayat facilitation. Protection, the child's right to be protected, I have concluded falters in its application.

Overall, I conclude that the efforts of all concerned in the makkala panchayats, not least the children themselves, have forged a viable project that implements the Convention. Children in three panchayats in a small region of a southern Indian state do know what the Convention on the Rights of the Child is. This is a critical outcome of the success of the makkala panchayat project.

There is an irony that the Convention, heavily criticized for its western-centrism, is being implemented in a non-western context when the evidence of its implementation in the west is lacking (Lundy et al, 2012: 100). It is not ratified in the most western country of the west, the USA. Were the USA to ratify, the implementation of the Convention may look very different.

## 15.10 Social constructionism

Much of my thesis illustrates the application of established theory to the unique ground of the makkala panchayats and I have concretized theory in relation to the field. Ambiguity in the sociology of childhood, identified

by a number of authorities (e.g. Qvortrup et al, 1994; James & James, 2001), has created divergence between “childhood” and “children”.

I have attempted to relate my data to a postmodern approach by my appreciation that there is no singular childhood and childhoods are always changing and being reconstituted (Shanahan, 2007: 412). As a result, I have offered a reframing of the notion of the lost childhood. Additionally, I have attempted to find a balance within my data between conceptualizing childhood as a social construction and contextualizing the child’s biological development, while taking account of Rousseau’s warning of ‘false ideas’ (Rousseau [1762]: Kelly & Bloom, 2009: 157). I do this by reporting children as best I can from their own perspectives.

I identified the paradox in the difficulty I found of homogenizing The Child. I found it impossible to offer a synthesis of my data, by which I mean reporting for example ‘many children’ did this-or-that, that remained true to each individual child. This I consider to be an obstacle that not only I have faced in my research project, but has faced many others in theirs from my readings in theory. I have attempted to square the circle by including episodes of narrative description that relate to an individual child. However, I am left with a conclusion that social construction dominates by default because there is no way to distil models of child development to the level of the individual child. If there is no avenue to employ qualitative research methods that to some degree homogenize the child and, while social construction will always be able to critique this homogenization, there seem to be no tools available to make theoretical general understandings about childhood possible, and I find this to be an unsatisfactory state of affairs. I consider that my approach of interpolating narrative describing the individual, the idiosyncratic and “the exception that proves the rule” within an appreciation of a collectivized research population is an appropriate mechanism through which to mitigate the paradox.

It appears to me that this paradox has highlighted both a methodological problem (which I have addressed above) and a philosophic-theoretical problem. As this relates to actual children's lives, it seems necessary to create a homogenized version of children in order to inform interventions in the lives of the individuals. Child development studies have adopted this theoretical underpinning in their methodologies. Whether social science will find its own accommodation of the paradox or whether the paradox is a reflection of a paradigm in flux is yet to be seen.

### 15.11 Is it a good thing?

Children need recognition of their agency and their right to be heard to enable them to develop strategies and to negotiate with adults. That children need support and guidance to do so, in order that they can interact effectively with adult layers of local government, is unequivocal.

I sensed that the adults I interviewed supported their children provided it did not interfere with the functioning of the household or distract from their school work. That parents often struggled to pay for their children's participation would suggest that they do place a value on the makkala panchayat and that they consider it to have a positive impact on the children, and on the community. However, that children must finish their household chores and other work before they can be allowed to participate suggests that there was possibly some tension between household chores and the time spent in makkala panchayat activities. The parents would prevent their child attending if there was a puja in the home or during a Hindu festival.

So, in conclusion, are the makkala panchayats of Kundapur a good thing for children? My research has served to indicate that the answer to this question is a qualified yes.

Despite a number of flaws, the makkala panchayats are a good thing in my view. The experiment has been ground-breaking in its attempt to implement, in a small area of southern India, the Convention on the Rights of the Child. The benefits accruing to children are considerable. The participating children themselves clearly value the experience of the process, including having to deal with the fallout of ideas that did not come to fruition or of investigations that resulted in confrontation with adults.

For the community at large, the makkala panchayats offer the opportunity to develop strategies for political inclusion, for social normalization of rights' issues and giving children a chance at a better 21st-century life. While I have been heavily critical of aspects of the work of CWC, the organization does deserve full credit for developing, with limited resources, from nothing other than the abstraction of the Convention's provisions, a scheme which offers equality among children within a participatory framework.

### 15.12 New learnings

The significance of this thesis is that it should contribute to knowledge in three ways, through an approach informed by ethnography, sociology and grounded theory.

Firstly, it is an independent snapshot-in-time of the makkala panchayat initiative. With all the caveats of what this might mean already having been noted, I have attempted to give the children of three villages in Kundapur their own voice through my qualitative reporting of their activities.

Secondly, it is an examination of the implementation of the Convention, the political reality on the ground of a small area of Kundapur of how children's rights are being exercised by children themselves.

Thirdly, it draws together various tools from the sociology of childhood to dissect the politics and philosophies of the children involved in the makkala panchayat and the adults who variously support or hinder their efforts.

In each of the chapters I have drawn out my theories from the ground of my research data. I have also learned from my many mistakes. I have acknowledged and reported these as the thesis has unfolded.

### 15.13 Future research directions

Despite the dead ends, the hiccups, the frustration, the exhaustion, the disappointments, the bumps and the hurdles, I would not do anything differently. On the other hand, if I were to return to do follow-up research on what has happened to the makkala panchayats since I left the field, I have many thoughts about how I would like to make further inquiries into children's participation. These thoughts only have come about by doing what I have done in the way in which I have done it. The children of my study will now be young adults. How the makkala panchayats have influenced their perspectives and their lives in the interim would be fascinating to know.

I would like to return one day, to these children, to this community. I would like to meet these children again, these children who touched me. They gave me an opportunity, a reason and a determination to write this thesis.

Two particular areas that have arisen as a result of this study, in my view, demand research attention above all else.

Firstly, there are, around the world, many small-scale projects attempting, just like CWC, to implement the Convention and achieve the rights for children that the Convention has recognized (e.g. Davies & Yamashita, 2007; Liebel, 2007; Faulkner, 2009). Because of the

important role facilitation clearly plays in the normalizing of children's rights, it seems to me essential that in-depth research is undertaken with the facilitating agencies.

Secondly, the need to balance parental rights with those of children is acute in the issue of children's right to be heard. As a first step, I consider it an imperative that future research on rights-based issues acknowledges this need. This requires, in relation to the Convention's implementation, a conceptualization of how rights can apply equally but differently to adults as to children, as well as a move towards a political accommodation of this reconceptualization.

I cannot pretend to be as optimistic as CWC about the future for the makkala panchayats. There are very real teething problems, barriers and obstacles many of which are hidden in plain sight and overlooked. However, with greater resources, added political will and fresh understandings, children's participation in local government is both realizable and fundamental.

The story that the makkala panchayats tell holds important lessons to be learnt about what childhood is and who children are and what they think. It is essential that we continue to learn from projects such as these.

People ask, if I knew then what I know now, would I still take on a Ph.D? My immediate response to this question has been categorically and absolutely no! But actually that is not true. This thesis has come at a high price. But I would pay it again. I have never been very good with money.

It is with this in my heart, that I now walk away.

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*The pseudonyms of internet bloggers and authors of similar materials (e.g. videos) are given within speech marks and are to be found in strict alphabetical order as written, e.g. "David L" is to be found under D, between Davenport-Hines, R. and David, M. In some cases, e.g. workingchild.org, since m research, he websie has no been mainained.*

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