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Published and Printed by: Institute for Social and Economic Change
Dr V K R V Rao Road, Nagarabhavi Post,
Bangalore - 560072, Karnataka, India.

ISEC Working Paper No. 573

February 2024

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ISBN 978-93-93879-71-4

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The Institute for Social and Economic Change,
Bangalore

Working Paper Series Editor: **Sobin George**

CONTEXTUALIZING CHILD RIGHTS GOVERNANCE: GENEALOGICAL STUDY OF THE INTEGRATED CHILD PROTECTION SCHEME

Biplaw Kumar Singh*

Abstract

The experiences of three Childcare Institutions (CCIs) functioning in the programmatic setup of the Integrated Child Protection Scheme (ICPS) in India complicates and contextualizes some of the macro-social characterizations of child rights as enshrined in the United Nations Convention on Rights of Children (UNCRC). Following the anthropological approach to governance, this study captures the everyday practices and perceptions of actors and agencies running three CCIs. In doing so, it problematizes the discursive binary of universal and localized ideas of child rights. Although the three CCIs examined here are rooted in the same schematic (ICPS), temporal, and spatial (Karnataka) setting, surprisingly they interpret, understand, and materialize very different conceptualizations of child rights in their daily practices. These differences not merely reflect the turbulent ways in which the universal idea of child protection is being translated, contested, and indigenized, but also exhibit the 'multiple identities of local' competing, collaborating, and strategizing to construct a heterogeneous understanding of child rights governance.

Key Words: Child rights, Child rights governance, UNCRC, ICPS, CCIs.

Introduction

In 1973, Hillary Rodham Clinton claimed that children's rights are a "slogan in search of a definition". Even after five decades, the relevance of this statement is intact as children's rights have become a terrain of epistemic contestation with multiple meanings and understandings. The heterogeneous and contradictory interpretations of child rights make it divisive (Liebel, 2012). On the one hand, the 'children's liberation movement, or kiddie libbers' (Foster and Freed 1972, Farson 1974, Holt 1975) claims that children have equal rights as adults, challenging the long-standing protectionist approach of 'the child-saving movement'.

On the other hand, authors like Bob Franklin tried to strike a balance between these two epistemic poles by claiming that "Protecting children and protecting their rights are... not necessarily oppositional but can be complementary objectives" (1986, p 17). As per this school of thought, the right to protection and care must include the right to self-determination of children as asserted by McCormick (1976) that corresponds to the age and capacity of children, the protection of their interests could be safeguarded by a differential blend of paternalistic and permissive approaches. Taking it further, Eekelaar (1986) differentiates between children and adult rights by arguing that while the right to make mistakes is the key right for adults, in the case of children, wherever conflict arises, basic and developmental interests override the autonomy interest; otherwise, right to self-determination

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should be encouraged as much as possible. In the same vein, Michael Freeman (1992), recognizes children's "decision-making capacities" but with caution to keep "the dangers of complete liberation" in mind. Thus, unlike the liberationists who wanted to eliminate the legal distinction between children and adults, the effort of these child rights advocates is directed to alleviate the status of children in society by promoting "child-sized citizenship", a neologism coined by Jan (2004), that closely entwines "protecting children" with "protecting children's rights" (Archard 2014).

The United Nations Convention on the Rights of the Child (UNCRC) further shaped and promoted the discourse of child-sized citizenship by placing equal emphasis on three kinds of children's rights, namely the right to provisions, the right to protections, and the right to participation (Verhellen, 2000). UNCRC sees child participation as a necessary condition for child protection. Child protection is enshrined as a right to survival and maximum development in Article 6 in UNCRC, which along with child participation (Article 12), non-discrimination (Article 2), and best interests of the child (Article 3), is designated as a 'general principle' of child rights. With this, UNCRC General comment 13 reads, "Empowerment and participation should be central to childcare giving and protection strategies and programmes"¹. Here, UNCRC strives to defuse the tension between viewing children as 'competent social actors' as well as 'victims' of abuse by devising the principle of the 'evolving capacity of children'² which recognizes children of all ages as persons capable of holding rights but with a condition that "the evolving competencies of individual children are relevant to the question of which specific rights they hold" (Cowden 2016 p.74).

However, UNCRC has been castigated for imposing "Western, modern childhood, which has been 'globalised' first through colonialism and then through the imperialism of international aid" (Ennew, 2002, p.389). Analogously, Raman problematises UNCRC and argues that it follows a "Eurocentric tradition of individual rights...undermining group rights and community interests...because childhood was historically and structurally constructed differently in the collectively oriented societies"(2017, p.65). Likewise, Twum-Danso Imoh et al. argues that universal childhood and child rights perpetuated by UNCRC infer that "Southern childhoods and childrearing practices relating to feeding and play are pathologized, deemed as deficient and in need of 'fixing'" (2012, p. 191). Apart from this, UNCRC's scaffolding of 'child-sized' citizenship is seen as a companion of the neoliberal political and economic structure (Bessant, 2003; Vandebroek & Bourverne-De Bie, 2006) that promotes Western individualism (Burr, 2004) and reinforces children's regulation and suppression by self-governance (Millei, 2010) in tune with "neo-liberal concepts of 'competition', 'choice' and 'enterprise'" (Kryger, 2004p. 157).

The critics of UNCRC argue that the "rights framework is also co-opted by economic regimes and political networks that seek to create the 'productive' citizen...it has also led to greater shaping of the individual to fit into national and global economics goals through the development of human capital..." (Maythri Cf Saraswathi et al. 2019 p.409) and "UNCRC sets up a stage for the child as a

¹ UN Committee on the Rights of the Child, General Comment No. 13: The Right of the Child to Freedom from all Forms of Violence, CRC/C/GC/13, 18 April 2011, 3.

² UNCRC, Article 3

competent social actor ... misses the detailed need for a comprehensive plan for a new and more just economic system...provides instead a model for the child as a neoliberal subject... focus on individual agency, participation and flexibility played into the changing global economics of our time" (Hanson et al. 2018 p.280).

In the above context, it is pertinent to ask whether it is possible to delineate the impervious contours between the universal (as enshrined in UNCRC) and the local conceptualization of childhood and child rights. Hanson et al. see this boundary as porous and blurred as they consider" the global in the local" and "the local in the global" (ibid p.274). Similarly, Burman (1996) stresses the need to understand the universal in relation to the dynamicity of local as globalization has defined and redefined the relations between the local and global in the form of continuous traveling of Western ideas into non-western contexts. Due to this, Western concepts are already present in non-western settings. However, the traversing of these ideas in local contexts happens in unique ways that give them new meanings. Thus, the import of UNCRC's child rights in totally different socio-economic, political, and cultural settings cannot be a mirror image of their Western genesis; rather, "they have been indigenized into government and local structures and functioning in unique ways" (Saraswathi et al., 2019 p.407).

Aligning with the above argument, this work recognizes that the implementation of universal ideas of child rights and childhood often takes on unique forms in various cultural and institutional contexts. Within this epistemological framework, this scholarly work seeks to comprehend the operational dynamics of the Integrated Child Protection Scheme (ICPS) in the sub-national context of Karnataka, while recognizing its conceptual genesis at the federal level and its epistemic and normative rooting in the child rights framework of the UNCRC. This study undertakes an analytical exploration of the ways UNCRC's child rights regime intersects with local culture and institutions. To elucidate this interplay, it undertakes a comparative investigation of child protection models of three distinct Child Care Institutions (CCIs) actively engaged in the implementation of ICPS and in this process unravels the way they respond and transect with structural inequity to shape the well-being of children within the context under study. In other words, it aims to problematize the operationalization of the scheme to reveal the nature of the gap between the textual description of the scheme and its execution and the way this gap affects the state formation in everyday practices.

Methodology

This scholarly piece elaborates on the particularities of child rights governance by undertaking an ethnographic examination consisting of semi-structured in-depth interviews of functionaries and observations of the everyday practices of three CCIs responsible for the execution of ICPS. Here, child rights governance entails the way "children's rights, and the principles and institutions associated with the idea of children's rights, have become part of the mechanisms, systems, actor constellations and instruments of governance across local, national, regional, and global levels" (Holzscheiter et al. 2019 p. 272).

The conceptualization of child rights governance has certain methodological implications for this study. One, the child rights governance shifts focus from a "top-down approach" to a "bottom-up

perspective" that stresses "dynamic and often turbulent ways in which these agreements (such as UNCRC) are translated, contested and enacted" (ibid p.274). This bottom-up perspective necessitated turning the analytical spotlight on the agents and agencies responsible for the realization and localization of child rights standards (Koskenniemi, 2009). Two, in this sense governance gazes away from the state as the centre of power to a network of non-state actors. Therefore, the core endeavour of governance is the management of networks (Rhodes, 1996) through the participation of diverse actors (Walters, 2004 p.30) and the way they operationalize various functions through horizontal network-like structures with flat hierarchies. Thus, non-state actors such as NGOs (in the case of ICPS) play a significant role in influencing child rights agendas in both their contestation as well as implementation. Three, instead of "displacing talk of politics as struggle or conflict" (Walters, 2004: 36), using analytics of governmentality, this study unmasks the underlying normative elements and related power effects ingrained in the discourse of child rights and protection as particular configurations of rights frameworks to enable the emergence of specific subjectivities and normative constructs, simultaneously rendering others unattainable (Balagopalan, 2019). Fourth, embedding a particular child rights regime in the analytics of governmentality makes this study possible to address the 'reciprocal constitution of power techniques and forms of knowledge and of regimes of representation and modes of intervention' (Lemke, 2007, p.44). Five, this academic study employs a disaggregated analytical framework, that reveals that ICPS's engendering at the federal level is not essentially transformative in the local context. It also highlights the necessity to study everyday practices, actions, and representation of ICPS by different bureaus and actors at the ground level. Six, the disaggregated framework co-imbricates with the transnational approach to trap the nuances and the intricacies of the child rights regime at the grassroots levels as "the mobility of capital and communications in this era of globalization is challenging...the territorial sovereignty of nation-states" (Gupta et al. 2016 p.279) and hegemonic status of UNCRC is the perfect case in point in this respect. Seven, drawing from Bevir's formulation of "situated agency", this scholarly work sees the agency of actors not as a rational choice but as "the wider web of beliefs" derived from the "contingent form of local reasoning... against a particular historical background" (2010, p.432) so that normative cultural ideals that under gird the execution and function of ICPS can be traced out. Consequently, considerations of a 'web of beliefs embedded in local reasoning' may yield divergent perspectives on child protection that may deviate from the paradigm advanced by ICPS.

Contextualizing the ICPS

The hegemonic influence of UNCRC in India can be seen in the formulation of child policy and programming. For example, the National Policy for Children 2013 adopted the right-based approach to address the continuing and emerging challenges in the situation of children. The Integrated Child Protection Scheme (hereafter ICPS) is one such programme that is premised on the UNCRC principles of protection of child rights and the best interest of the children. ICPS sees child protection as a primary responsibility of families supported by state and civil society but provides a participatory rationale for its constitution by emphasizing its objective "to safeguard, inform, include, support and empower all children" (ICPS 2019, p.6). Within the ICPS framework, the right to protection informs the right to

participation as participation of children plays an enabling role in understanding the children's needs and, therefore, paves the way for improving the protection. In this sense, ICPS's protection model is premised on the UNCRC's idea of 'child-sized citizenship'.

The ICPS's governance triangle of the state-corporation-NGOs is the key mode of neoliberal governmentality which is termed by Dingwerth (2004) as "horizontal associational networks of private (market), civil society (usually NGO) and state actors". Following the same line of reasoning, the governance mechanism of ICPS is characterized by a hybrid structure incorporating government, NGOs, and private agencies. Close ethnographic observation of the everyday practices of three Childcare Institutions³ (CCI) comprising a government-run 'Children's Home and two CCIs managed by child rights NGO - henceforth denoted by the pseudonym BGO, BNGO, and UNGO respectively - reveals further differences and similarities between them in the self-perceptions of functionaries and the signifying functions of three very different technologies of administration. These three agencies are located in different cultural contexts. Comparing these materials allow me to elaborate on the particularities of interactions and negotiations underway between different actors and agencies within the schematic design of ICPS and in turn, sheds light on practices that contest and expand the discursive understanding of child rights (neoliberal) governmentality and nature of challenges encountered in its implementation.

Context of Three CCIs

Comparing BGO, UNGO, and BNGO proves apt for a variety of reasons. The three agencies I have selected as cases had very similar target groups—children in need of care and protection—and rely on government funding. All three are dependent on staff recruited as per the guidelines of ICPS and identified as Childcare Institutions (CCI). Lastly, the three agencies had some similar unintended effects in that they brought children into state and transnational projects of child rights governmentality through enumeration and classification and as targets of ICPS.

However, these similarities made the contrasts between the three agencies even sharper. The chief contrast that I wish to highlight here is that these three agencies found genesis with very different purposes, with their respectively divergent philosophies. The BGO is the product of government juridical order and is deeply rooted in the bureaucratic culture as the workforce is constituted of government employees. Though post-ICPS staff patterning witnessed changes as ICPS guideline-mandated to recruit most of the staff on a contract or outsourced basis, the bureaucratic style of functioning is a determining factor in its governmentality. BGO very much works as a 'transit home' which assumes that children would be staying there for a short period, and they would be moved either to their family or family-like institutions or other CCI as soon as possible. However, I found that many of the children in BGO stay for a longer time, some of them are more than a year. It is noteworthy that there is no provision for transit homes in the JJ Act or ICPS and it is a deviation in the case of Bengaluru. BGO is

³ The JJ Act (2015) proposed CCI for children in two categoriesv- Children in Need of Care and Protection (CNCP) and Children in Conflict with the Law. The Act states that all CCIs, whether run by the central government or state government or NGOs, should be authorized and registered under Section 41 of the Act for providing long-term or short-term residential care to children.

called a 'Home' and the caretaker is called 'Father' or 'Mother' to model it on the institution of the Family.

On the contrary, UNGO is a not-for-profit development agency whose origin is rooted in activism for the rights of child labor and child rights. This activism is evident by the fact that UNGO is one of the first organizations that facilitated the formation of a union of working children and expanded with the formation of the International Movement of Working Children and the National Movement of Working Children. UNGO is widely recognized as a staunch advocate of child protagonism and children's right to self-determination. The founders of the UNGO are motivated by the cause of child rights, especially children's right to participation. UNGO's genetic composition of activism and child rights outflows in its work culture. The staff of UNGO is recruited based on parameters based on the activism philosophy of the organization.

Though BNGO is also a not-for-profit development agency, its foundation is very much located in the Christian altruistic motive. BNGO came into existence to reach out to the neglected children and youth on the streets of Bangalore. The founders of the BNGO were very much concerned with the vulnerable condition of street children and this concern drove them to serve these children by setting up an orphanage for them. It is this philanthropic and service mentality that constitutes the core of the BNGO's intervention, and its functionaries are very much influenced by this ethos. BNGO also stresses the rights of children but focuses more on the right to provision than the right to participation.

In terms of the location, BGO and BNGO are located in Bengaluru, whereas UNGO is situated in the rural taluk of Udupi⁴.

Institutional Care and the Everyday Practices of Governance

a) Institution of confinement, different models

Observation and understanding of the governance of the institution of confinement are some of the fascinating ways to grasp the tussle between contradictory practices of the right of protection adopted by the three CCIs.

The architectural design of the children's (boys') home run by BGO very much resembles the prison. It is a large two-story rectangular-shaped building having a large open space in its middle. Rooms are constructed rectangularly around the open space. This building is opened through a gate located at the right-hand corner. The gate is always closed, and a gatekeeper is always present at the gate. Children are not allowed to go out at any cost. The office of the superintendent of the home is located in the middle of one side, which is best placed to keep a vigil on all sides of the home. The model of the Panopticon⁵ used by Foucault to unfold the diagram of power over people's minds through architecture finds its relevance here. The BGO's children's home acts as a modified and adapted panopticon where the central location of the superintendent in a rectangular building enables him to

⁴ Though UNGO's headquarter is located in Bengaluru its children's residential facility is located in Udupi.

⁵ Panopticon refers to a type of institutional building and a system of control designed by the English philosopher and social theorist Jeremy Bentham in the late 18th century.

observe the rooms of children. The mere location of the superintendent's office in the centre creates a sense of being continuously surveilled and supervised, even if the superintendent is not present in his office. This instills self-discipline and obedience among the CNCP.

The architectural schema of the CCI (boys) run by BNGO is very different from the building elaborated above. It is a comparatively small closed two-story building and there is no open space in its middle. This building opens out through a gate located at a corner of the building. The gate was mostly kept open, and a gatekeeper was present at the gate all the time. Children can be allowed to go out with an attendant and with prior permission. The office of the in-charge of the home is located beside the main gate. During the discussion with the in-charge of the children's home, I came to know that the main door of the home would be closed when new children are sent to the CCI as the possibility of escaping is higher when children are new to the home.

Contrary to the above, the architectural setup of UNGO is a prototype of a village, and the CCI (for both boys and girls) comprises small hut-like independent structures surrounded by tree groves. The children's home does not have a concrete structure and is surrounded by bushes, climbers, and wires. In the morning, there are no gatekeepers present at the gate whereas at night, one of the children works as a watchman. Here, apart from the children referred to by the child welfare committee, children from the marginalized community enrolled in vocational training also stay. The children are allowed to go out with prior permission, and they generally stroll out for different purposes.

The above three distinct architectural models of confinement paint very different perceptions of protection. The resemblance of BGO's children's home with the prison is not a coincidence but indicates a child protection model designed deliberately and calculatedly to supervise, normalize, and discipline the CNCP. Here, protection is equated with the separation of children from the outer world as outer space is considered unsafe for children.

Following Foucault's analysis of prison, it is pertinent to say that like a prison, children's homes are not only deprived CNCP of liberty but also make their bodies docile and capable. In line with Foucault's conceptualization of disciplinary power, children are distributed in partitioned spaces such as rooms and controlled by the intersection of time and activity. The temporal elaboration and divisions, in the form of a timetable, of the acts necessitate required body gestures and movement of children concerning defined activities and objects around.

The confinement is vindicated in the name of the protection of the children as children and their families are not considered capable of protecting them in the outer world and they need state intervention to do so. As one of the staff of BGO said, "Traffickers are roaming who can exploit these children for their benefit." In line with a patriarchal setting, state intervention to protect children reflects in curtailing the freedom of children that contradicts the principle of the inalienability of rights as envisaged in UNCRC. Further, the normal objective of confinement is reversed here which sees society as creating a kind of safe place where it confines those who are considered a threat to society.

In the case of BNGO, protection is seen as an adult-mediated connection with the outer world. This perception is premised on the notion that children are unsafe outside the institutional setup of

confinement, but it should not restrict their freedom of movement. This dilemma is resolved by adult-monitored freedom of children. Here, children's choices are recognized but children are not considered capable agents of transforming that choice into reality. Thus, adults are given the responsibility to assist children in making this happen. To put it simply, children are considered victims of circumstances, and as humans, BNGO staff have a moral duty to help those children. In this relation, a BNGO staff stated that though "I am getting a low wage here, still I feel very satisfied because my life is devoted to helping needy children." The altruistic nature plays a role here as helping children in realizing their rights gives inner satisfaction to duty bearers. In a nutshell, the right to protection is imbued in the altruistic idea of BNGO.

In the third case, protection implies a direct connection with the outer world. UNGO's idea of protection is inherently linked with building the capacity of children to navigate societal danger and this can be done by continuous engagement with them. Premised on this idea, adults play the role of facilitators in UNGO's setup to make children aware of different kinds of danger and handholding them to respond the same. This approach of protection sees the participation of children as a key component of protection that helps in understanding children's needs and enables duty bearers to devise an amicable protection environment for children so that children build their capacity to navigate the social world on their own. The UNGO's idea of protection is antithetical to institutional confinement as confinement is perceived to limit the choices of children. In this case, UNGO's belief in the idea of the right to self-determination plays an important role in child protection.

b) Role of Children in the Management of CCI

In the ICPS framework, children are considered key players in the management of CCI. As per rule 40 of the JJ Model Rules 2016, the constitution of children's committees for the management of CCIs is mandatory. Children shall be encouraged to participate and given adequate weightage in the planning of activities such as play, food, recreational activities, etc. In BGO, children are involved in 6 committees, namely the cleaning committee, health committee, food committee, hygienic committee, and recreation committee. One leader is appointed per committee, and a change of leadership happens regularly. These committees are completely regulated by the functionaries as members of these committees are selected by them. Two NGOs are working with BGO to strengthen the functioning of the participatory platform, but they are finding it difficult to make it happen.

Meanwhile in BNGO, there is a participatory platform called 'Children Parliament'. It is a prototype of parliament in which children elect their representatives to run the affairs of the home. In the children's parliament, children also voice their concerns and raise related issues with adults. It is the key platform for children's participation to share their grievances with adults. The meeting of the parliament is convened every month. The purpose of the meeting is to build leadership qualities among the children so that they participate and take ownership of the activities in the centre. They generally prepare a monthly report which they read out during the parliament meeting. The children discuss the activities they did in the past month and will do in the coming month.

In the case of UNGO, a system of 'Makkala Panchayat' (children's assembly) is in operation. 'Makkala Panchayat' is an elected body of children responsible for the management of the day-to-day affairs of the children's home. It is chosen by the process of election in which any child can file the nomination to contest the election. All the children of the home cast their votes. The children who contest the election share their views on the functioning of the homes. Once the children's panchayat is elected, it manages the day-to-day affairs of the home. Here, adults play the role of facilitator and mentor for the children. Makkala Panchayat is also responsible for conflict management.

In the case of BGO, scope for children to share their views and voice their concerns are minimal, and a model of hierarchical observation is in operation. The superintendent, house father, probationary officers, counselors, child welfare committee, etc. form a hierarchical order to continuously keep a vigil on children and connect themselves by a well-coordinated information grid. It acts as an apparatus to produce the power and distribute children in the permanent and continuous field.

In the case of BNGO and UNGO, the disciplinary technique is more pervasive as 'hierarchical observation' is complemented by 'horizontal observation' in which not only functionaries but also children are integrated with the information grid. In this situation, the responsibility of functionaries to monitor children is shared and taken by the children themselves. However, there is a difference in the 'horizontal observation' of BNGO and UNGO. In the case of BNGO, horizontal observation derives momentum from the adult functionaries of the home who closely work with the children to organize the children's parliament. The role of functionaries is more of a guide in organizing the children's parliament and the children's consultative process inclines towards the adult-driven process. In UNGO, Makkala Panchayat derives its energy from the children's collective, and the process of election, proceedings, and execution of daily activities are subsumed in the children-led process where adults play the role of facilitator. Children are part of joint decision-making structures and are an integral part of the decision-making process. The participatory potentials of children are being strengthened by regular capacity-building exercises.

c) Normalization and Responsibilization

Normalization is the method of domination in which children are subjected to the continuous process of conforming to the rules and norms of CCI. This is not only done by punishing the deviant from the rules, norms, and practices set by ICPS but also contains the elements to encourage or help children move towards the norm in the form of rewards, gratifications, privileges, and distributing ranks. Thus, these awards could be rewarding and punishable. On the other hand, responsabilization is the process of the construction of responsibility by working through the desires, aspirations, interests, and beliefs of children to make them economically and socially active, healthy, and productive subjects. Thus, where normalization is reinforced by disciplinary power and symbolises correction driven by external control, neoliberal responsabilization stress prevention relies on mechanisms of self-regulation to make children act 'responsibly' of their own accord. Therefore, responsabilization intervention is pivoted on the psychological mechanisms of individual choice and application of techniques such as counseling, training, and "nudging" (Thaler and Sunstein, 2009).

It is interesting to analyse the way three agencies practice the process of normalization and responsabilization in everyday affairs.

In the case of BGO, the process of punishment and rewards plays an important role in normalization as explicit in the following statement of the house Father⁶.

“यहाँसबसेबड़ाचैलेंजबच्चोंकोपकड़कररखनाहैवेअपनाअम्मा-पापाकाभीनहींसुनतेहैं, यहाँआकारउनको control करनेकेलिएउनकेमनको read करनापड़ताहै, अच्छालड़काकोअच्छाबातकरनाऔर rough and tough को rough and tough बातकरना।उनकेसाथ friendly जैसा रहनाहै... लेकिनज़्यादा friendly भी problem होजाताहै।” (Here, the biggest challenge is to hold the children. They don't listen to their parents, how they can listen to us? To control them we must understand their mind. With a good boy, we must talk nicely but with a rough and tough one, we must talk in their language. We should live with them in a friendly manner, but more friendly behavior also causes problems)

Here, it is interesting to note that the idea of 'good boy' and 'rough and tough boy' emanates from standardized concepts of normal or abnormal behaviours. As per the 'House Father', children who follow the set routine are the good boys and those who don't are 'rough and tough' so they must be corrected. Thus, children, as a group, are expected to follow the set routine and behave per the set rules of CCI. It measures children's behaviour, traces abnormalities, and in accordance places them in a hierarchical system of correction. Therefore, in the case of BGO, the norm is an entirely harmful idea that allows the oppression and silencing of deviants and the "abnormal". As per this standard, the more abnormal and excluded a child is, the more individual he/she becomes. Hence, in this sense, Individuality signifies deviant behaviour, and it has nothing to do with taking control over 'one's own life.

It is interesting to observe how caretakers and NGO workers engaged with children in BGO to respond to the so-called deviant behaviour of 'lying' by children. It is generally complained by the caretakers and functionaries that children speak lies once they are brought Home. Apparently, children share fake residential addresses or identities or tell the wrong names of their fathers, mothers, and relatives or they will make up a story about running away from their home. An NGO's social worker Aswathi⁷, who works closely with the children of BGO, sees this phenomenon as a result of a 'trust deficit' between children and the functionaries. The reason for this trust deficit is elucidated by her in the following statement.

BGO's caretakers are not at all sensitive and trained to engage with the children as the personal information shared by a child is being used by them to harass the children. On multiple occasions, personal information shared by the children is used to shame them publicly. As personal information shared by a child is very sensitive, it is used by the peer as a tool to dominate a particular child.

⁶ 'House Father' is a designation responsible for managing the children's affairs on daily basis.

⁷ All names are changed in the work to maintain the confidentiality of interviewees intact.

This situation poses a challenge to Aswathias due to her good rapport with children, they share sensitive information with her, which is being recorded in the personal file of a child and discussed with the caretakers. But once caretakers use this information to shame a particular child, that child blames Aswathi for breaking the trust and stops sharing any more information with her. Apart from this, I observed that files containing sensitive information related to children were scattered openly in the Superintendent's office and were accessible to all. My conversation with another NGO worker Sharmila, who closely works with the children in BGO, reveals,

"Many sensitive discussions with a child are being done in the presence of other children that makes the private story of a child a common property and put a child in a vulnerable situation and hence the child is constantly stigmatized and targeted by other children as well as caretakers".

What is at stake here? BGO houses a variety of children - children who have eloped with a boy/girl or come to Bengaluru to work or run away to escape violence and trauma at home, rescued from child marriage, etc.- having intense emotions and volatile psychological states. Some of them who want to go back home stop trusting the adults as they are being promised to be sent home every week but that does not translate into reality and adds to the frustration of children. As aptly said by Aswathi "The current state of children's minds apparently turns BGO into a melting pot of emotional diarrhea."

It seems that to respond to such a dire situation, the mere technology of punishment and awards is not proving apt, and the use of psychological-behavioural techniques is the need of the hour, which is emphasised by the ICPS also. However, the condition for effective functioning of the psychological-behavioural techniques such as training, and counseling depends on the strong relationship between trainees or trainers or counselors and counselees. Put succinctly, trust building is a precondition for any such initiative of ethical reconstruction, but in the case of BGO, it seems to be the weakest link. This is why the relationship of children with the House Father is limited to the BGO only, and as soon as children leave the BGO, they don't want to get in touch with him as reflected in his statement that "once these children move out of here, they won't recognize me".

Contrary to the BGO, in the case of BNGO, the relation between caretakers and children appears to be built on mutual trust. The caretaker plays the role of a 'guide' to direct the children on the right path to make them responsible for independently taking care of their livelihood, health, well-being, and security to lead a happy family life. As the Director of BNGO Gracy, who has specialised training in counseling young ones, stresses, "My role in BNGO is to direct the children towards the right path by establishing a continuous dialogue with them in the form of counseling".

This guidance is premised on making a twofold realization to children. One is the realization that their current life situation is hazardous not only for them but also for society. Two, that something called a 'happy and safe life' exists, and it is very much within the reach of children, provided they will follow the right path by making the correct choice.

Here, emphasis on the movement from a hazardous to a safe and happy life appears to be premised on the Christian idea of salvation that demands people to make sacrifices to become a part of the next world – heaven. In the case of BNGO, the next world is not heaven in the literal sense, but the

next phase of life characterized by a happy and safe life, and to achieve this, children need to sacrifice their bad habits and erroneous belief systems and follow the path directed by the BNGO. Unlike the BGO, where external coercion became the driving force for all actions as children are being stigmatized for their past actions and punished and awarded for their present acts, here in BNGO, modification of the inner soul is a prerequisite to living a happy and safe life and ambition to achieve this life in the near future became the motivating force for children to act responsibly.

Further, the disciplinary mechanism of BNGO hinges on the practice of incessant vigil on children. However, unlike the external surveillance of BGO, here access to the internal soul of each child to know all their trespasses, both public and private, is a necessary condition of monitoring. In this connection, Gracy's statement finds its relevance. She says,

"...It is important to touch the inner souls of the children to know the truth. Most of the time external appearance is deceptive, which is why we need to have patience. Many times, I know a child is telling a lie, but still, I listen to him intently without letting him know that I am aware of his lying. This is the only way we can connect to his inner soul and understand what is going on inside them".

The effort of Gracy to touch the inner soul of a child marks a very individualized relationship between each child and the guide, and the core of this relationship is constituted of mutual trust and confidentiality. As she states,

"Children are very good observers, and they observe our acts minutely. In case they feel we are not keeping their secrets intact; they will stop trusting us and opening up".

Hence, the intervention of caretakers is not directed at the act of a child, but the focus is on the shaping of the soul and causative factors responsible for a particular act of a child. Instead of getting angry and scolding a child, as was the dominant feature of the BGO, here caretakers seem to give space and time for children to open up and establish a dialogue with the inner self of a child. However, earning the trust of children is a long, complex, and rugged process as made explicit by Gracy in the following lines,

"Most of these children are rejected by society and grow up on the street; they lack love and care. Owing to this reason, they develop a higher degree of distrust and learn bad habits and attitudes. To earn their trust and enable them to come out of their bad habits, we need to give them love, affection, and care".

The building of relationships based on love and care seems to be moulded on the normative framework of family. It is a formal rule in BNGO that if a child has to go outside, he has to inform a member of the house about this in advance because, as per Gracy, "it happens in a family". This is the reason the bonding of the children with the caretakers continues even after the children move out of the home and the follow-up process with the children lasts even when children leave the BNGO. This is reflected in the view of the Director who says, "Even for their marriage my boys take my view and take me to talk with the prospective bride's family". This bonding seems to create a conducive environment for children to confess by sharing the innermost secrets, such as desires, wrongdoings, etc., of the soul

and knowledge of conscience. The technology of confession is knitted together with personal guilt, and the feeling of guilt subjects a child to a regular process of self-examination, both of actions and of conscience. Thus, here a constant process of self-knowledge, self-awareness, and self-regulation plays a significant role in shaping the interior world of the child, which is not true for BGO. Contrary to BGO's top-down disciplinary mechanism, BNGO relies on a new care pastorate rooted in friendship, love, and care. They exercise pastoral power over children by fostering and activating responsible, self-disciplined agency in children and the caretaker plays the role of a shepherd to "...serves the flock... [and became]an intermediary between the flock and salvation (Foucault, 2009)".

Contrary to BGO and BNGO, UNGO's process of normalization and responsabilization is determined by the protagonist rationale of children characterized by negotiation and collective bargaining. In this regard, one of the directors of UNGO, Savita Shome stated that,

"Children and governance' imply that children's Right to Self-determination applies to the decision-making processes of all duty bearers... creating spaces where children can effortlessly and confidently represent themselves in decision-making processes is one of the most important obligations, we adults shoulder".

Aligning with the above statement, in UNGO, children elect their council each year known as Makkala Panchayat (MP). MP plays a crucial role in the governance and management of the UNGO on decisions ranging from menu choice to rules governing discipline. There are different tools used and processes in place to enable children to govern the UNGO in partnership with adults. For example, Ground Rules (GR) constituting checklists of dos and don'ts have been developed by MP in a participatory manner. It is developed by children and facilitated by adults. The norms and rules are mutually agreed upon and developed by children to be followed on campus. As this is developed by all children, they own it. The children themselves decide the process of awards and punishment through GR. These ground rules are combined with various activities and responsibilities. Each child has a responsibility in UNGO to take up day-to-day chores such as cleaning, collecting garbage, sweeping, mopping, taking care of cows, milking, gardening, etc., and in undertaking such work, they must follow the ground rule, and in case of its violation, they are being reminded that they are going against their own rules as defined in GR.

In this way, children are governed by their conscious choices and self-knowledge emanating from the collective mode of decision-making. Here, a conscious child is a knowing child constantly ready to reinforce and create an empowering ambiance through making evidence-based sacrifices. Knowledge and collective consciousness are key attributes in the construction of a child who is willing to change and act for the sake of the group. In this sense, individual children represent the voice of MP and share the views and aspirations of the collective. As opposed to BGO and BNGO where the process of normalization (punishment and gratification technique) and responsabilization (psychological-behavioural techniques) respectively play a dominant role in the governance of CCIs, in the case of UNGO, it seems a sense of collective technique of organized participation is the driving force. In this regard, one of the founders of UNGO, Sumati stated,

"The participation of individual children is difficult and ineffective because they represent only themselves; it excludes the less vocal; and it gives more room for manipulation. On the other hand, the organized participation of children gives them strength, and access to more information, confidence, identity, and ownership".

However, the efficacy of the technique of organised participation depends largely on the extent to which children acquire the relevant information and are equipped with the skills of negotiation, representation, collective bargaining, and leadership. It seems that regular training sessions are being organised for children as well as caregivers at UNGO to provide all such skills and the necessary nurturing environment for inculcating them.

d) Skill development

Post-1991 globalization and economic liberalization, the Indian state witnessed the rise of horizontal governance to sustain and implement the new economic rationality in the social domain. The confluence of network enterprise with horizontal governance reinvented the workplaces in the form of shopping malls, industrial parks, and special economic zones. This necessitated a demand for a new set of skills driven by behavioural change. These skills are less defined in terms of "dexterity or technical knowledge" but more in terms of "soft skill" (Unni and Rani 2008). In this sense, 'soft skills' are instrumental in not merely imparting technical know-how to trainees but also crafting their personality and 'embodied performance' in the workplace. Put succinctly, workers are required to not only perform their technical tasks efficiently but also work on their personality and behaviour as per the requirements of the job (McDowell 2009). The post-reform social policy in India incorporated the skill development programme (SDP) as a tool to empower youth so that they make use of new economic opportunities rather than becoming obstacles to state development. It is in this context that SDP is an integral part of ICPS, and the three CCIs discussed in this study.

In the instance of the BGO, an automotive training programme spanning a duration of three months is being provided to a group comprising 22 adolescents ranging in age from 15 to 18 years. The administration of this SDP is overseen by the NGO known as the HCT. While the training regimen extends for three months, it is imperative to note that post-training employment placement is offered, albeit without a guaranteed outcome. Upon successful completion of the training, participants are conferred with a skill certification, and those who choose to remain in the Bengaluru region are subsequently facilitated in securing positions within various entities. Children who moved out of Bengaluru have to find jobs themselves and are very rarely placed by the HCT. The need for soft skills is recognized by SDP instructor Manjunatha, as reflected in the following statement,

"What we look at in school students here is totally different...their state of mind, and their thinking capability... students in schools think only about their studies but students here come from other states for different purposes....I not only teach them about automobiles I will teach them something about life also, I tell them that you have committed mistakes, you quarrelled with your parents, you left home without informing them, and if you commit the same mistakes again then you

won't have a good life in future. You have the opportunity to correct [your mistakes] here. You can leave from here with your certificate and work wherever you can."

Nonetheless, a structured framework and mechanism for imparting soft skills training are conspicuously absent, with such instruction predominantly confined to sporadic guidance provided by Manjunatha adopting an exhortative approach. The method of punitive measures and the act of exclusion takes precedence over the sophisticated psycho-behavioural technique of the cultivation of soft skills. Illustratively, an instance arose wherein a trainee faced expulsion from the SDP due to the act of engaging in push-up exercises during the training, an activity that the instructor deemed unfavourable.

BNGO concentrates on vocational training of youth between the age group of 14-18 years. The skill development is mainly for youth who require support to secure employment, apprenticeship, or acquire a vocational skill leading to job placement. Literacy classes are part of the skill training. The placement-linked vocational training is being imparted in two-wheeler mechanics and screen printing. In the case of some trainees who drop out, they are motivated to complete their education and given hand-holding support to complete secondary school examinations. The BNGO collaborates with various employers not only to get support in training but also for the placement of trained children in their company. Most of the children get employment. One of the issues initially faced by BNGO is the high attrition rate of children who are placed in the company. It was happening because, in the new work environment, children were not able to adjust as their perception of the company job was only the stability and comfort which does not conform to the real conditions characterized by long working hours and multiple shifts. Additionally, some of the habits of children, like stealing, were causing problems for the employer. This challenge necessitated work on the attitude, personality, character, and mindset of children so that they adapt themselves to changing life situations such as job conditions.

Considering this situation, a customized Life Skill Education (LSE) module was incorporated as a core element to complement the vocational training. As highlighted by LSE coordinator Veeru, LSE derives its programmatic legitimacy from WHO's model which defines LSE as "abilities for adaptive and positive behaviour that enable individuals to deal effectively with the demands and challenges of everyday life (WHO1994, p.1). It further lists a set of 10 skills including "decision-making, problem-solving, creative thinking, critical thinking, effective communication, interpersonal relationship skills, self-awareness, empathy, coping with emotions, and coping with stress" to enhance the "Psychosocial competence" (ibid). The purpose of vocational training and LSE is to make children "self-reliant, self-directing, employable citizens" to adapt in tune with "the predictable development tasks" such as employment (Adkins 1984 p.45-46 cited in Maithreyi, 2019). Veeru underlines this fact in the following statements regarding children,

"I tell children you are temporarily living here, you have to live your life, get ready...we keep reminding them to use this time and opportunities to [prepare] to lead life [independently] in the future".

The above statement very much echoes the concern of Maithreyi (2019, p.255) that "external conditions affecting an individual's life were made problems of individual psychological development".

By placing focus on the core idea of liberalism constituting "rational, freely choosing, isolated equal individuals" (Sullivan, 1977 Cf Burman, 2008 and Maithreyi, 2019), LSE invisibilizes the social, economic, and political locations of individuals that determine their capability to choose or exercise agency (Jeffrey, 2005).

The significant absence of social components such as caste, gender, class, etc. in BNGO's LSE makes it individualised with an exclusive focus on 'the individual deficit' of the child (Maithreyi 2019, p.267). It is imperative for children to work on their behaviour and personality such as listening to their employer, punctuality and time management, managing finances (whatever income they have), conflict resolution, not fighting, and not stealing, etc. So that they would be able to transform themselves into flexible, self-manageable, and adaptable child citizens as per the demand of employers and the market as reflected in the below statement of Gracy.

"Employers and supervisors are very cooperative as we meet them beforehand and give our rules (Guidelines) such as don't allow children to be alone, don't expose them to attractive things like cash and mobiles, keep a strict eye on the time they come and leave work, etc. I myself visit the employer and explain the background of the children to the employer."

The strong bond of BNGO with the employer, even after placement, gives handholding support to placed children. In this way, LSE enables the constant "psychological gaze" (Lau 2012) to transform the attitude of the children in line with the workplace environment and work culture. It shapes the aspirations of children by laying down the entrepreneurial norms for ways they should behave, defining the kind of life goal they should aspire for, and the types of responsibilities they should take for the betterment of their lives and society. On the model of successful industry leaders, training motivates young people to aspire high and work hard to achieve their personal and professional goals to overcome poverty and transform their own lives. In this way, BNGO apparently considers LSE as a tool to correct the deficit of at-risk children by enabling them to meet the standards set by employers and the market. In doing so, it seems to be perpetuating and normalizing the market-oriented middle class's idea of success and merit.

UNGO has a one-year placement-linked vocational training programme for 14 to 18-year-old girls and boys. However, contrary to BGO and BNGO, UNGO trainees constitute both those who fall under institutional care and who are from the community outside. The trainees enrolled in vocational training are exposed to all courses during a 3-month foundation course. After the foundation course, students have to pick one main course amongst Computers, Electrical and Winding, Garments Making, Wood Technology, and Hospitality; and have the option of choosing one optional course amongst Beautician, Dairy, and Agricultural Training. At times, employers who provide apprenticeships subsequently employ trainees after the completion of their training. In some instances, students have been able to find employment on their own or start their own ventures. Also, trainees are helped to set up their enterprises by enabling them to access institutional loans.

In line with BNGO, UNGO's skill development training includes technical training and LSE. Nonetheless, in contrast to BNGO, here apart from other elements, LSE includes the component of

social and civil rights. Kriya Nandan, Assistant Director of UNGO who is responsible for the vocational training, stated in this regard.

"Vocational training aims to facilitate trainees to avail market opportunities in a manner that places them at an advantage of being appropriately skilled, well-versed in the labour market dynamic, and aware of social issues so that they contribute to the development of themselves, their families and society as responsible citizens".

In addition to entrepreneurial attitude, UNGO's skill development training focuses on building awareness regarding social dimensions such as gender, caste, religious harmony, child marriage, labour, and other civil rights. The incorporation of local knowledge, technology, and culture in skill development training is a unique feature of the programme highlighted by Nripa, a coordinator, in the following assertion.

"The campus is eco-friendly and sustainable as solar panels for energy, biogas for kitchen fuel, and vermin-compost for plants are being used for running the campus. All vocational trainees are skilled in maintaining these eco-friendly technologies. Several of these graduates have moved back to their villages and are using low-cost eco-friendly construction and agricultural technologies. Of these graduates, a majority are girls who have been impacted positively and have now returned to their villages as role models for others...we conduct exhaustive capacity-building programmes on personal safety, gender, and sexuality sensitization sessions with children".

Similarly, there is an effort to develop awareness of and enable children to be a part of the folklore culture of the coastal part of Karnataka by forming a cultural organization constituted by BNGO's children. As per Nripa, "This initiative plays a cardinal role in diluting social and gender barriers by deliberately giving equal opportunity to girls and marginalised children to master folk art performances". With this, to strengthen the collective bargaining of local craft and art workers which includes former trainees, a cooperative, 'our shop', was established to source the traditional arts and crafts to the market. In contrast to BGO and BNGO, UNGO's SDP is very close to McGrath and Powell's assertion: Skill training should equip workers not just to find employment, but to achieve these wider goals... that is decent, life-enhancing, solidaristic, gender-aware, environmentally sensitive and inter-generationally minded. ... must be concerned with poverty, inequality, and injustice and contribute to their eradication. It must be supportive of individuals' agency, whilst also reflecting a careful reading of the structures that too often constrain them. (2016, p. 18)

Conclusion

The experiences of three CCIs depict the clear influence of transnational ideas and institutions. However, my analysis cautiously rejects the specious assumption that the welfare programme is a mere reflection of global trends. Though ICPS is located in UNCRC's normative and functional grid, the three CCIs exhibit very different modes of government rooted in different epistemes of child rights that evolved in a specific moment of state formation. BGO's idea of rights is driven by the welfarist logic of a paternalist state that determines the best interests of children by exercising its authority over children.

Contrary to this, BNGO seems to encapsulate the best interests of children in the neoliberal paternalistic rationality of the care pastorate. It is perceived as individualized self-government and self-actualization to shape children in tune with dynamic market demands. On the other hand, UNGO sees the best interests of children rooted in children's collective to empower them to negotiate and bargain with dominant market forces. The focus of UNGO is to establish a continuous critical dialogue of the individual's self with collective consciousness and seems to be directed towards resisting the -neoliberal individualizing projects of fostering autonomous skill, individualized self-expression, and self-regulation.

These differential processes show that ICPS's execution at various sites of state marks the specificity of global UNCRC processes. It allows me to go beyond the simplistic top-down homogeneous understanding of state formation and expands the analytical canvas to consider the multiple ways in which child rights are understood, negotiated, endorsed, and contested across the various institutional locales of the state. This heterogeneous recognition builds the fertile ground to trace the dynamicity of state formation at the grassroots levels where child rights are not only appropriated by neoliberal forces, but also neoliberal appropriation navigates the terrain of stiff resistance. It makes it clear that political power operates through autonomous political subjects such as CCIs in different manners. The difference in their ability, cultural rooting, and expertise determines the nature of political will formation that significantly impacts state formation. This consideration reinforces the non-monolithic character of the state, revealing it to be a complex and contentious assemblage, rather than a unitary agent or a seamlessly integrated entity as Weberian ideal-type model.

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Price: Rs.30.00

ISBN 978-93-93879-71-4



INSTITUTE FOR SOCIAL AND ECONOMIC CHANGE

(ISEC is an ICSSR Research Institute, Government of India
and the Grant-in-Aid Institute, Government of Karnataka)

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