

**STATUS OF THARU GIRL CHILDREN IN KAMALARI SYSTEM OF
DANG DISTRICT IN NEPAL**

**A Project report submitted in partial fulfilment for the requirements of
Masters of Arts in Rural Development**

**Project Report
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Jan 2010-01-03

LETTER OF RECOMMENDATION

This is to certify that a project report entitled, "**Status of Tharu Girl Children in Kamalari System of Dang District in Nepal**" has been prepared by Ms. Kopila Dangol under my supervision as fulfilment of requirements for Masters of Arts in Rural Development (RD), Tribhuvan University.

I hereby recommend it for acceptance.

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ACKNOWLEDGEMENT

This study was conducted for the partial fulfilment of the requirements for Master of Arts in Rural Development. This thesis is entitled as “Status of Tharu Girl Children in Kamalari System of Dang District in Nepal”.

I would like to express my sincere gratitude to my supervisor, Prof. Damodar Jnawali for his valuable support and supervision for the completion of this study. I owe special thanks to Prof. Dr. Pradeep Kumar Khadka, Head of Central Department of Rural Development for allowing me to submit this project report.

Special thanks goes to Mr. Krishna Kumar Choudhary and Man Bahadur Cheetri (President of SWAN and Program Manager of FNC, Deukhuri, Dang District) their helping and supplying me the valuable information concerning Kamalaries and Tharu culture. I would express my gratitude to Plan Nepal Kamalri Abolition Project who guided me with door to door visit during my fieldwork and responsibility towards project.

My thanks also go to all the respondents of Deukhuri Valley, Dang, who enthusiastically co-operated me in my fieldwork and supported me with the required data and information.

Finally, I would like to express my thanks to my friends for their constant inspiration, encouragement and assistance in my way to completion of the project report special thanks are extended to ex-Kamalari's family members for their support during the process of study and preparation of this project report.

January 2010-01-03

Executive Summary

This study was conducted to assess the situation of the Tharu girl children in the Kamalari system and identify the reasons behind this system. It was to identify the roles of INGOs and NGOs for Kamalari's physical, social, emotional and cognitive development by providing opportunities for formal and non-formal education and exploring reformative venues as well as making recommendations for further actions to abolish Kamalari practice.

During the study it was found out that most of the girls go to work as Kamalaries due to their parents' pressure. And some others go to experience the city life by seeing the returned Kamalaries, who comparatively are well dressed and well experienced. This creates curiosity within other girls and as a result they go to work, sometimes with and sometimes without the permission of their parents.

It is found out that the overall conditions of the Tharu girl children are improving; they are being rescued and given opportunities to be educated. NGOs are implementing various programs to support their families and minimize their financial problems. The NGOs are also conducting awareness programs through media and street drama.

In spite of all these efforts the Kamalri system is still functioning. The greater problem is that there are many chances that the rescued Tharu girls will return to their previous conditions and work as Kamalris if the supports from the NGOs and INGOs to abolish Kamalri practice are stopped.

In order to eradicate or minimize this system, there is a need to uplift the economic conditions of the Tharu community and train them by providing various skills and opportunities in order to increase their living standard. Financial independence, awareness, mainstreaming in development and child labour law enforcement are the major recommendations to make positive changes in the life of Kamalari families.

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LIST OF ABBREVIATIONS

CBO:	Community Based Organization
CCFDA:	Child Centered Community Development Approach
CLASS:	Child Labour Abolition Support Scheme
CRC:	The UN Convention on the Rights of the Child
DFID:	Department for International Development
FNC:	Friends of Needy Children
HID:	Human Development Index
HIV/AIDS:	Human Immune Virus/ Acquired Immune Deficiency Syndrome
ILO:	International Labour Organization of the United Nations
INGO:	International Non-Government Organization
KAC:	Kamalari Abolition Committee
MDG:	Millennium Development Goals
NGO:	Non-Government Organization
NYOF:	Nepalese Youth Opportunity Foundation
OSP:	Out of School Programme
PRA:	Participatory Rural Appraisal
RBA:	Rights Based Approach
SACCS:	South Asian Coalition on Child Servitude
SWAN:	Society Welfare Action Nepal
SWOT:	Strength, Weakness, Opportunity and Threat Analysis
UNICEF:	United Nation Children's Fund
UN:	United Nations
VDC:	Village Development Committee

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CHAPTER–ONE

INTRODUCTION

1.1. Background

Slavery is defined in the United Nations Slavery Convention of 1926 as "the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised." Slavery is also defined as "the holding of another sentient being in bondage, be this through physical, alchemical, or magical means. Let it be known that the minimum sentence for slavery shall be death".

The word "slavery" today covers a variety of human rights violations. In addition to traditional slavery, and the slave trade, these include the sale of children, child prostitution, child pornography, child labour, sexual mutilation of female children, use of children in armed conflicts, debt bondage, and the trafficking persons and the sale of human organs. Slavery is defined as the "status or the right of ownership."

According to Bonded Labor System (Abolition) Act, 2000: 'Bonded' means any person, who provides labor or service within the system of bondage with or without any agreement and 'Bonded Labor' means labor or service rendered by bonded on behalf of other person under bonded system.

Though slavery existed roughly since 5500 BC there were times when it was not practiced in some parts of the world and it is still in practice in some parts of the world. There were different anti-slavery movements around the world and the movement is still going on in some of the small pockets of different countries may that be rich or poor.

An examination of international instruments to eliminate slavery and slavery-like practices reveals an ongoing evolution in the understanding of slavery and the many forms of slavery. The Vienna Congress Declaration on the Universal Abolition of Slave

Trade was adopted in 1815, though it was only in 1926 that the League of Nations gave an international definition of slavery. The 1926 Slavery Convention (www.hri.ca/uninfo/treaties/28.shtml) and its protocol "Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery" defined slavery Article 4 of the Universal Declaration of Human Rights states: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

The United Nations Convention on the Rights of the Child, which entered into force on September 2, 1990, deserves special mention as the most recent and potentially one of the most effective means of combating slavery-like practices, taking into account the number of child victims. Properly implemented by states, which have ratified it, the Convention offers protection to children at risk from sexual, economic and other forms of exploitation, including their sale, trafficking, and involvement in armed conflict. (http://www.mercyworld.org/projects/mgc/2004/brief_040226.asp)

Abraham Lincoln proclaimed an end to slavery in 1863 in the United States. In Nepal, the Rana Prime Minister Chandra Shamsheer Rana abolished slavery system in 1982 BS Seventy-five years after abolishing the slavery, the government of Nepal abolished Kamaiya system (bonded labour) in 2000 although Nepalese constitutions of 2019 BS and 2047 BS prohibits any kind of slavery in Nepal.

Tharu are the native first settler of Nepal in the Tarai (plain) belt of south. A system in the Tharu community in which a person is contracted informally to work for somebody or a family for a period of time (generally a year) is called Kamaiya system. The person hired is called Kamaiya. The female children who work as Kamaiya are called Kamalaries.

After a very long protests, advocacy and struggle from many donor funded agencies, human rights activists and the *Kamaiyas* of native communities living in many parts of western and mid-western Terai regions, the government declared Nepal as freed *Kamaiya*

country. Several projects/INGOs/NGOs started Freed *Kamaiya* resettlement projects in the regions. With jagged crumbs of the *Kamaiya* systems left over, it is a shame to realize that Nepali hinterlands are not out of the dark age of slavery as yet. In the western part of Nepal, thousands of girls, who are mostly daughters of *Kamaiya*, still work as servitudes for two times a meal or meagre income of NRs. 500-8000 (US\$ 7 to 115) annually. Despite law banning *Kamaiya* System, in practice it exists in its offshoot as *Kamalari* System. In local *Tharu* language, these girls are called as “*Kamalari*”. The word *Kamalari* has derived from *Kamaiya*. A *Kamalari* (some people call *Kamlar* also) is originally a girl like any other girl from indigenous *Tharu* community of middle and western Tarai of the country. What makes her a *Kamalari* is her bondage the fact that most often she has been forced or swindled into working as a servant in houses far away from her real home. In far-west Tarai districts of Kailali and Kanchanpur, where *Kamalari* system is prevailing, *Kamalari* is also known as “*Worganni*” if she is married with *Kamaiya*.

Traditionally the decision to send *Tharu* girls to work as *Kamalari* used to take place during biggest festival of *Tharu's* called “*Maghi*,” when the community leader called “*Mahatau*” used to decide whether or not to send a girl to work as “*Kamalari*” in consultation with father of the child called “*Ghardhurya*”. Although *Tharu* community still celebrate *Maghi* festival but most decision whether or not to send girl to work as *Kamalari* is made by parents in the family.

Interviews with *Tharu* Community have revealed that the community used to accept *Kamalari* system as part of their culture where poor *Tharu* families used to send their girl children to well-off other *Tharu* landlords for helping the family with their service and to enjoy the better rearing opportunity of the economically well-off family. At that time most landlords’ family used to treat the *Kamalari* as their own daughter. Some other might enjoy the status of wife of a host family member, as at that time polygamy was widely prevalent. Some believe that the most important reasons to send girls to work as *Kamalari* are the lack of education, awareness and poverty.

According to rescued *Kamalari* girls some go to become *Kamalari* because they are impressed with the standards (good clothes and tidiness) of *Kamalaris* who have returned home to celebrate *Maghi* festivals and others were impressed with stories heard about city life full of recreational opportunities, such as watching television, travelling in vehicles and other modern facilities that are available in the cities.

Other number of *Tharu* girls becoming *Kamalari* increased later in 1960s, with the increasing transportation and market facilities along with eradication of Malaria from the *Terai* of south-western Nepal. More people from outside the region and hills started migrating in the plains where only original *Tharu* ethnic community used to live. Once they started settling in the plains they became attracted with the *Kamalari* system. Basically, these new comers were attracted by the "free or low cost labour" the *Kamalaris* provide to the host family. The influential new comers, either financial or socio-politically inter-weaved administrative power holders, also started enjoying the *Kamalari* service from their neighbours or clients' family of ethnic *Tharu* community. The system further expanded to government bureaucrats working in these districts as they also started benefiting from the *Kamalaris*. Later the practice of *Kamalari* system crossed the boundary of western *Tarai*. When the bureaucrats once serving the district shifted to other districts or the capital Kathmandu the *Kamalaris* also moved with them. The same pattern occurred with the local merchants who had settled in these *Tharu* communities and later shifted to other place.

However *Kamalari* practice has a few positive consequences as well. Since this practice caught attention of social workers and media persons it became an issue of abusing the child rights. Some of the vernacular daily newspapers started exposing the social evil of *Kamalari* system and drew the attention of rights activists as well as NGO community working for eliminating social discrimination and child labour exploitation. After some months of brain storming and settling among the activist organizations a formal programme intervention against *Kamalari* system was introduced in year 2000 in Deukhuri valley of Dang district by FNC.

1.2. Statement of the Problem

Predominance of the *Kamalari* system exists in the five districts (Dang, Banke, Bardiya, Kailali and Kanchanpur) though the practice is prevalent in all the districts of western Nepal. *Kamalari* girls are deprived of some of the basic rights such as survival rights, development rights, participation rights and protection rights. Denial of these rights subjected to illiteracy, absence of psychosocial environment for growth and development, physical and sexual harassment, girl trafficking and domestic violence for the *Kamalari* girls. Lack of joint and coordinated effort among the development partners, government agencies and local organisations to advocate against the issue at local, district and national arena in the past has provided conducive ground for faster growth of *Kamalari* system. The total number of girls living as *Kamalaris* cannot be established with accuracy but different organizations from these districts estimated approximately 20,000 girls of the western Terai districts work as *Kamalaris*. In Dang district itself the estimated number is around 5000.

The root causes of the *Kamalari* systems are reported to be poverty, lack of awareness (due to lack of education), tradition/culture, and parents sending their daughters with the hope of getting better education. Many *Tharu* community people either do not have enough properties e.g. land or have very small land holding to support the family. Most of them are unable to provide needed education and health care to their children. As most of them are not educated they cannot experience the basic rights for them and their children. There are reports some girls are attracted to become *Kamalari* with the hope of living in better life in the cities.

Some of the statements of the issue/ problem are given below:

- What is the situation of Tharu girls' children in *Kamaiya* dominated social setup?
- How does the *Kamalari* system in Tharu Community work?
- What is the role of INGOs and NGOs in overall development of Tharu girl children creating opportunity for their physical, social, emotional and cognitive development by providing formal and non-formal education opportunity?
- How can the *Kamalari* and *Kamaiya* system be abolished?

1.3. Rationale of the Study

The *Tharus* are the first native settlers of Tarai (plain) of Nepal for centuries. They are marginalized: economically (landless and poor), socially (illiterate and low status), and institutionally/politically (disproportionately represented at policy level and decision making institutions). These are the main possible causes of *Tharu* gradually getting out of the main stream. Since the root causes are economic, social and institutional, the issue should be addressed through the interventions of economic uplift, social awareness, institutional/political capacity building.

Kamalari are the young daughters of the *Tharu* and *Kamaiya*, working as servitudes or bonded labourers, deprive of the child rights of education, leisure, participation, parental care and protection from other forms of exploitation. *Kamalari* is the worst form of labour and confined to specific ethnicity in specified geographical area, perpetuating day-by-day and, because of the push and pull actors and factors, violating the rights of the child. It needs immediate attention to protect *Kamalari* from being further exploited through preventing and eradicating the system. Eradication of *Kamalari* system creates additional responsibility to make sure that the ex-*Kamalari* and other *Tharu* girls of similar age group and status get opportunity of education, parents have resources to support it and the *Tharu* community is institutionally strong enough to claim its rights from the state and other duty bearers.

In order to do the task effectively there is a need for a better programme and, for a better programme, there will be need for different types of quality data and information. Therefore, this research will generate important required data and information to chalk-out the ill practice in Nepal and support effective planning as well as implementation of *Kamalari* prevention and eradication process.

1.4. Objective of the Study

The overall objective of the research is to study the level of awareness of the socio-economically deprived *Tharu* children about *Kamalari* system and their rights to

guarantee better living environment at the community level, ensuring that no Tharu girl will become *Kamalari* in the future.

The specific objectives of the study are:

- To assess the situation of the Tharu girls children in *Kamaiya* dominated social setup;
- To assess the *Kamaiya* system in the Tharu Community of Deukhuri Valley;
- To assess the role of INGOs and NGOs in overall development of the Tharu girl children creating opportunity for their physical, social, emotional and cognitive development by providing formal and non-formal education opportunity; and
- To explore reformative venues and forward recommendation

1.5. Limitations of the Study

There are number of limitations of this research. The research is confined to only one VDC of Deukhuri Valley in Dang district, which may not be representative of all the VDCs of the five districts. However, there was enough participation of girls and other community members at different stages of the research, which ensured better ownership and understanding of the research outcome in the community.

1.5. Organization of the Study

This study divided into five chapters. The Chapter one deals with introduction, Chapter two deals with literature review and chapter three deals with research methodology. Similarly, chapter four deals with data analysis and major findings and chapter five is related with summary, conclusion and recommendations.

CHAPTER-TWO

LITERATURE REVIEW

2.1. Child Labour and the Tharu Community

Work culture and poverty in the community are the important reasons why children work and child work is essential to the survival of the children and their families. Acute poverty usually becomes a reason for sending children to work. Other symptoms of poverty can be seen in the lack of nutrition, sanitation, health and shelter, which relate poor people to exclusion, vulnerability and ignorance as much as to physical weakness and lack of property assets in the family and community (Lieten, 2004 p. 69). These are the symptoms of poverty. However, it will be wrong to assume that only poverty on its own causes child labour in the community.

It is well known that many poor parents bear children in order to enhance family income. As economists say, children are viewed as economic assets, not as economic liabilities. Indian policy makers accept as the basis for policy the fact that childbearing for low-income Indians is part of their strategy for family survival and wellbeing. It seems truly applicable to the *Tharus*. In addition to that, the *Tharus* have many children per household, with low literacy and possess irregular lowly paid unskilled jobs, which enforce child labour.

For poverty to lead to child labour there should be “pull” factors as well mentioned that child labour actually correlates with a high level of employment opportunities, which occurs not in the poorest areas but in reasonably developing areas. Such factors support the *Tharu* girls to migrate to urban areas, the capital city and to the neighbouring countries. It is external (pull) factors, which attract the children towards the furnaces and the looms, towards the kilns, the quarries and the brothels. Demand for child labour plays a critical role in determining the involvement of children in hazardous work.

It is important to clearly categorise kinds of child labour and then look as much at the pull forces as the push forces (Leiten, 2004). After liberation of *Kamaiya* from their employers in 2000, the freed *Kamaiya* were left with indebtedness, illness, social exclusion and many challenges of nature. These conditions helped push the most

deprived families into labour market again where wages were far below the actual labour rate in normal practice, and skills and capacity of the individuals. The state and donor agencies were neither prepared nor committed to support the legally freed *Kamaiya* at the time of need. The *Kamaiya* (generally with many children, deprived of land, shelter and identity) were compelled to further engage their children in labour market to meet their most basic needs, such as food and medicines. It proves that the child labour is influenced by poverty, illiteracy, high fertility, etc, and over supply of labour can turn down the wage rates.

The factors like moral support, love and affection in the family should not be undervalued when evaluating emotional well being of child which influence children to stay or leave the family. In case of *Tharu* community, in general, girls and boys want to leave rural area mainly out of their curiosity to live urban life especially in the capital city of Kathmandu, in order to meet some of the most basic needs, such as food, clothing, shelter and entertainment.

2.2. *Kamalaries* as Bonded Labourers

Out of 4.7 million children aged 6 to 14 years in Nepal, 25.5 percent are economically active, and about 4.4 percent are waged workers. Among the children working for wage, almost 40 percent, or 83,000 children, work in informal service sector, which is largely comprised of domestic labour. The situation of child labor in *Kamaiya* families of the western five Terai districts, namely Dang, Banke, Bardiya, Kailali and Kanchanpur was appraised by Sharma. According to the appraisal, the average family size is nearly eight, almost every *Kamaiya* household has child working for an employer and 46 percent of them have more than one child working for wages. Ironically, two-third of the working children are below the age of fourteen and four-fifth of the children never attended school, with girls reporting school attendance less frequently than the boys. Seventy-two percent of the child labor families among the *Kamaiya* are landless. The working children of *Kamaiya* perform domestic chores, take animal to pasture, collect fodder and participate in other farm activities. There are 20,000 identified *Kamaiya* in the five districts. The girl child laborers are 48 percent mostly between the 11 - 14 years and mainly performing domestic chores and child minding while boy child laborers (52

percent) are looking after livestock and doing other farm work when employed in the rural area. Discrimination of girls in terms of educational opportunity, workload, and other facilities is obvious in the *Tharu*. Girl child labor is preferred for domestic chores and child minding. Since this document is on *Kamalari* issue, further discussions will be centered on the same.

Tharu are indigenous ethnic group and consist of a major part of the population in the mid and far western regions of Nepal. In the *Tharu* community there is a system of bonded labour which is called as *Kamaiya*. Under the *Kamaiya* system, a labourer agrees to work for a landlord on the basis of an oral contract for one year, for a wage that is generally paid in kind. *Kamaiya* often end in a vicious circle of debt and bondage, passed down from one generation to the next (<http://www.ilo.org/public/english/standards/ipecc/about/factsheet/facts11.htm>). When *Tharu* or *Kamaiya*'s young girls taken on annual contract during the *Maghi* festival in the month of January each year as child servants or child bonded labourers for domestic and other forms of work, generally out of the community, these girls are called *Kamalaries*. There are no written formal contracts signed between the 'employers' and parents (mostly fathers) who make the decision on behalf of the girls. Though the understanding is that the contract (verbal agreement) will expire or be renewed every year, in most cases it continues for several years. There have also been cases of *Kamalari* leaving their parents' home who did not come back again

Kamalaries are taken away from their homes to the 'employers' and are given poor quality food, shelter and a minimal wage (violation of CRC, Article 27(1)). They work for an interest of a debt taken by their parents or for sharecropping at a piece of land or any other form of obligation or pressure created by the employers. The girls are deprived of education (violation of CRC, Article 28 (a)). *Kamalaries* do not get the opportunity to visit their family where the workplaces are far away and parents are often not aware of the location of their children (violation of CRC, Article 9.1 & 20.1). *Kamalari* are exploited economically in working conditions full of stress and without fixed working hours (violation of CRC, Article 32 (1)). In many cases middlemen (or women) take the

girls on contract from their parents who further supply them to others and make profit out of it.

Kamalaries, in the course of their service, often become victims of neglect, physical and sexual abuse and different forms of exploitation. Some of the girls are taken to neighbouring countries, mostly to India, where they are also used for sex trade, circus and other forms of exploitation is violation of CRC, Article 35 (NYOF; and <http://www.nepalnews.com.np/contents/englishweekly/spotlight/2005/mar/mar18/national17.php>). Because *Kamalari* and other children in the community are deprived of opportunities for education, parental care and protection, work for unlimited hours and are exploited one way or other, they miss the opportunity to prepare themselves for better adulthood.

2.3. Violation of the Child Rights

The Preamble of CRC, as quoted in Meuwese, S. (ed.) 2003, states; “Recognizing that child, for full and harmonious development of his or her personality should grow in a family environment, in an atmosphere of happiness, love and understanding.” This is just rhetoric in case of *Kamalari*.

The UN Convention on the Rights of the Child (CRC) is sixteen years old now. The Millennium Development Goals (MDG) was agreed six years ago. Keeping bonded laborers was declared illegal and punishable in Nepal six years ago. Still there are more than 20,000 Tharu girls (*Kamalari*), being deprived of their rights given by CRC in general and the rights given by the Articles 9.1; 20 (1); 27, 28; 32 and 35 in particular.

Continuation of *Kamalari* practice will deprive the girls from their right to development, education, participation and protection, which will have its impact on one generation to another. Gurung (2004), in his analysis, has indicated that the most of the ethnic minorities including *Tharu*, are victim of lack of political will of government, effective leadership and organizational capacity within own ethnic communities and poverty perpetuating due to illiteracy and inadequate income generating opportunities. The *Tharu*

community is further suffering from cultural taboos and absence of representation in the national politics and bureaucracy. All these factors have direct and indirect negative impact on the child rights of the ethnic minorities.

2.4. Vulnerability of Kamalari to Abuse, Neglect and Exploitation

According to Sharma (2001), more than 25 percent of *Kamalari* are over 14 years of age. The number of *Kamalari* and proportion of their higher age group is in increasing trend due to poverty, unemployment and security reasons (push factors) in the rural area, and rapid urbanization, employment opportunities and attraction towards life styles of urban area (pull factors).

After puberty or beyond the age of 14 years parents of *Kamalari* do not send them to work and their employers also do not take social risk by keeping *Kamalari* after 14 years. When *Kamalari* come home from urban locations, though deprived of child rights, they are grown up, have more exposure and experience of modernization than their colleagues and siblings in the villages. In lack of education, professional skills and other resources *Kamalari* do not get a better future within their families and community which creates more frustration and vulnerability in them. Due to the deplorable law and order situation of the country, *Kamalari* are equally prone to trafficking for sex business, organ sales and other illegal and inhuman activities within and outside of the country.

The western part of Nepal, including *Tharu* community, is highly affected by the Maoist insurgency. According to Plan (2004 p 7.2), children in conflict zones are at the risk of being abducted and recruited to armed forces. Many join voluntarily or to escape poverty, abuse and violence (by state force or rebels). Or they join a rebel group because they have experienced atrocities by government armed forces. Others enlist to take revenge of the deaths of family members. The longer a conflict continues, however, the more likely those children are to be recruited. The situation is very similar in the *Tharu* community.

In the existing conflict situation in Nepal where job opportunities are scarce, household resources are limited and the state does not invest enough in education and other social services, it is likely that teenagers will look for any available opportunities no matter how good or bad they are. In the situation where the state army and the Maoist are increasing their armed forces, *Kamalari* and other children are the most potential group to be recruited by both, because of illiteracy and in the absence of alternative means of livelihood. The existing situation is compelling migration out of country. The result is that migration to India from the western hilly part of Nepal has increase significantly within the last five years.

In the communities where they have high level of influence, the Maoists are demanding one household one person (for armed force). In such a situation either the families fulfil the demand or run away to a safer location. It has been experienced frequently that teenage children have stopped schooling or moved from remote (rural) to safe (urban) area to avoid the threat of being recruited by the Maoists. In many occasions, the Maoist used common people as human shield while exchanging fire with the state army (Philipson, L., 2002). Therefore, the conflict in Nepal has manifold negative influence on the lives of children.

Child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education. However, the ethnic minorities and marginalized communities are not getting equal opportunities to prepare themselves and fight against the causes of poverty and the gap between rich and poor is widening everyday.

As assessed by Gurung (2004) the high castes in the communities (*Brahmin, Kshetri* and *Newar*) are politically and bureaucratically highly powerful. They represent all the power structures and decision-making systems, therefore, it is difficult for any other ethnicity to stand and confront against them. On the other hand, the *Tharu* do not have enough political, social, economic power and physical strength to pressurize state and other agencies to put the law in to practice and protect the *Tharu* community and their innocent

children from being exploited and let young children enjoy the rights to realize their full potential.

Priorities of the government at the moment are different than enforcing the law of the land and fulfilling the commitments made at the international forums. In spite of the democracy in the country for the last sixteen years, there is no democratic institution and government for the last four years, as the king dissolved the parliament and local governments claiming that none of the ruling parties had proved itself capable to solving the Maoist problem and fulfilling the desires of general people during their own party or collusion government. Nepal is severely suffering from a kind of civil war and most of the state budget is spent on military operations and state bureaucracy. All these actors and factors are adversely contributing to the development of Nepal and so to the mistreatment of ethnic *Tharu* and their daughters.

In the present context, the state has failed to maintain law and order in the rural areas, especially in the hills in the general and western part of the country in particular. All sorts of donors and aid agencies, mainly operating from Kathmandu, are in a state of dilemma between supporting the state party (government) and negotiating with the rebels (Maoist) in support of establishing their business as usual. This is costing in terms of less or no investment in public services and less or no development activities in rural areas. The only comparatively better functional development agencies in the rural communities are CBOs (community based organisations) and local NGOs (non-governmental organizations) as they know more about the community and its realities and can adapt quickly according to the circumstances. As the donors and INGOs have not been fully functioning directly in the communities they are also investing their resources for community development through these local agencies and making themselves more transparent than ever in the past.

2.5. Child Labour and Child Rights Debate

Going through different reference materials on issues of child labour and the child rights it seems that there is no common consensus on the issues related to child labour and child

work. There are two extreme schools of thought: ‘**abolitionist**’ and ‘**protectionist**’. MV Foundation (2002) debates in favour of universal, full-time compulsory education, without any form of child employment, in order to abolish child labour and ensure wellbeing of children, and supports the abolitionist approach. ILO, Terre des Hommes, Oxfam and some other organizations support this approach (Smits, (2005). MVF (2002) claims that any child out of school is considered as child labour and justifications perpetuating the existence of child labour must be condemned. Wazir, refers to a number of strategies (2002), most frequently used by NGOs, of mobilizing and creating awareness, providing education, providing pre-school education, facilitating child participation, developing income compensatory strategies, assuring work and income security of parents, facilitating intra-household adjustments, social labelling, and advocacy for legal and institutional reform.

A common position paper on child labour and education (2005) (draft) by a group of NGOs (STOP Kinderarbeid), supporting abolitionist approach, from different part of the word gives special regards to the following considerations:

- Child labour and education are interrelated
- Every child has a right to quality education
- Non-formal education is to aim at integration with formal education
- All forms of child labour are unacceptable, for any child
- Eradication of child labour and realization of labour standards are closely linked
- Child labour causes and constrains poverty
- Companies have a responsibility to eradicate child labour in their operations

In support of the protectionist approach Ansell, N. (2005: pp 173-4) has illustrated from different sources that children may benefit in a number of ways from working. Many take pride in their contribution to their families’ welfare. Working for themselves makes children autonomous and self-reliant and may also give them a sense of self-respect. Furthermore, children learn through working. Working children may develop specific skills, or simply become accustomed to working practices which may make them more

adaptable and able to participate in the workforce effectively in the future. Linking theory to action, White, B. (2003) experienced that the institutions of childhood or youth are the product of culture, they are also the product of politics at both local, national and international levels and not all kinds of work are necessarily or in themselves harmful and not all are incompatible with access to good quality education.

Why children participate in the labour process and differentiated between the pull process (factors) and push process (factors). He believes that child labour is positively related to poverty, education, agriculture and the overall work participation ratio of child. Distinguishing the categories of child labour, he suggests that work done by the child with harmful effects on the physical, emotional, cultural and intellectual development is child labour. However, the child at a specific age who works only a limited time in a harm free surrounding, without interrupting education, need not fall under the category of child labour. Even ILO/IPEC, being supporter of the abolitionists of child labour, supported income-generating projects in the schools of Kenya for the children who dropped out from school for economic reasons.

Looking at the on-going debate on the child labour and education, the level of poverty in Nepal and the resources available, it is more practical to follow the protectionist ideology leading to realization of full potential of children and creating a society which respects human rights and dignity. In relation to the *Tharu* community, with special consideration for the children in general and *Kamalari* in particular, the experiences gained by different NGOs and agencies will be reviewed in the following part of this section to further visualise the possible interventions and its research need.

The general perception in Asia is that children should work to develop a sense of responsibility and develop a career. Referring to poverty, malnutrition, indebtedness, illiteracy, work participation, the number of children in family and the size of cattle herd as important factors, Lieten has said that many had argued that the work done by children

- on the farm, in the artisan shop or in petty trading – has served as a form of apprenticeship, preparing them, better than any formal or informal school system could, for income generating profession in adulthood. This is common scenario in Nepalese context and so is in the case of *Tharu*, where quality education is neither available nor affordable by the poor children.

As the situations vary according to context, protectionists believe that child work is not necessarily always destructive and that education is not always the best option to protect working children from abuse and exploitation. For example, most of the poor states that ratified CRC have not been able to practice all the Articles in lack of strong political will, insufficient resources and poor governance. In reality children will continue to work out of necessity as long as structural causes of child poverty continue. There is no other easy way available for Nepal either.

In many cases, culturally work may benefit child not only as income but also provide indigenous technical knowledge, vocational and social skills. This approach can be supported by the say: “*Learning by doing, earning while learning*”. In any case one can argue that child have right to work and, therefore, child work should be supported so long as it is in conditions that are not exploitative and do not present dangers to the health and development of child.

2.6. Disproportionate Distribution of Resources and Power

Legislation (against child labour) itself cannot ensure effective elimination of child labour. In case of *Kamaiya* problem, Nepal government expressed commitment to address it urgently. Until July 2000 the number of these bonded labourers was 70,000 to 110,000. In spite of the existence of available land, and assurance of substantial funds from donor organizations (which was almost two years after freedom of *Kamaiya*), rehabilitation has not been provided to the freed *Kamaiya*. There are numbers of reasons for this. Firstly, those who keep and control bonded labourers – landlords, factory owners, hotel and restaurant owners, quarry owners, etc. – are able to bribe officials to

ensure that cases are not investigated, or do not reach the court. Secondly, pressure, threat and actual violence are used to prevent bonded labourers or NGOs seeking their release through the law. Thirdly, because they are from lowest caste groups, bonded labourers are subjected to discrimination and gross violation of many of their human rights. (<http://www.antislavery.org/homepage/resources/goonesekere.pdf>)

This is equally applicable to *Tharu* and *Kamalari* in terms of systematical discrimination against in terms of education, employment, and social relations. Gurung (2004) and Philipson (2002) have also analyzed and stated, “Nepal has been predominantly influenced by disproportionate representation in political power, trade and economy, and state (and other forms of) bureaucracy by *Bahun*, *Kshetri* and *Newar*”. Human development index results (HDI) are inconsistent between the regions and ethnicity or castes, favoring the urban area and the capital city of Kathmandu and high castes.

Gurung (2004) further analyzed the status of different castes and ethnicity and found that high castes still dominate with 91.2 percent among the prominent positions in politics and bureaucracy with only a few of the *Terai* high caste and ethnic groups in Nepal. The hill high castes less than a third in total population but enjoy two-third of government portion. *Newar*, with six percent in population, share 13 percent in governance representation. On the contrary, the *Madhesi* (including *Tharu*) are 31 percent in population but 12 percent in governance representation. Similarly, the hill ethnic are 22 percent in population and eight percent in governance. Few countries exhibit such racial, ethnic, linguistic and cultural diversity within such a small area as Nepal. The imbalance in representation has its impact in all spheres of the life of the castes and ethnic groups. The well off castes is always ahead of the rest.

Table 2.1: Ethnicity/Caste of Highly Educated (In Percentage)

Ethnic/Caste Group	Graduates	Tribhuvan University Teachers	Population
Bahun	44.3	41.0	12.9
Chhetri (<i>Kshetri</i>)	13.7	11.0	17.7
Newar	30.7	28.9	5.6

Hill Ethnics	2.0	3.2	20.2
Terai Group (including <i>Tharu</i>)	10.9	14.2	27.4
Muslim	0.4	0.9	3.5
Others	0.2	0.7	14.3
TOTAL	100.0	100.0	100.0

Source: Philipson, (2002)

During interaction with key informants and group meetings in Deukhuri it was learnt that in many cases landlord *Tharu* became servants of the migrants (*Bahun* and *Kshetri*). The migrants took undue advantage of the *Kamaiya* and *Kamalari* tradition of the *Tharu* culture. There were fifteen to twenty *Kamaiya* and similar number of *Kamalari* in single migrant family. Political leaders and other middle and higher middle class families, who had settled in these *Tharu* communities and later shifted to other places, also exploited the *Tharu*. *Kamalari* were also contracted and sent to serve friends and relatives of the migrants as gift or personal favour, as girl child preferred to boy for domestic servants.

Philipson, concludes that the uneven distribution of opportunities and facilities left common, poor and backward groups (including *Tharu*) deprived of equal opportunities creating frustration, mistrust and violation ethically and regionally in Nepal. Therefore, poverty is the symptom of *Kamalari* system where real causes are different and much deep rooted.

The United Nations (UN) views poverty as a human condition, characterized by the sustained chronic deprivation of the resources, capabilities, choices, security and power necessary for enjoyment of adequate standard of living and other civil, cultural, economic, political and social rights. While poverty encompasses deprivation of basic goods and services, it also includes deficiencies in other vital elements of human rights – such as rest and recreation and protection from violence and conflict. Because children experience poverty as an environment that is damaging to their mental, physical, emotional and spiritual development, expanding the definition of child poverty beyond traditional conceptualizations, such as low household income or low level of

consumption, is particularly important” UNICEF (2005, p 16). It is becoming much clear now that the *Tharu* and their community suffering from different causes of poverty.

DFID (2000) believes that the development targets need to be grounded in reality. Political will is needed to give sufficient emphasis to the need to poor people. The central message is that the development targets can only be achieved with the engagement of poor people in decisions and processes, which affect their lives.

2.7. Role of Non-State Parties and NGOs

ILO/IPEC in coordination with the local NGOs is implementing action programmes in the three districts to raise awareness among the *Kamaiya* about their rights, improve their living conditions and ensure that their children are free from work and receive education. This project has also conducted a number of studies supporting Nepal government and other agencies to understand the situation of child labour and plan for a better project (<http://www.ilo.org/public/english/standards/ipec/about/factsheet/facts11.htm>). A number of NGOs/INGOs are also working with *Kamaiya* and issues related to bonded child labour. Their activities are on non-formal literacy, social awareness and income generation of the families, including awareness of the employers. MS Nepal has also supporting education programme in some of the selected communities. However, there is a lack of comprehensive and coordinated programme to address the problems related to *Kamaiya* in general and *Kamaiya* child labour in particular. More importantly, there is only two NGOs (NYOF and Plan) have started education programmes for *Kamalari* in ten VDCs of Deukhuri valley. *Kamalari* being more vulnerable to abuse and exploitation and spread over the five districts in the western Nepal need special attention and wider programme to address the issue of child labour and child education strategically. But based on the realities of the last five years, it seems unlikely that the state is going to do something seriously about the worsening conditions of *Kamaiya* and their children. So, it will be a genuine proposition to make NGOs and other civil societies engaged in the development of the western regions of Nepal in general and eradication of *Kamalari* practice in particular.

Looking at the experiences from out of Nepal, there have been some impressive visions and actions put into practice by a number of agencies. Kailash Satyarthi, a leader of South Asian Coalition on Child Servitude (SACCS), has recommended five approaches to deal with the child labour issue which have been successful in India. They are:

- **Direct action**, which is mostly linked with the enforcement of the (child labour) laws. He believes that the issue of child labour cannot be solved with the ‘charity approach or the welfare approach’.
- **Participation of children (victims) in advocacy**, *morchas* and awareness campaign as leaders, because the children are examples of victims which government and citizen require.
- **Policy level interventions** are required to gain acknowledgement of government while demanding total ban on all forms of child labour without any compromise.
- **The consumer campaign** (within country and abroad): collectively consumers can play a decisive role in success or failure of an industry by consuming or rejecting it, i.e. RugMark campaign.
- **Unionization of unorganized workers**: if parents of the children (labourers/workers) are unionized and sensitized to get some legal benefits under the law (e.g. minimum wages) then the parents can solve the problem of child labour on their own and get rid of the vicious circle of slavery and labour.

He believes that poverty persists and prevails due to child labour which is due to deficiency of political will and legal instrument (in India). He also warns that NGOs should never be considered as substitution of government responsibility. But NGOs should generate (empower) people to demand their constitutional and legal rights, such as children need better quality education and playground. (<http://www.indianngos.com/interviews/kailashsatyarthi.htm>).

Save the Children (2005 pp 4-5) claims that education reform on its own will not deliver gender parity in school enrolment and completion. The underlying reasons why girls are either not sent to school or drop out of school – poverty and inequality- must be

addressed. Educating girls offer them a route out of poverty. It is, therefore, a key step towards social development and broader gender equity. Their experiences confirm the nine approaches work effectively for girls' education:

- Communities are sensitized to the importance of girls' education and gender equality
- Children are protected from all forms of abuse through the creation of relevant and enforceable child protection policies
- All children have a chance to participate in school
- Female teachers are recruited and all teachers receive training on gender awareness
- Teaching is child centred, gender friendly and inclusive
- Teaching activity challenges gender bias
- Curriculum materials are free from gender bias
- HIV/AIDS awareness and opportunities for discussion about life skills are part of the curriculum
- Separate sanitation facilities are provided for girls

In order to implement the approaches, it is important to mainstream gender into national policies; ways to encourage families to send their daughters to school; and teaching and learning approaches to address the challenges faced by girls, particularly those from poor families (i.e. *Kamaiya*).

Other popular approaches of freeing bonded labourers are: 'Buyback programmes' run by World Vision and UNICEF: World Vision's "Restoration (of) Childhood" project raises funds to pay 'employers' of bonded labourers for release of each child. UNICEF also helps buy children out of bondage through its support of 'Child Labour Abolition Support Scheme (CLASS). The immediate objective of this project was to develop income-producing alternatives so that mothers could buy their children out of bondage and send them to school. Release fees were negotiated for working children, and their mothers earned income by rearing dairy cows and selling their cows' milk. Mothers qualified for a group buyout loan and matching grant from the state of Tamil Nadu (India), if they

worked for the group and promised to keep their children in school once they were released.

These programmes do bring hopes to bonded individuals and their families while encouraging local communities to fight for a change in the existing system. Benefits of these programmes include education, development and reform. However, it is impossible to payback the debts of hundreds of thousands of children without legislative and policy changes of the states (<http://www.iabilish.com/today/features/india/strategie.htm>).

Table 2.2: Organizations Working in Dang District on Child Rights

	FNC's	Start		SWAN	Start
1	Bela	2005	1	Sisahaniya	2005
2	Gadhawa	2003	2	Lalmatiya	2005
3	Gangapraspur	2000	3	Rajpur	2005
4	Gobardiya	2000	4	Satbariya	2005
5	Sonpur	2002	5	Sonpur	2005
6	Chailahi	2002	6	Chailahi	2005

Source: Plan Nepal (2005)

Table 2.3: Local Organisation Working in Dang District

Organisation	Main activities relevant to child right
BASE (Supported by ILO)	<ul style="list-style-type: none"> • Domestic child labour • Education for freed Kamaiya's children
Shree Tarun Club (STC)	<ul style="list-style-type: none"> • Child labour • Schooling for child labour and daughters of Kamaiya
Decentralization Action Against Women and Children (UNICEF supported)	<ul style="list-style-type: none"> • Rural Out of School Programme (OSP) • Urban OSP • Education for children.
Nepal National Dalit Welfare Association (Supported by SCF-US)	<ul style="list-style-type: none"> • Scholarship for poor children.
World Education Support (through BASE)	<ul style="list-style-type: none"> • Support in education of poor children
Welfare Centre for Street Children	<ul style="list-style-type: none"> • Support in education • Shelter for street children

CHAPTER-THREE

RESEARCH METHODOLOGY

3.1. Selection of the Study Area

Gangaparaspur VDC in Dang district is one of the VDCs where *Kamalari* system is practiced very widely. There are all together 89 *Kamalaries* in this VDC. The study was done on approximately 45% of them, i.e. 40 *Kamalaries*, and 30 parents of these children as some of the households had two or three *Kamalaries*. There were several NGOs working on the issue in the VDC. Therefore, this VDC was suitable for the study as it fulfilled its objectives. The PRA tools and techniques were preferred due the need of rapport building and creativity. In adequate participatory behaviour there are possibilities to be finding out facts of grassroots levels with the help of participatory tools while collecting quantitative data. Triangulation is a tool to minimize errors and bring the research outcomes closer to reality, which can be done in different ways in different contexts.

3.2. PRA (Participatory Rural Appraisal) Tools Used

A research team was formed consisting of a team leader, a trainer, a documenter/data-processor and two community facilitators. The study was conducted in Gangaparaspur VDC of Deukhuri Valley. The major information collected and the corresponding tool used were:

Transect Walk: for general understanding of set up and structure of the community and its location.

Resource Mapping: to know resources both physical and natural and location of households, roads, trails, wells, social institutions, and other specific information as required along with other resources.

Well-being/Wealth Ranking: to cluster the households according to their resources and economic status in order to indicate means and way on the basis of source of livelihood (or scarcity of it) and indicators of status in the community.

Venn Diagram: to identify the institutions in the community with their linkages and importance.

Mobility Mapping: to understand mobility of the community people to different locations for different purposes, in different seasons for different period, etc.

Focus Group Discussion (FGD): to understand in depth about a specific issue and problem in the community, collecting qualitative information and verification and clarification on the other information collected (triangulation).

Key Informant Interview (KII): to understand in depth about a specific issue and problem from specific individuals or group of individuals with better understanding about the community. It also gave opportunity for further verification and clarification of the information collected through other tools and techniques.

3.3. Sources of Data

Both primary and secondary sources of data were scrutinized and utilized to complete the objectives of this study. Primary data were collected afresh through respondents during field study while secondary data were sought through library.

3.4. Data Collection Method

Primary data were collected through field study while secondary data were gathered through desk study referring various books, articles, newspapers, internet browsing etc. Different tools used to collect primary data are elaborated above.

3.5. Data Analysis and Interpretation

The collected data were statistically coded, edited, classified into homogeneous classes before being analysed. Qualitative data were grouped as per the attributes and interpreted qualitatively while quantitative data were subjected to analyses through percentage and interpretation was done accordingly. Figures, graphs and tabular presentations were made according to the nature of data so as to make the finding conspicuous and understandable to the reader.

CHAPTER-FOUR

ANALYSIS AND INTERPRETATION OF DATA

4.1. Study Area

Nepal is of roughly rectangular shape, 650 km wide and 200 km broad, with an area of 147,181 km². Nepal is mainly divided into three physiographic areas: the Mountain, Hill, and Tarai Regions. These ecological belts run east-west and are bisected by Nepal's major river systems.

The Tarai Plains bordering India are part of the northern rim of the Indo-Gangetic plains. They were formed and are fed by three major rivers: the Koshi, the Narayani (India's Gandak River), and the Karnali. This region has a hot, humid climate.

Nepal has five climatic zones, broadly corresponding to altitude. The tropical and subtropical zones lie below 1,200 m, the temperate zone 1,200 to 2,400 m, the cold zone 2,400 to 3,600 m, the sub arctic-zone 3,600 to 4,400 m, and the arctic zone above 4,400 m. Nepal experiences five seasons: summer, monsoon, autumn, winter and spring. The Himalaya blocks cold winds from Central Asia in winter, and forms the northern limit of the monsoon wind patterns.

Although Nepal shares no boundary with Bangladesh, the two countries are separated by a narrow strip of land about 21 km wide, called the Chicken's Neck. Efforts are underway to make this area a free-trade zone. (<http://en.wikipedia.org/wiki/Nepal>)

Rapti is a zone in mid-western development region of Nepal. It contains five districts: Dang, Rolpa, Rukum, Salyan and Pyuthan. The headquarters is Tulsipur (Dang) and the largest town in the zone is Tribhuvannagar (Ghorahi).

Dang district comprises the inner Tarai valleys Deukhuri and Dang plus parts of adjacent hill ranges. Here the Siwalak range rising to about 600 meters splits into two sub-ranges. The southern sub-range begins near the Nepal-India border and separates the Deukhuri Valley from the Gangeatic Plains. The northern sub-range of the Siwaliks which

separates the Deukhuri and Dang Valleys, then the 2,000 meter Mahabharat Range borders the Dang Valley on the north. Nepal's densely populated "Middle Hills" begin along the crest of the Mahabharat Range.

The (West) Rapti River flows the length of Deukhuri Valley after emerging from a gorge through the Mahabharat Range, eventually joining the Karnali River near Gorakhpur, India. Dang Valley is drained by the Babai river one of tributaries of Karnali.

Until a few decades ago the Dang and Deukhuri Valleys were malarial area and virtually uninhabitable except to the Tharu ethnic group who seem to have evolved a degree of resistance against malaria. The government began using DDT to suppress the mosquito vectors, thus this relatively level, fertile and well-watered land became useful to settlers from the hills who dispossessed and enslaved the Tharu by various stratagems.

Dang district, a part of Rapti zone, is one of the seventy-five districts of Nepal, a landlocked country of South Asia. The district, with Ghorahi as its district headquarters, covers an area of 2,955 sq km and has a population of 462,380. The population density is 156.5 people per sq km where the annual growth rate is 2.66 (CBS, 2001).

Dang is the most developed district and commercial centre of Rapti Zone. Originally the zonal capital used to be in Dang. Ghorahi and Tulsipur are the main commercial hubs for whole Rapti zone. Because this district has two wide, low elevation Inner Tarai valleys, because it has better transportation and communication facilities than the four other districts of Rapti Zone (Pyuthan, Salyan, Rolpa and Rukkum).

The two inner Tarai valleys making up most of Dang District are called Dang and Deukhuri. If one were to travel north from the edge of the Indo-Gangeatic Plain at Nepal's border with India, he' she would first climb gradually through a forested alluvial belt, then more steeply to about 1,000 meters to cross one branch of the Siwalik Range. Descending less steeply down the northern side, the agricultural Deukhuri Valley would be traversed for about ten kilometres, crossing the westward-flowing Rapti River and Nepal's main east-west highway.

At the northern edge of Deukhuri valley a second, slightly higher branch of the Siwalik Range would be crossed and Dang Valley would be reached and traversed for 15 or 20 kilometres. Dang is about a hundred meters higher than Deukhuri and is drained to the west by the Babai. Several spur roads from the east-west highway cross the hills into Dang, which is the more populated and developed of the two valleys.

Finally from the northern edge of Dang Valley there would be a steep 1,500 meter climb to the crest of the Mahabharat Lekh that is the northern border of Dang where the hill districts Pyuthan, Rolpa and Salyan begin.

The use of DDT for mosquito suppression around 1960 opened the district to colonization by land-hungry settlers from the Middle Hills, who took the land away from the Tharu by various stratagems and often reduced them to sharecroppers. Tharu resentment and resistance has made them recruit able by the Maoist movement and there have been many significant guerilla attacks on police, military, and government developments (http://en.wikipedia.org/wiki/Dang,_Nepal).

MAP 4.1: Map of Nepal Indicating Dang District



4.2. General Description

The contextual realities of the individual child, his/her family and community, the resources and priorities, politics and cultural legacy, armed conflict and ethnic/racial competition should be considered while planning a child development strategy for *Tharu* community. The basic needs, which include food, shelter, clothing, health, education and security, are the most important items to be included in a child development programme where scarcity of these items is a common reality. It is said in *Tharu* community that: *“Even God can not be praised by hungry person.”*

Very often the project modalities ignore local institutions (state), systems and resources, and try to create parallel system and resources to implement project activities. This could be most damaging approach against sustainability. Very often donor agencies and their experts ignore these vital realities. The national experts and those at planning commission, most of them trained abroad; also suffer from the elusion of the exotic approaches.

Child poverty consists of the factors that prevent children from realising their full potential (including education). The causes of poverty are many – poor governance, (foreign) debt, trade obstacles, historical legacies of exploitation, HIV/AIDS, conflict, patriarchy, corruption and poor policies. Discriminations based on gender, age, ethnicity, caste and income can condemn marginalized people (and their children) to a lifetime of poverty (Plan’s Position Paper, 2003).

In reality, the education may be the most important element of child development but it is not the only factor, which guarantees the child rights and a desired quality of life of a child. The best practices of economically better off nations may be utopia for culturally rich and economically poor countries. Imposition of a universal model child development may become mismatching with socio-economic, political and cultural reality of societies of different places and, then, may be counterproductive and fragile. Therefore, an ideal model of child development based on the central theme of CRC should incorporate the

ground reality and develop through participatory process with full involvement of children, parents and their community.

A key aspect of RBA (Right Based Approach) is to identify duty bearers and their responsibilities which bring (positive) changes in people's lives, policy and practice, changes in equality and non-discrimination, and changes in participation. Therefore RBA could be the best way of working with *Tharu* on the issue of *Kamalari* as it combines human rights, development and social activism to promote justice, equality and freedom. It makes use of the standards, principles and approaches of human rights and of social activism to address the power issues that lie at the root of poverty and exploitation, Theis J. (2003).

Looking forward, a possibility of suitable model for eradication of *Kamalari* practice from the *Tharu* community could consist of:

- Organizing *Tharu* communities (institutionalizing),
- Empowering them (giving responsibility to make decisions), and
- Capacitating them (building skills to perform the responsibilities professionally).

Each of these items consists of on-going process of:

- Informing (involving in the identification of issues),
- Analyzing (discussing all possible aspects in the context of the ground realities and setting priorities), and
- Recommending (taking participatory decisions transparently)

Plan is working as the largest INGO investing millions of dollars every year in Nepal for child-centred community development. It has twenty-eight years of working experience in Nepal and has already started initial interventions for retaining *Kamalari* in their families with their parents and providing them opportunity for education and income generation in a few selected village development committees (VDCs) in Deukhuri valley of Dang district since early 2005. Plan Nepal needs detail information to understand:

- Why and how *Kamalari* (system) continuing without much attention?

- What could be the possible strategic ways and means to eradicate *Kamalari* (system) from the *Tharu* forever?

In order to get answer of these questions, it is vital to obtain enough data and information to understand the ground realities as well as roles and responsibilities of all the duty bearers. So that a strategic plan of action can be developed for implementation, in order to eradicate *Kamalari* system from the *Tharu* community.

4.3. Results

4.3.1. Educational status of the respondents

Table 4.1: Distribution of respondents by education

Educational levels	Frequency	Percent
Primary education	27	67.5
Secondary education	13	32.5
Total	40	100.0

Source: Field Survey, 2010.

Out of 40 children 67.5 % were receiving primary education where as 32.5 % were receiving secondary education. These children were fortunate enough to get education after getting rescued by the local NGO, FNC. This organisation is providing their families the basic needs such as food and fuel as per sending them to school. So shows that if the organisation stops providing their basic needs, the children will be forced to work as *Kamalaries* again. While asking to the parents, whether they would send their children back to work, most of the answer came as "yes". This is because of the financial needs of the families. They say that they don't have another choice. They cannot earn enough to feed their families if they don't send their children to work. Some say that it is the culture and they were following it.

Table 4.2: Distribution of respondents by skills

Types of Skills	Frequency	Valid Percent
Basket and mat weaving	6	15.0
Caps and table clothes weaving	2	5.0
Non	32	80.0
Total	40	100.0

Source: Field Survey, 2010.

There were remarkably less number of children who were skilled. The skilled children were not trained but they learned by observing other villagers. Percentage of the children who can weave baskets and mats was 15% and the children who could do other work i.e. who can make caps and table clothe was 5%. The percentage of the children who did not have any skills was 80%.

Table 4.3: Distribution of respondents by family type

Types of family	Frequency	Valid Percent
Nucleus	27	67.5
Joint	13	32.5
Total	40	100.0

Source: Field Survey, 2010.

There were 67.5% nuclear families and 32.5% joint families. It was found that in most cases after marriage, sons lived separately with their nuclear family. It was found that there were more *Kamalaries* in joint family because of the need for more money. The age of the *Kamalaries* was owner in joint families than in nuclear family.

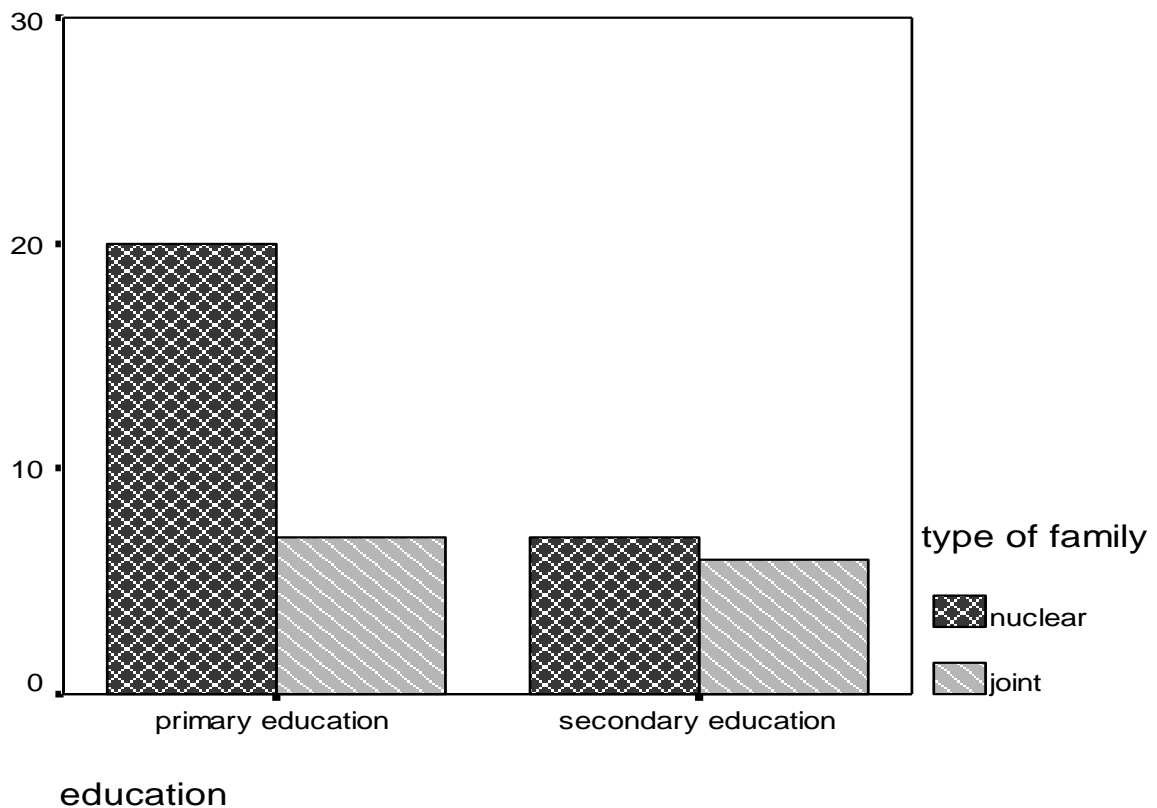
Table 4.4: Distribution of respondents by decision made

Decision maker	Frequency	Percent
Self	5	12.5
Parents	33	82.5
Uncle /aunty	1	2.5
Brother/sister-in-law	1	2.5
Total	40	100.0

Source: Field Survey, 2010.

The children who decide for themselves to go and work as *Kamalaries*, out of curiosity by seeing others who returned from the town or cities after the work. There were 12.5% of the children who decided to go and work as *Kamalaries*. A total of 82.5% were sent for work by their parents 2.5 % by their uncles and aunties and 2.5% by their brothers and sister-in-laws. In the second and third cases there were girls who did not have their parents or were from the joint family.

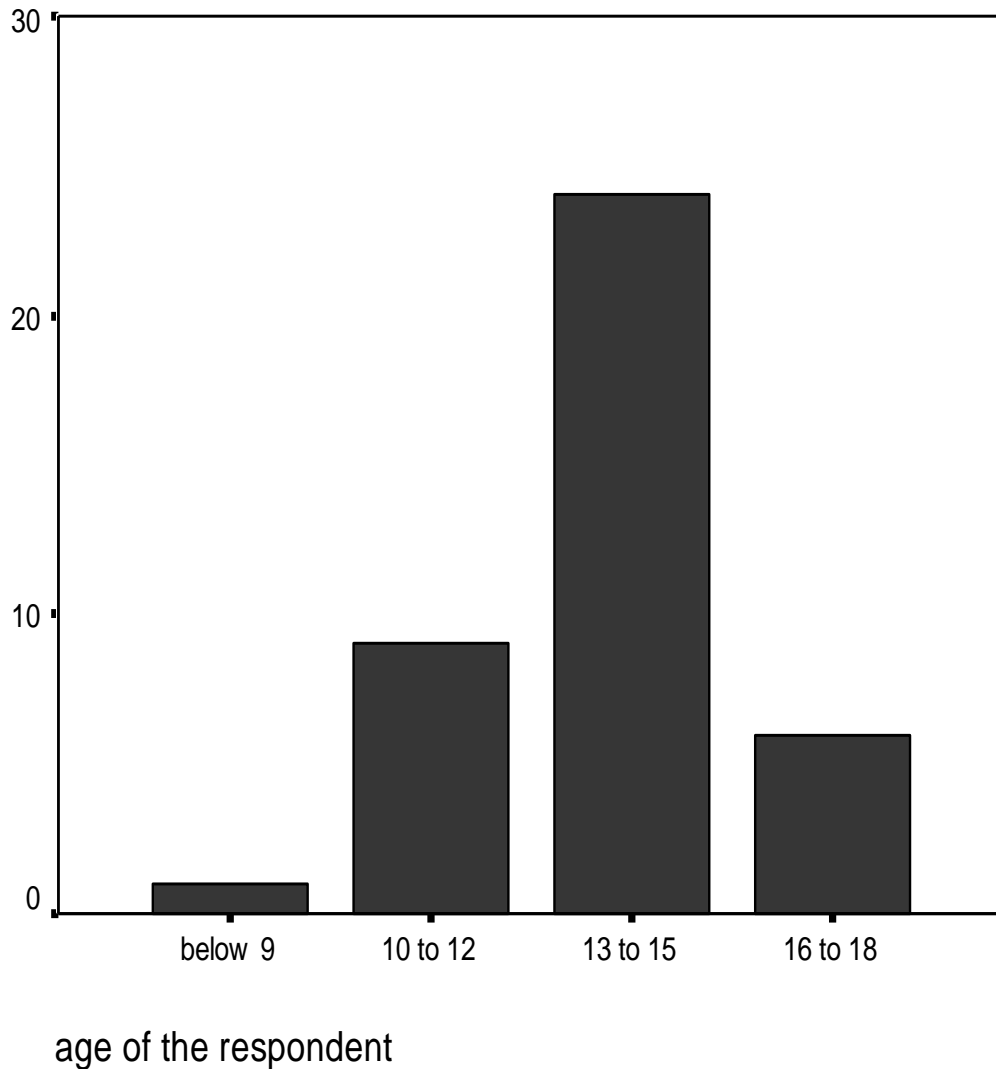
Figure 4.1: Education by Family Type



Out of 40 respondents 20 belong to nuclear family whereas 7 of them belong to joint family. Here it is seen clearly that more children from nuclear family were enrolled in school than children from the joint family. This shows the tendency of the girl child enrolled in the joint family is lesser than that of the nuclear family. The reason behind this tendency is that the joint families are more in need of basic needs as the income is

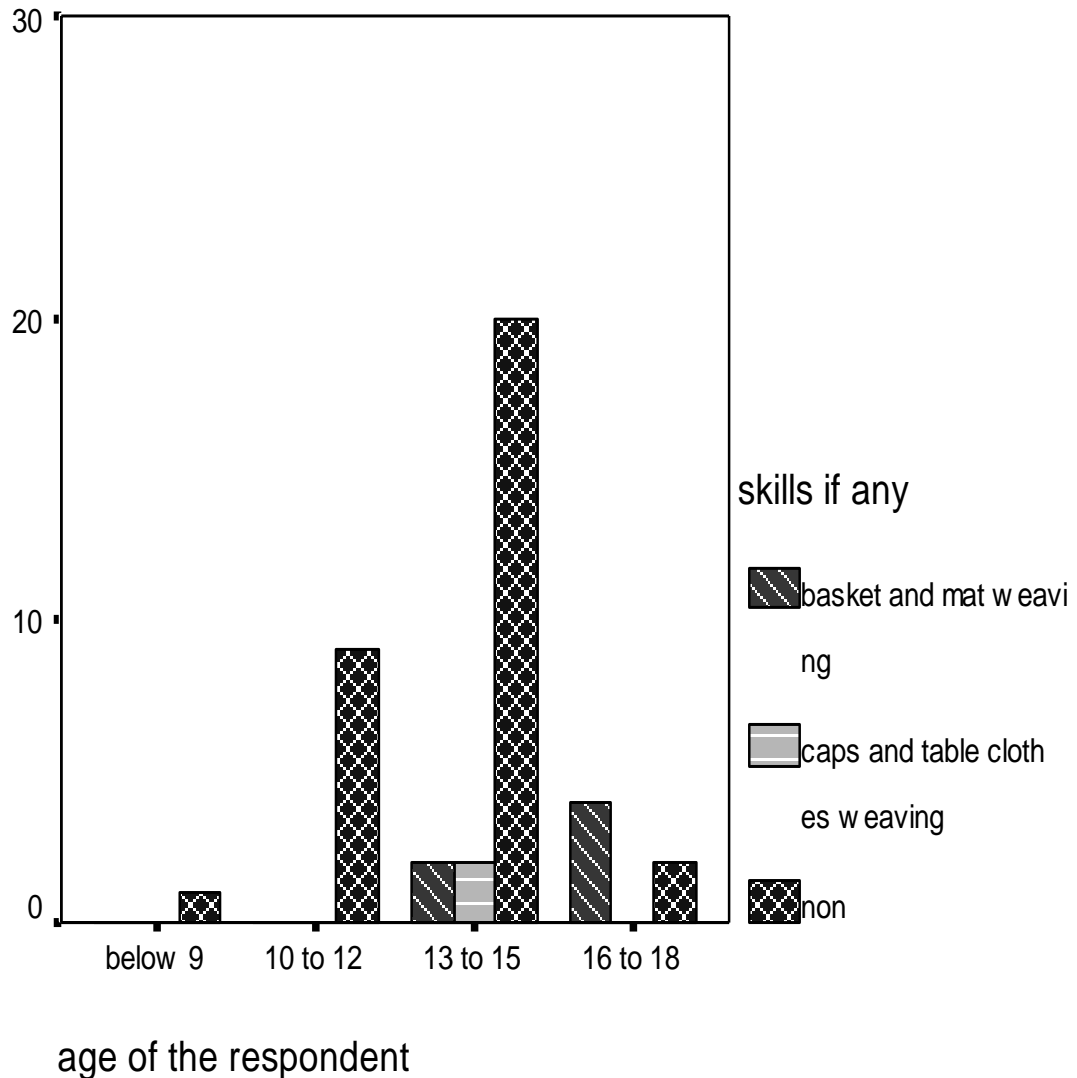
less and mouth to feed are many. Therefore the tendency of sending the girls as Kamalaries is more in joint family.

Figure 4.2: Age distribution of the respondents



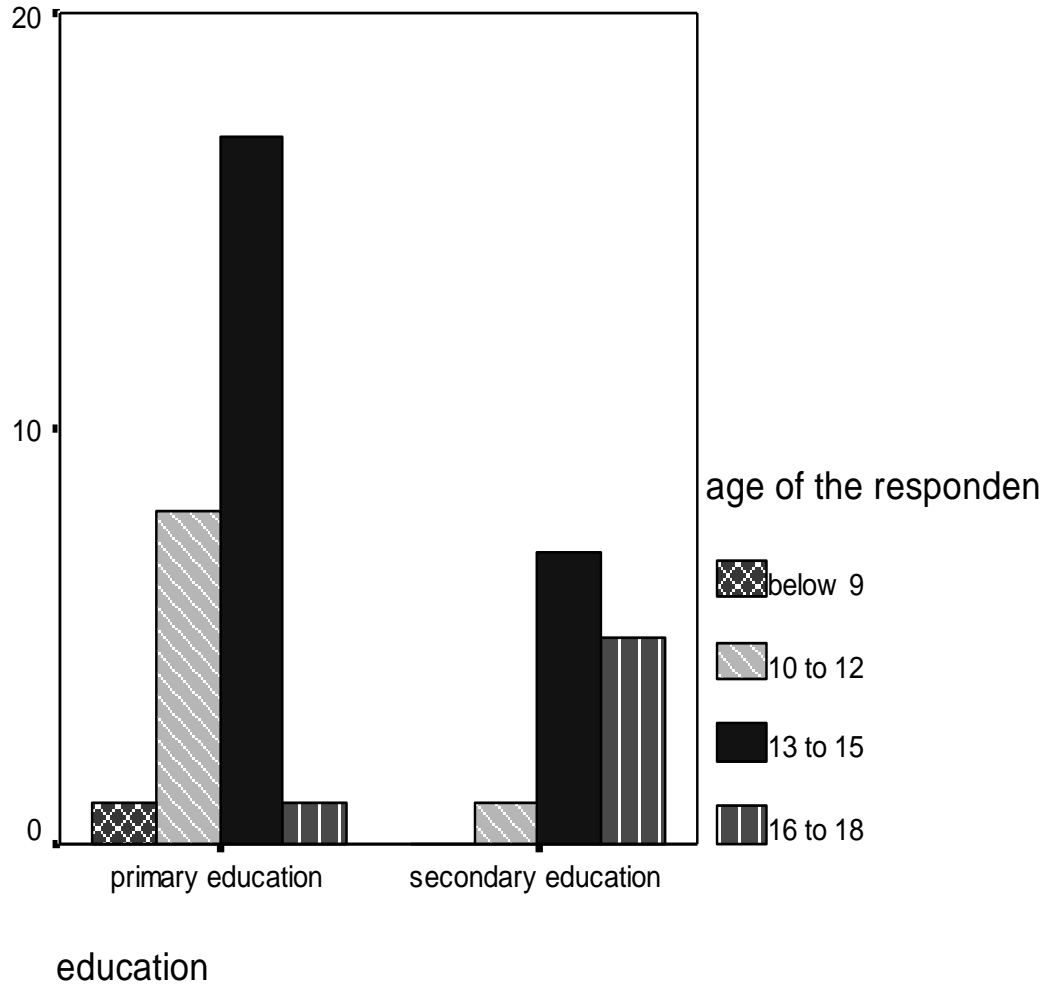
The figure 4.2 shows that there are many *Kamalaries* of 13 to 15 years of age. They are more vulnerable at this age. Agents from the towns and cities search those girls who are from 12 to 15 years of age who can look after themselves and so the household chores.

Figure 4.3: Skills by age of the respondents



Here in the figure 4.3 it is seen that the majority of the girls are unskilled. There were large number of girls from 13 to 15 age group. The girls who were skilled they learned the skills from their parents or the community members. The girls who were skilled were weaving caps, cloth, baskets and mats. There was only one girl who was trained and helping her sister in tailoring.

Figure 4.4: Education by age of the respondent



This figure 4.4 shows that the girls of 13 to 15 age group were enrolled in primary level and there were even a few girls from 16 to 18 in primary level. The over aged *Kamalaries* who were rescued and enrolled in the primary classes at the schools were hesitating to go to school. When asked the reason, most of them said that they feel embarrassing when they see their friends in higher classes and do not like to go to school.

4.3.2. Main Activities of NGOs

Rescuing

FNC, which has been involved in *Kamalari* Eradication since 2000 in five VDCs of Deukhuri Valley, has rescued 1006 *Kamalari* girls so far. SWAN, which started working on *Kamalari* issue with the help of Plan Nepal from January 2005, was able to rescue 788 girls during *Maghi* festival. Rescuing the girls is not simple, as it needs lots of hard work. Measures applied for rescuing the girls are creation of awareness, community group pressure, counselling of parents and landlords, family incentive and legal actions against the right violators. Those who helped NGOs in rescuing *Kamalaries* are civil society, government official, police and students. Check points are established on highways to stop any movement of *Kamalari* outside the districts. In several occasions clashes occur with landlords and the power holders but no serious incident has been reported.

Support in education

FNC has been supporting a total of 846 rescued children in their education. SWAN has enrolled about 420 students in the schools so far and it has been trying to admit other students in schools. The School *Bandha* called by pro-Maoist student association had disrupted the process of enrolment in the schools. Before sending the rescued girls to schools, bridging classes are run for three months. On the basis of the result of entrance examination they are admitted in government schools at different classes. Those who do not pass the entrance examinations are given OSP training for nine months to prepare for next year's admission. Those girls of over age and do not show particular interests in attending formal classes are given non formal education to make them literate. Some are also given skill development training in various activities such as sewing and weaving. NGOs provide school children with school uniform, books, stationery, toiletries and two pairs of dresses for home use.

Public awareness programme

Public awareness against *Kamalari* systems is created through different media and forms. Some of the significant contributors are given below:

Radio: SWAN and FNC have been broadcasting weekly radio programme called ‘*Nisrau*’ (gift to the sister) in local *Tharu* language from local FM radio station at Ghorahi. The objective of this radio programme is to create awareness against *Kamalari* systems. This is done through drama, interviews and reports.

Street drama: Street dramas showing different aspects of *Kamalari* systems and negative effect on child rights and child education are conducted twice a month in various schools and villages. The drama is played by *ex-Kamalaries* and NGO staff. They receive training from Kathmandu and get refresher training in certain intervals.

Children’s wall magazine publication: Several children clubs are formed in the school and children are encouraged to write articles, events reflecting the negative aspects of *Kamalari* systems. Wall magazine are published monthly.

Kamalari Abolishing Committee (KAC): Several KACs have been formed in the villages. The committee members are responsible to convince local people not to send their children to become *Kamalari*. They also monitor the movement of *Kamalari*. Members are provided training in child rights.

CHAPTER-FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1. SUMMARY

Kamalaries are the girl children sent to the landlords or to other comparatively well off families on the basis of contract which if wanted can be renewed in the biggest festival of Tharu called *Maghi*. The decision is made mostly by parents and the other elder members of the family. There are some children found who go to work as *Kamalari* just because of curiosity, by seeing other returned *Kamalaries*.

This system was a culture of the Tharu even before the Rana Prime Minister Chandra Sumsher Rana abolished slavery system in 1925 A D. Tharu girl children used to go to Tharu landlords to help them in their household chores. These girls enjoyed the better rearing opportunity and most of the landlords treated them as their own daughters, as that time polygamy was widely prevalent some even got married with the family members of the landlords. With the eradication of the malaria, migration started in high rate and so did the rate of these Tharu girl children turning into *Kamalaries*. There are lots of conventions, laws which are for prevention of child labour but in this case it is hardly functioning.

The study showed that various NGOs and INGOs are involved in rehabilitation of the rescued children. The NGOs like FNC and SWAN are the active ones. These NGOs are meeting the basic needs of the family so that the children can go to school. The organization are conducting various programs like awareness programs on radio, and through street drama, publishing children's magazine, forming *Kamalari* abolishing committee.

Though the organization are doing very good job, there are certain suggestion that will be very helpful for the abolishment of the *Kamalari* System. It is seen that there are many unskilled parents who will not be able to support the families due to lack of financial

resources. Most of the parents are again willing to send their girl children for work if they do not get support from the organizations.

After studying the area it is found out that there is a need of training which will make them economically well off. Other utilization of the local resources such as: Rapti River and the irrigation channels can create better livelihood opportunities. There is a great scope of agricultural training, training on handicrafts and awareness program on family planning. Women's groups can be formed and for the saving/credit programme which can be of great help when ever financial and social help is needed by the community.

5.2. CONCLUSION

In Nepal slavery was abolished in 1925 A.D. and bonded labor were declared free in 2000 A.D. Gangaparspur is one of the many VDCs where Tharu girls are still sent for work in order to earn NRs. 500 to NRs. 8500 per year. Child labour is influenced by poverty, illiteracy, high fertility rate, etc. On the other hand Tharu girls want to leave rural area mainly out of their curiosity to live urban life in order to meet some of the most basic needs such as food, clothing, shelter and entertainment.

The exploitation of *Kamalari* further extended to government bureaucrats working in western part of Nepal and they also used *Kamalari* as household servitude. When the bureaucrats transferred to other districts Kamalaris also went with them to the new locations. *Kamalari* were also contracted and sent to serve friends and relatives of the migrants as gift or personal favor, as girl child preferred to boy for domestic servants.

There are several organizations working to rescue, provide education. They are providing basic needs so that the families will not send their children to work in others house. These motivational factors are very appreciative. But in the other hand if these factors are not been provided to the families, there are very great chances that the children will go back to work as they did before. Their main problem is, they are economically backward. They are mostly unskilled labors, due to which their wages are low too. As a result, they are bound to send the family members to work.

It was found that due to the *Kamalari* system many girls were not able to get education. The ones who were rescued were enrolled in government schools. Due to the age differences among the classmates the girls hesitate to go to school. Their friends studying in higher classes make them feel low and frustrated. As a result they do not score good marks in exams. They need to provide informal education so that they can go to the class with respect to their age.

It is important to provide various training and turn them to skilled labors so that they can improve their living standard. This in turn will stop the children from leaving their family and help them to go to school. Awareness programs should be continued.

Kamalaries also support financially to their respective family. They become aware of the different parts of the country. They come to know about other opportunities in life. If they are lucky and find a good family then they also get education and get into a better future. Though there are slim chances of getting into better lives there is more chances of getting exploited by the contractor and even get abused in some cases if not in most of them.

There is a saying in economics, “They would be producing till there is somebody to buy”. There is a need of alternative to the *Kamalari* system. The alternative can only be the one that provides better opportunities for self-sustenance of the family. Hence, the *Kamalari* families as well as their beneficiaries should be made aware of the fact that child labour is a punishable crime and there are other alternative for being financially independent. Therefore there would not be any *Kamalari* family.

5.3. RECOMMENDATIONS

The study showed that there is an urgent need of financial up-liftment of Tharu community as that is the main cause of the deep roots of *Kamalari* system. The Tharu families who are dependent on the *Kamalari* system are not aware of other way of getting income and even they do not know that child labour is a punishable crime.

Financial Independency: The Tharu families who are in *Kamalari* system should be financially independent first so that they can think of the future of the coming generation. That can be achieved widely through Income Generating Programmes. Such programmes can be Mehendi cultivation, goat/pig farming, commercial vegetable production, developing markets for local products such as Traditional *Tharu* Ornaments, handy crafts and so on. Skill development for improved farming, tailoring, carpentering, painting and traditional art and crafts would be highly beneficial for making a Tharu family financially independent.

Awareness: One of the major factors that is a must for any Tharu family to come out of vicious circle of *Kamalari* system is awareness. Such type of awareness can be provided through: advocacy, training, drama, use of various media, exposure visits, interactions, school support programme for rescued and poor girls. Provisions for non-formal education, for adult more exposure to the legal aspects of the *Kamalari* systems. Exposure visit and interaction programme, provision of education for all, knowledge of birth control measures, training on gender issues, development of capacity of community in various skills, exposure visits to various similar projects. Awareness to the beneficiaries is also very important. They should know that child labour is a punishable crime.

Mainstreaming in Development: The families in the *Kamalari* system are be mainstreamed into the development process. This would make a positive change in the whole system. They should be included in the development projects and programmes that are running in their area. The rights based approach of development would be idle for curving the *Kamalari* numbers. The rights of the children should be made known to the families so that they know what should not be done. Until and unless there is a better alternative to this system it would be very difficult to change the system. The study shows that mainstreaming the families into development would be one of the best alternatives.

Child Labour: Strictly implementing the child labour law and setting examples by punishing the ones who are violators of the law. This will create awareness as well as the families would think twice before taking any illegal step.

The families who are into *Kamalari* system should be given better alternatives choices, so that they can choose best suited ones fro their children and family. The better alternative should be advocated and opportunities should be given to each family. This will lead to diminish one of the worst crimes (child labour) from Tharu community. The demand as well as the supply should be stopped. Hence, the *Kamalari* system would become history and eradicated from Nepal.

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ANNEX I

Questionnaire to assess the situation of Tharu girl child in Kamalari system

1. Name of Kamalari girl:	2. Age:
3. VDC:	4. Name of father/mother:
5. Education:	6. No of family members:
<ul style="list-style-type: none"> a) Primary b) Literate c) Illiterate d) Other 	7. No of children (<14 years) 8. Age when became Kamalari:
9. What type of job you did? <ul style="list-style-type: none"> a) House hold b) Work in the field c) Care taker of child d) All above e) Others 	10. Who decided you to work as Kamalari <ul style="list-style-type: none"> a) Father b) Mother c) Grand parents d) Self e) Other
11. Why did you accept the Kamalari job: <ul style="list-style-type: none"> a) To earn money b) Because friends told you to do so c) As a culture d) Did not want to study e) Others 	12. How much you earn/year: <ul style="list-style-type: none"> a) NRs..... b) Do not know 13. Who takes your earning: <ul style="list-style-type: none"> a) Parents b) Do not know c) Others
14. What extra you get besides cash: <ul style="list-style-type: none"> a) Cloths to wear b) Foods to eat c) Both 	15. Did you go to school while working as Kamalari? <ul style="list-style-type: none"> a) Yes b) No
15. Are you happy working as Kamalari? If yes: Why	16. Did any body abuse you? If yes: Who did it

<p>If no: Why</p>	<p>17. Did you even complained about it? If yes: to whom What action was taken: If no: Why not?</p>
<p>18. Select two most important things you have learned after becoming Kamalari:</p> <ul style="list-style-type: none"> a) To be neat and clean b) Good/polite spoken language c) Cooking various dishes d) Read and write e) All above f) None above g) Other (specify) 	<p>19. Select two most dreadful events while working as Kamalari</p> <ul style="list-style-type: none"> a) Sexual abuse b) Physical torture c) Blame for stealing d) Blame for cheating e) All above f) None above g) Other (specify)
<p>210. Do you recommend your sister/friend to be Kamalari?</p> <ul style="list-style-type: none"> a) Yes b) No c) Why? 	<p>21. What type of help you expect from others (NGOs/projects) for Kamalari development:</p> <ul style="list-style-type: none"> a) b) c) <p>.....</p>
<p>22. What are you doing now?</p> <ul style="list-style-type: none"> a) Studying b) Under training c) House hold work d) Others 	
<p>23. How many hours you work?..... morningnight (specify time)</p>	<p>25. Any more points to add?</p>

ANNEX II

Questionnaire for parents to identify the reasons behind this system

1. Name of Parent:	2. Age:
3. VDC:	4. Name of daughter (Kamalari):
5. Education:	6. No of daughter:
<ul style="list-style-type: none"> e) Primary f) Literate g) Illiterate h) Other 	7. No of son 8. Age when became Kamalari:
9. What type of job you daughter do? <ul style="list-style-type: none"> f) House hold g) Work in the field h) Care taker of child i) All above j) Others 	10. Who decided to send your daughter to become Kamalari <ul style="list-style-type: none"> a) Yourself b) Spouse c) Grand parents/head of family d) Leader of the community e) Other
11. What are the reasons to send your daughter to work as Kamalari: <ul style="list-style-type: none"> f) To earn money g) Because friends told you to do so h) To follow the tradition i) Others 	12. How much your daughter earn/year: <ul style="list-style-type: none"> c) NRs..... 13. Where do you spend your earning: <ul style="list-style-type: none"> d) Buy food e) Educate children f) Spend on Kamalari daughter g) Others
14. What extra your daughter gets besides cash: <ul style="list-style-type: none"> d) Cloths to wear e) Foods to eat f) Both 	15. Where did your daughter go to work? <ul style="list-style-type: none"> a) Dang/Deukhuri b) Kathmandu c) Nepalgunj d) Other place (specify)

<p>15. With whom is she working</p> <ul style="list-style-type: none"> a) Landlord b) Bureaucrats c) Businessman d) <i>Tharu</i> e) Others 	<p>16. Is she happy with her work?</p> <ul style="list-style-type: none"> a) Yes b) No c) Don't know <p>17. Do you think KS should continue?</p> <ul style="list-style-type: none"> a) Yes b) No c) Why?
<p>18. Select two most important things she has learned after becoming Kamalari:</p> <ul style="list-style-type: none"> h) To be neat and clean i) Good/polite spoken language j) Cooking various dishes k) Read and write l) All above m) None above n) Other (specify) 	<p>19. What type of help you expect from others (NGOs/projects) for eradication of Kamalari System:</p> <ul style="list-style-type: none"> d) ... e) ... f) ...
<p>20. Are you aware of any child labour law:</p> <ul style="list-style-type: none"> a) Yes b) No <p>If yes, Explain:</p>	<p>21. What is your daughter doing after coming back?</p> <p>.....</p> <p>.....</p>
<p>22. How many Kattha land your family have:</p> <ul style="list-style-type: none"> a) < 5 b) 6-10 c) 11-15 d) >15 	<p>23. Do your family produce enough food for:</p> <ul style="list-style-type: none"> a) < 3 months b) 3-6 month c) 7-9 month d) 10-12 month e) > 12 months

<p>24. What do you suggest to eradicate KS</p> <p>a)</p> <p>b) ...</p> <p>c) ...</p> <p>d) ...</p>	<p>25. What are the contributing factors for KS:</p> <p>a) Poverty</p> <p>b) Lack of awareness</p> <p>c) Tradition</p> <p>d) Illiteracy</p> <p>e) Others (specify)</p>
<p>26. Any more points to add?</p>	

27. Is any NGO/INGO helping you in the name of Kamalari Eradication?

Name of NGO /INGO	Education	Heath	Livelihoods	Drinking water	Others

28. Can you tell when Kamalari System was started?

- a) Since grandparents time
- b) 50-100 years
- c) > 100 years