Chapter 1

INTRODUCTION

The word child is understood in several ways; a person between birth and puberty or one between infancy and youth; a son or daughter of human parents; a young person of either sex. A child is one who exhibits the 'characteristics of innocence, obedience, trustfulness and limited understanding.' Childhood is a short period of life till the child becomes an adult. The word 'child' tends to be used in literature in two ways, one in a general sense, and the other in a specific sense. As a general term, the word means a young person ranging in age from birth to one upper level not exactly determinable, but approximately the fifteenth to the sixteenth year. Specifically the word 'child' is used in the legal sense, in terms of relationship, as 'whose child is he'. Law confers certain powers and rights on the parents in respect to the child and places on them certain obligations and responsibilities. The word 'child' has been used in legislation as a term denoting relationship, as a term indicating capacity, and as a term of special protection. Thus, legal conception of a child tended to vary depending upon the purpose.

Individual countries have the discretion to determine by law whether childhood should cease at 12, 14, 16, years or whatever age they find appropriate. In the everyday world the category of childhood is specifically descriptive as a community that is stable but its membership is fleeting. Law lays down differential provisions for children, with specified ages. The choice of the cut-off age seems to depend on the range of law, policy, and administrative considerations and presupposes coincidence of physical and mental maturity. For example, for labour

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1 Webster's Revised Unabridged Dictionary. 1996. 1998. MICRA INC.
3 Ibid. 19.
practice, physical growth in terms of body strength and endurance for a specific kind of work should be the prime determinant. For criminal law purposes, however, the mental ability of the person to understand the nature and consequences of one’s activities is more important.  

All societies recognize at least three categories of age, grouped on the basis of function and status. These vary from one society to another; most accept Child, Adult and Elder. The concept of the ages of life is one of the common ways of understanding human biology. In earlier times life was also seen as divided into five phases. The first age was when the teeth are planted, and begins when the child is born and lasts until seven. In this age the child, was called an infant. The second, age was called ‘pueritia; and was given this name because in this age, the person was still like the pupil in the eye, and this stage lasted till fourteen years. Afterwards follows the third age, called adolescence, till twenty which was followed by youth and finally old age.

In another categorization on the basis of social life, first of all was the “age of toys”. Then, “the age of school”, boys learnt to read or carry books and pen tray, while the girls learnt to spin. Next was the “age of love” or of courtly and knightly sports, feasting, boys and girls walking together, a court of love, and the May time wedding feasting. Fourthly, the “ages of war and chivalry”, a man bearing arms. Finally, the “sedentary ages”; those of men of law, science and learning, the old age bearded scholar dressed in old fashioned cloth sitting at his desk by the fire. In this conceptualization, the ages of life did not correspond simply to biological phases but also to social functions. In medieval Europe the idea of childhood simply did not exist.

This is not to suggest that, children were neglected, forsaken and despised. The idea of childhood is not to be confused with affection for

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6 Asha Bajpai, *Child Rights in India, Law, Policy, and Practice*. 5
8 Ibid.
9 Ibid. 18 &125.
children, it corresponded to an awareness of a particular nature, which distinguishes the child from the adult, even the young adult. In medieval society this awareness was lacking. That is why, as soon as the children could live without constant solicitude of his mother or his cradle-rocker, he belonged to adult society. Language did not give the word “child” the restricted meaning, we give it today. The absence of definition extended to every sort social activity, there was no room for adolescence. Until the eighteenth century, adolescence was actually confused with childhood.

The idea of childhood had started to emerge and gradually found expression from the fourteenth century onwards, in art, iconography and religion. In the sixteenth and seventeenth centuries, the child or infant-at least in the upper classes of society- was given a special costume, which marked him out from the adults. This specialization of the dress of children and especially of little boys bears witness to the change, which had taken place in the general attitude towards children. A new concept of childhood appeared, in which the child on account of his ‘sweetness’ simplicity and drollery’ became a source of amusement and relaxation for the adult. To begin with, this attitude was held by women, whose task it was to look after children.10

Thus, the concept of childhood gradually evolved with time. And it may first be characterized by coddling- which made its appearance in the family circle in the company of little children. The second on the other hand, sprang from a source outside the family, when religious persons of the community became eager to ensure disciplined rational manners and training to children as an essential preparation for adulthood. Hence the need of schooling evolved, for the preparation for adult life or responsibilities, it becomes necessary.

In India too, the conceptualization of the human life cycle unfolded in a series of stages, with each stage having its unique “tasks” and the

10 Philippe Aries. Centuries of Childhood, 125.
need for an orderly progression through the stages, is an established part of traditional Indian thought, best exemplified in the well-known scheme of Ashramdharma. Ashramdharma, however, focuses largely on the importance to the stages of childhood. The Indian image of childhood stages lies in its formal recognition of different periods of childhood and its assignment of "appropriate" ages to each period. Childhood was not treated as distinguished from the other stages of life. Consistent with the belief that life begins with conception rather than at birth, Ayurveda identifies five such childhood phases: 1. Garbha, or the fetal period; 2. Ksheerda (0-6 months), when they live entirely on milk; 3. Ksheerannada (6 months-2 years), the period of early childhood in which weaning takes place; 4. Bala (2-5 years); and Kumara (5-16 years). This division of childhood is reflected and affirmed by literature, in so far as the major rituals of childhood take place at ages that mark the transition from one period to another. One of the major thrusts of these rituals is the gradual integration of the child into society. The theoretical view of the vision the stages of life were however, practically different in different periods of history.

The Boy-child in Indian tradition is ideologically considered a valuable and welcome human being to whom the adults are expected to afford their fullest protection, affection and indulgence. In Hindi for example, what adults do to children is 'palna-posna', protecting-nurturing, they are not 'reared' brought up. Here, the proper form of interaction between adults and children is not conceived of in terms of socialization but interplay, mutual learning and mutual pleasure.

Since ancient times, the family has been the most important child care institute in India and satisfactory rearing of the child was ensured by an effective social organisation, through the institution of the 'Joint

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12 Ibid.
13 Ibid., 192.
family’ and close knit community. These stressed co-operative responsibility and provided care and protection to children. The traditional cultural attitude towards the child in India, shows not only longing for children, but a faith, a belief, satisfaction of marriage really does not take place until, children are born in the family.14

In medieval India childhood was represented through the customs and rituals related to the child which played a predominant role from the conception of the child. The most important ones were Jatakarmah (birth ceremony, when honey stirred in ghee was put into the mouth of the infant by means of a gold ring), Namakarana (Name-giving ceremony), Chudakarna (hair-cutting ceremony), Upnayana (initiation) ‘sacred thread’ (prior to eighth year) ceremony and Vivaha (marriage) for Hindus15 Among Muslims the first ceremony was the pouring of honey into the infant’s mouth immediately after birth and than ‘Azan’ or the Muslim call to prayer was sounded in the ears of the infant, custom of cord cutting, Aqiqah rites, naming ceremony, birthday ceremony, Maktab ceremony; bismillah (initiation ) was performed when a boy was four years and four months old and than Sunnat or (circumcision) usually at the age of seven.16 These rituals marked the different stages in childhood.

II

Systematic interest in the history of childhood goes back to the 1960’s with the publication of a study by the French historian Philippe Aries, Centuries of Childhood,17 in which he argued that before the 17th century the sense of childhood did not exist, in other words that children as we see them, were viewed either as ‘animals’ or as ‘miniature adults’.

Although in the literary sphere in the form of lyrics and verses

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14 Ibid. 201-204
15 Pran Nath Chopra. Social Life during The Mughal Age( 1526-1707). Durga Printing Works. Agra. 1963.1-5. Upnayana was initiation of the child for his education and which was an exclusive privilege of the three upper castes. It was rarely given its true meaning, as early marriages were in vogue.
16 Ibid. 11-15
interest in children can be seen with Blake’s *The Chimney Sweeper* and William Wordsworth’s on *Intimations of Immortality from recollections of Early Childhood*, the phenomenon of expressing something of great significance through the child, was there in English literature.18 The study on children or childhood as a significant stage or a social category started only in the 20th century with the books on *World’s Children* in 1903.19

We find a meager historical literature on children for reference Philippe Aries’s *Centuries of Childhood* in 196020, Chris Jenks.(ed) *The Sociology of Childhood-Essential Readings* 1982.21 And essay Lloyd De Mause, “The Evolution of Childhood”.

Philippe Aries’s *Centuries of Childhood* traces the history of childhood in medieval Europe by a demographic historian who, struck by the original characteristic of the modern family, felt the need to back into a more distant past. The first part of this book is on the idea of childhood. Aries presents two views of childhood the first is characterized by coddling, which led to a short duration of childhood. As soon as a child could walk, he became a part of adult society. The second view is based on the realization, that the child is weak and innocent; hence, not ready for life, thus it becomes the duty of adults to protect and strengthen them. Children’s dresses a history of games and pastimes, attitudes towards sex and early ideas about education have also been traced in this part.

The second part of this book is on scholastic life, in which the author traces the early kind of education which increased the duration of childhood. For the lower classes however the period of childhood remained five to seven years in a sense childhood and its different age groups were institutionalized. By the late 18th century conscription and

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18 Philippe Aries. *Centuries of Childhood*. 126
20 Philippe Aries’s *Centuries of Childhood*.
later military service gave recognition to a phase of adolescent or pre-adulthood. For girls however childhood was brief, since they were inducted into domestic apprenticeship at an early age.

In the third part of the book Aries has presented the position of family in society in which he says, the density of society left no room for family, until the eighteenth century, it failed to destroy old sociability.

Although Aries work, this book as well as an article "the discovery of childhood" in the *Sociology of Childhood* by Chris Jenks is limited to the western world and is based largely on an analysis of art during medieval times, it raises a number of questions which are relevant for the study of children in past society. In the first instance he underlines the importance of terminology used for children and the attitude towards a child. The changing length or duration of childhood and clear elements of dependence is also brought out. Through the study of medieval art he brings out the images of child like, pieta :( a mother holding in her arms the somewhat bulky body her son 9th century B.C.) angel, infant Jesus, and the naked child. He is underlining the gradual emergence of the child in the social order. The traditional society was indifferent towards children; however from the 16th century onwards we find an appreciation of children, which finds its way to all classes of people. The seventh century marks the beginning of the new consciousness about the child in the family. By the 18th century a new element of health and hygiene, concern for education and the future of the child is seen as significant link to past childcare. Although, the book focuses on Europe in Medieval times and the same sources for the study of children may not be available in all societies, these basic questions remain as a starting point for the study of the child.

Lloyd Demause, in “The Evolution of Childhood” in *The Sociology of Childhood* by Chris Jenks. DeMause begins by understanding the neglect of children in the record of past. History has always focused on public events, therefore childhood has been neglected, but history is a
study of continuity and change over time, thus there is a need to explore childhood. According to him, the parent-child relationship is an important agent of social change. He gives the example of Saint Augustine’s cry “Give me other mothers and I will you another world”. He argued studies on children have become routine for the psychologist, sociologist, and anthropologist, while Historians are just making a beginning. De Mause put forth a psychogenic theory of history and believes that the central forces of bringing about change in society is a neither economy nor technology, but psychogenic changes in personality occurring because of successive generations of parent child interactions. These changes will vary according to time and space, And also class of society. He presents a periodization of modes of parent child relationships. Like the infanticidal mode (upto 4th century A.D.) Abandonment, (upto 13th century), Ambivalent Mode (14th to 17th centuries) intrusive mode (18th century) Socialization Mode (19th to mid 20th centuries) and Helping mode (begins Mid-20th century).

The hypothesis of the psychogenic theory of history is that the evolution of parent child relation is an independent source of historical change and that this evolution is found even in period of social stagnation. The history of childhood is a series of close approaches between adult and child, leading to new, child rearing practices and the a gradual and constant improvement in childcare. Child rearing is a transmission of the cultural traits of society.

DeMause has highlighted several aspects of childhood that need to be taken up in some detail. The history of infanticide, status of illegitimate children, duration of child rearing, abandonment of children, the reason for abandonment and methods, child rearing practices; use of devices to shape of head and nose, hardening or strengthening practices are all relevant for studying children.

Literature on children by English authors can be seen largely in the disciple of sociology and psychology some of them are as Erik H. Erikson.


There are several books on the legislation on children in India, such as Asha Bajpai’s *Child Rights in India. Law, Policy, and Practice.* 40 Paras Diwan and Peeyushi Diwan. *Children and Legal Protection.* 41 Neel K. Sharda *The Legal Economic and Social Status of Indian Child.* 42 Dolly Singh’s *Child Rights and Social Wrongs (Analysis of Contemporary realities).* 43 Gokhle. S.D and Sohni N.K. *Child In India.* 44 Myron Weiner. *The Child and the State in India.* 45 Helen .R. Sekar,

Asha Bajpai’s *Child Rights in India. Law, Policy, and Practice.* 46 seeks to portray the Governmental effort to emancipate children from some of the social handicaps. First the definition of child is explained from legal point of view and the duty of the state is seen for the protection of this young category of society. The legislation for children is discussed in relation to adoption, right to parental care and guardianship and custody, right against exploitation-child labour, right to protection against sexual abuse and exploitation in connection with child marriage and child trafficking. The role of NGOs and Government agencies is traced. Juvenile justice is also discussed at a length along

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39 Alah Raksha *Child Labour in India.*
40 Asha Bajpai’s *Child Rights in India. Law, Policy, and Practice*. 2nd edition. Oxford University Press. 2
43 Dolly Singh’s *Child Rights and Social Wrongs (Analysis of Contemporary realities).*
46 Asha Bajpai’s *Child Rights in India. Law, Policy, and Practice.*
with the Juvenile Justice Act 2000. Right to development which is directly related to education of children, educational policy and planning in India, government’s schemes and programmes in the field of elementary education in India. The book also takes up the right to survival; health, nutrition, and shelter issues and children with disabilities. Along with the governmental efforts the NGO's and International organizations suggestions and help is also taken up on every aspect of discussion in the context of legalities. The work makes us aware about the present day care an concern of the state.

Neel K. Sharda’s. The Legal Economic and Social Status of the Indian Child 47 is similar work on the status of the child in India and child legislation, child welfare in selected Asian countries. It specially focuses on Juvenile justice, institutions for childcare and observatory homes in Delhi. Sources such as reports on national policy on children reports on UN declaration of the rights of the child, family laws for the protection and welfare of the children, child labour laws, criminal laws and report on the ILO convention as well as secondary sources have been studied in some details.

The legal dimensions are taken up, among others by Paras Diwan and Peeyushi Diwan, Children and Legal Protection 48 covering issues about illegitimate children, child marriage, adoption, guardianship, custody and maintenance of children, child labour and the child in civil and criminal law and litigation. This book is based on legal cases of the 19th-20th century and its focus once again is on the contemporary period.

Myron Weiner’s. The Child and the State in India 49 focuses on India’s working children and the dialogues on child labour, and on education in the framework of historical comparisons with advanced

47 Neel K. Sharda’s. The Legal Economic and Social Status of the Indian Child
48 Paras Diwan and Peeyushi Diwan, Children and Legal Protection.
49 Myron Weiner’s. The Child and the State in India.
industrial countries with India and other developing countries is taken up. The author focuses on the second half of the 20th century. India rejects compulsory education, arguing that primary schools do not properly train the children of the poor to work, that the children of the poor should work rather than attend schools, that preparing them for service or white collar occupation, would lead to increased unemployment and social political disorder, that the children of the lower classes should learn to work with their hands rather than with their heads, that school dropouts and child labour are a consequence, not a cause of poverty. It is added that parents, not the state, should be the ultimate guardians of children. Since poor parents need the income of their children, it is thus, a matter of social justice that the children of the poor be allowed to work and there is a political element to their argument. According to Myron Weiner there are broadly, four kinds of child labour. First are those children who work in factories, workshops and mines. They are usually to be found in semi urban and urban areas in both the unorganised and organised sectors. Second, are those children who are under bondage to their employees whether in agriculture or in industry. The next category of working children are the street children, those who live on and off the streets and are to be found in the service sector of semi-urban and urban India and the last category are those children, who work as a part of family labour. The study is on the post-colonial Indian perspective on children.

In recent times history has also initiated interest in examining the specific concern of children. Some stray references to children are found in studies on social history. This theme has been elaborated in works on child marriage, female infanticide and education which highlight some specific problems related to children and childhood such as Lalita Panigrahi. *British Social Policy and Female Infanticide in India.* 50 Jaya

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50 Panigrahi, Lalita, *British Social Policy and Female Infanticide in India.*
Sagde. *Child Marriage in India.* 51 Helen R. Sekar’s *Child Labour Legislation in India.* 52 Sambodh Goswami. *Female Infanticide and Child Marriage.* 53 B.N. Mishra. *Juvenile Delinquency and Justice System.* 54 G. Chatterjee, *The Reformation of Neglected and Delinquent Children in British Raj: An Historical Overview.* 55 We find references about children in the books on social history of India. Such as Kali Kinkar Dutta’s *A Social History of Modern India* 56 referring to child marriage and child marriage restraint act; M.N. Srinivas’s *Social Change in Modern India* 57 on some aspects of education; S. Nurullah’s *History of Education in India* 58 traces all the aspects of genesis of modern education in India.

Abhijit Dutta, *Child Marriage An Adult Obsession* 59 The study seeks to portray in detail almost all aspects connected with the custom of child marriage in the 19th and early 20th centuries in Bengal. Social perspectives surrounding the custom of child marriage, with particular reference to Bengal in the 19th century has been covered. The advent of the Parsi social reformer, Behramji Malabari on the Indian social scene, and his endeavours in doing away with child marriage from the mainstream of Indian social life and the response to his endeavours from among Indians and Europeans in India and abroad, has been recounted. The result of his endeavours on the Bengali mind, leading to the antagonism between conservatives who demanded the retention of the custom and the liberals who aspired for its speedy abolition, culminating in the promulgation of the Age of Consent Act in 1891 has been recorded critically. The ultimate failure of the Act to materialise successfully in the

51 Jaya Sagde. *Child Marriage in India.*  
52 Helen R. Sekar, *Child Labour Legislation in India.*  
54 B.N. Mishra. *Juvenile Delinquency and Justice System.*  
56 Kali Kinkar Dutta’s *A Social History of Modern India*  
57 M.N. Srinivas’s *Social Change in Modern India*  
58 S. Nurullah’s *History of Education in India*  
59 Abhijit Dutta. *Child Marriage An Adult Obsession*
country and the causes resulting in such failure, especially the countrywide Nationalist ire against the Act, has also been detailed. The last chapter portrays the revival of the issue of child marriage in the decade of the 20th century in the Legislative Assembly, leading to the promulgation of the Child Marriage Restraint Act in 1929. The causes directly or indirectly responsible for the initial failure of the Child Marriage Restraint Act have also been studied.

Lalita Panigrahi's *British Social Policy and Female Infanticide in India*60 which discusses the background of the social policy and for suppression of female infanticide during the East India Company's rule with focus on the Bombay system, the Rajputana system, the North Western Provinces system and the Punjab system. It also takes up the circumstances leading to the Prevention of the Murder of Female Infants Act of 1870 and the working of the Act. One specific aspect affecting the life of children is thus; seen in a larger perspective and an in-depth study is made.

Sambodh Goswami. *Female Infanticide and Child Marriage*.61 Also looks at the issues of child marriage and female infanticide which are interrelated with the status of women in Indian society. The custom of child marriage and female infanticide has greatly undermined the status of woman making her position subservient to that of males. The author tries to explain that while child marriage determines the personal and social space of a girl child and imposes many new negations, restrictions and limitations upon her body and personality, female infanticide aims at a systematic elimination of the female species. The main contents of the book are status of women in India: a historical background, origin of female infanticide, child marriage in Rajasthan, indigenous reform efforts, role of caste organizations in the eradication of child marriages, role of the native rulers, female infanticide in recent times. This book traces the

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60 Lalita Panigrahi's *British Social Policy and Female Infanticide in India* Delhi. 1972
61 Sambodh Goswami. *Female Infanticide and Child Marriage*.
history of child marriage and female infanticide in India. The main focus of the book however, is on the study child marriage and female infanticide in Rajasthan along with the government legislation, indigenous reform efforts- caste organization and role of native rulers are studied in detail.

Historical writings on the Punjab follows the same pattern. Some general works on socio-economic history refer to children. For example, G.S.Chhabra’s, *Social and Economic History of the Punjab 1849-1901* 62 and B.S.Saini’s work *Social and Economic History of Punjab 1901-1939* 63 have some brief information on the children in the colonial Punjab. In G.S. Chhabra’s book *Social and Economic History of the Punjab 1849-1901* are references related to the life of children like, female infanticide, unlucky children, the stealing children for dancing and prostitution, and disinclination of farmers to have their children educated and elementary education. However, this book does not discuss the changing proportion of children in the total population, ratio of girls and boys, birth rate and mortality, child marriage, child health and diseases of children or State contribution to the life of children.

In B.S. Saini’s book, *Social and Economic History of the Punjab. 1901-1939* we again find references about the undesirability of female children, Child Marriage restraint act, social reforms affecting children, superstitions about unlucky children, fairs and festivals and elementary education. In this work we do not find mention of the position of children in the population of Punjab, proportion between male and female children, distribution of child population, nor is any space given to the services rendered by the children in various fields.

Dr Amrit Walia. *Development of Education and Socio- Political*
Anshu Malhotra. *Gender, Caste and Religious Identities* brings out that the way, in which caste became a significant ingredient of class formation, had very serious implications for defining women’s social roles; as ‘right’ conduct on their part, and control over their sexuality as indices for flaunting a high caste and middle class identity. Along with this the study has attempted to explain the colonial government and social religious movement intervention on this. The main aspects of control were; through controlling unmarried girl’s sexuality, ascetic widowhood and than the importance of the term ‘pativarata’. However, the female’s identity was recognized through her procreation of male progeny which was the most important function demanded by male patriarchy. The main concern of the thesis has been to show how the ‘high caste themselves regrouped as a caste and a class, a rediscovered tradition helped to convert women into ideal *pativaratas*. An aspect of the formation of the high caste and middle class identity in the period under discussion that appears throughout this study was the social and cultural distancing from the low castes. While this study has sought to emphasize the manner in which high caste became an important component in the emergence of middle class identities among Hindus and Sikhs, and sectarian divisions between Hindus and Sikhs on the one hand and between Hindu, Sikhs and Muslims on the other were also forming. Although this work is on the female versus patriarchy, it explains the girl child’s position in this context.

Dr Amrit Walia. *Development of Education and Socio-Political change in The Punjab, 1882-1947* The study relates to the British education network under colonial period. The author argues that the new

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64 Dr Amrit Walia. *Development of Education and Socio-Political Change in The Punjab, 1882-1947*
65 Anshu Malhotra. *Gender, Caste and Religious Identities*
educational network was a political necessity rather than a service to Indians. It begins with the shaping of new educational system with the setting up of Department of Public Instructions in 1856 and forming of the Punjab Provincial Committee on the basis of the Indian Education Commission 1882 and the setting up of Punjab University in 1882. The expansion of primary, secondary, collegiate and female education is given adequate space. Compulsion at primary level is discussed with reference to wastage and stagnation. The work brings out the short comings of the colonial government. Along with the literary renaissance and social awakening, the education kindled a sense of nationality amongst the people. The author asserts that, Indian political awakening was one of the main benefits which followed from the study of English. Fact that with all its short-comings British system of education stood the test of the time and it was because of its inherent potentialities that the same structure continues with some modification. The education for children like primary education and socio religious reform movements contribution for the education of girls discussed in this work, and the work remains relevant in the context of children.

Some works in Punjabi literature are also focusing on children such as Prof. Jagdish Singh. *Sade Bachhe* 66 this book is basically on the child rearing practices. The main contents are the quest of child, untrained mother, minor habits and teachings and objective of teaching. Dr Arjun Singh Mann *Tuhadi Ansh Te Vans* in 1942,67 is about the impact of hereditary characteristics on the personality of the child. Prof. Jagdish Singh *Gunjaldar Bacche* in 1946 68 relates to understand the child psychology of special children who were either very sharp or very poor in every thing. Gurbachan Singh Sokhi *Bache de Mudle Saal* 69

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66 Prof. Jagdish Singh. *Sade Bachhe*
67 Dr Arjun Singh Mann *Tuhadi Ansh Te Vans* in 1942
68 Prof. Jagdish Singh *Gunjaldar Bacche* in 1946.68
1946 69 is also for understanding child psychology. Lal ji Ram Shukla. *Sade Bacche te Ohna Dian Samasavan*1947 70 This book is again for child psychology, children and their minor bad habits and methods to improve them. These works present a general discussion on children and childhood in the 1940’s and the new challenges faced by parents and children.

These works thus, covers some specific aspect related to children, most of them are on contemporary times. None of these books holistically attempted to recreate the world of children, nor have they focused on the colonial times. There is no regional study on the colonial Punjab which relate to children and childhood.

### III

The proportion of children is about 1/3 of the total population in almost all parts of the world. The percentage of children in the total population is at 35.3 percent according to the Census of 2001. Twenty seven percent of world’s population is below fifteen years of age. 71 In contrast the U.S. or Sweden, has the dependent population of approximately only 22 percent of children. 72 2.2 billion of the world’s people is under 18 years old with 2 billion from developing countries out of 6 billion world’s population. 73 The United States has 20 percent children in its population, Germany 14 while Ethiopia 43 percent.

The first step for the welfare of children was taken up after the first world war, with the ‘Save the Children Fund International Union’ founded at the initiative of Eglantyne Jebb (1876-1928) that gave assistance to children as a world responsibility.

“The whole world stands to lose if the children of any nation are allowed to grow up. degenerated and demoralized through

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69 Gurbachan Singh Sokhi *Bacche de Mudle Saal* 1946
70 Lal ji Ram Shukla. *Sade Bacche te Ohna Dian Samasavan* 1947
71 2006 CIA word fact book.
hunger, and the whole stands to gain if they grow up strong and healthy, able and willing to work for the good of their fellowmen, for better or worse, the world can be revolutionized in one generation, according to how we deal with the children".74

On 28th February, 1924 the SCFIU proclaimed the declaration of the Rights of the Child, which was supported by the League of Nations in the same year. In 1946, the Save The Children Fund International and The International Association for Child Welfare merged to become the International Union for Child Welfare. The IUCW obtained consultation status with the Economic and Social Council of the UN. The International Union for Child Welfare is an international non-governmental organisation which aims to promote recognition throughout the world, of the principles of the declaration of the rights of the child, to come to the assistance of the least privileged children and adolescents, to raise the standard of child welfare and contribute to the moral, physical and intellectual development of children and adolescents.75

One of the first substantive decisions of the UN general assembly was to establish UNICEF.76 It was created on the 11 December 1946, to provide urgent relief to children in Europe who managed to survive the second world war. UNICEF is an integral but semi-autonomous part of the United Nations with its own 41 member executive board, (India is one of them) and usually meets, once in a year to establish policy, review programmes and approve budgets. It works within the principles established by the Economic and Social council. A better world for

76 Unicef came to India in 1949. It started in a small way with relief supplies to children need, skim milk powder, drugs, vaccines etc. The early years of UNICEF in India bear the stamp of emergency campaigns like mass feeding programmes particularly during drought or floods and large scale drive against communicable diseases. Ibid. 94
children was envisaged in the United Nations universal declaration of human rights on December 10, 1948, which states, “The family is the natural and fundamental group unit of society and it is entitled to protection by society and state and motherhood and childhood are entitled to special care and assistance. All children whether in or out of wedlock, shall enjoy the same social protection.”

In December 1950, the General Assembly enlarged the organisation’s mandate to address the problem of children in the developing world. In October 1953, the General Assembly decided that UNICEF should continue this work indefinitely and its name was changed to United Nations Children Emergency Fund, the well known acronym was retained. Thus by the mid 1950 there was a shift in concern and UNICEF’s assistance was now for long term social and child development needs.

In 1976, the Economic and Social Council recommended that the General Assembly proclaim 1979 as the International Year of the Child. The 1979 observance of the International Year of the Child generated great interest and concern with the problems of children and much new activity, along with a growing recognition among governments of the need for a regular review of the situation of children and of the policies and programmes affecting them. The International Year of the Child has been mankind’s opportunity to examine, honestly and in depth, what we have done for children, shorn of all clichés and mistakes of the past, and what still remain to be done.

In 1990 a World Summit for children was held in New York in which 150 countries participated. Their aim was to improve the life of children, to ensure survival, protection and development of all children.

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77 *Around 1963, UNICEF along with UNESCO interested itself in the new science curriculum for primary schools and began to support science education at primary level. Ibid. 95.*
for which, they formulated an action plan to support children. One hundred countries adopted the action plan. In 1997 an International Council on Child Labour was held in Oslo. A report on the Status of the World's Children was published in 1999. It underlined that a large proportion of children are illiterate and they need education to maintain progress and peace in the world. Thus, there is no doubt that we need to focus on and look after children, a specific and special category of society, with whom the future is undeniably linked up.

Until the dawn of the 20th century, deaths of infants and children were very common worldwide. High mortality and disability from such causes as diarrhoea, malaria, measles, pneumonia, smallpox, tuberculosis and various forms of under nutrition affected a large proportion of the world's population. By 1900, the world population numbered around 1.65 billion. At that point, although some gains in life expectancy had already been observed in several places – such as England and the Scandinavian countries – the estimated global average life expectancy was only about 30 years. Early in the 20th century, efforts to control infectious diseases, such as hookworm, malaria and yellow fever, would set the basis of future disease control interventions. Mortality estimation reveals that progress has been made in countries in every region of the world. Since 1990, China's under-five mortality rate has declined from 45 deaths for every 1,000 live births to 24 per 1,000, a reduction of 47 per cent.

Report on the Status of the World Children 2008 assesses the overall situation of children in the world and serves as an index of development and well being of their environment. It works at child survival and health care in the family and community and reported the causes responsible for 15 per cent of child deaths. Many conditions and

Children immunized per 100 of children under the age of one year are:-

<table>
<thead>
<tr>
<th>Place</th>
<th>BCG</th>
<th>DPT1β</th>
<th>DPT3β</th>
<th>polio3</th>
<th>measles</th>
<th>HepB3</th>
<th>Hib3</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>78</td>
<td>78</td>
<td>55</td>
<td>58</td>
<td>59</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>World</td>
<td>87</td>
<td>89</td>
<td>79</td>
<td>80</td>
<td>80</td>
<td>60</td>
<td>22</td>
</tr>
</tbody>
</table>

Figures from the status of World's Children 2008 Report

diseases interact to increase child mortality beyond their individual impacts, with undernutrition contributing up to 50 per cent of child deaths.

Under-five mortality rankings in Sierra Leone one having death rate under five 270 followed by Angola (260) Afghanistan (257) Niger (253) Liberia while India has mortality rate of 76 per 1000 and ranked 49 among the other countries of the world. Whereas United States (8) and United Kingdom (6) ranked 151 and 161 respectively. The least mortality ration under five is in the Iceland, Liechtenstein, San Marino, Singapore and Sweden ranked at 189 having only three mortality ratio under five.

Immunization process for children is accessed. Report is prepared for children immunized of 1-year-old against: BCG, DPT1β, DPT3β, polio3, measles, HepB3 and Hib3. 81Infants with low birth weight are 32 percent in Yemen, followed by 30 percent in India, while United Kingdom and United States have 8 percent low birth weight children from 1995-2006.

Number of children attending primary or secondary school who are of official primary school age, expressed as a percentage of the total number of children of official primary school age 84 male /85 females in the period 2000-2006 in the primary school in India whereas for the world this ratio was 80 males and 78 females.

The steps which were taken up by UNICEF for the welfare of the children over the years succeeded in decline in child mortality, speeded up immunisation, improved nutrition and realized a higher level of primary education. UNICEF has also prepared a charter on the rights of

81 The State of the World's Children 2008 123-125
The child. There are 41 articles in this charter which include aspects such as, freedom from discrimination, survival and development, parental responsibility and care, neglect and exploitation, care of disabled children, child labour, health care and aims of education.\textsuperscript{82} For the year 2001 there was a plan for reviewing the programme for children to update goals and launch a new agenda for the child.\textsuperscript{83}

While discussing these problems at national level, there are so many dichotomies, many areas of achievement and an equal number of areas where much needs to be done. The problems related to children have been multiplied in today’s ever growing complex societies. Several important issues, like child abuse, child prostitution, rape and sexual exploitation, female foeticide, child slavery, child beggars, street children, child labour, malnutrition and other health problems are serious issues of today’s world. Of course, there have been great improvements in literacy, access to schools, health and nutrition, checks on child marriages. The polio eradication campaign has been spectacular. Among other problems the HIV/AIDS challenge has come up. UNICEF has been working in schools and among adolescents on this issue and trial is on to minimize mother to child transmission of the virus, quality of education is not up to the mark, a lot more needs to be done. The issue of child trafficking remains to be addressed.

Infact there is lots to be done in the present for the welfare of children. The news papers of today have many issues and headlines related to children; such as, \textit{Punjab Tops in 'Female Foeticide',}\textsuperscript{84} \textit{Now Female Infanticide Replaces Foeticide}\textsuperscript{85} \textit{Female Foeticide Hits Law of Nature}\textsuperscript{86} \textit{Children: Seen, but not heard}\textsuperscript{87} \textit{Child Marriage on the fringes of

\begin{thebibliography}{99}
\bibitem{82} Mendelievich (ed.). \textit{Children at work}. ILO Switzerland. 1980
\bibitem{84} \textit{The Tribune}. December 20. 1999.
\bibitem{85} \textit{The Tribune}. September. 14. 2007.
\bibitem{86} \textit{The Tribune}. February 25. 2007.
\end{thebibliography}
Jalandhar shakes up Administration.88 ‘Every year, 500 Children go missing in Punjab’ 89 Innocence in Wedlock90, 100 big rooms, but none for this Abandoned Child91 Over 10 crore Child Laboures in India92 Child public Pornography93 Hotline to Curb Female Foeticide. Punjab Gets Country’s First Health Helpline.94 Thus, it is necessary to review the status of children in the past in order to plan for their future.

IV

The present research attempts to focus on an overall perspective of children during the colonial period to understand their position and status in society and the steps taken by the State to improve the world of the child in the 19th and 20th century Punjab. The Punjab is taken as an geographical and cultural entity, with an area of 135,596 miles and was in a very special sense the frontier province of India, starting northwards up to and beyond the great peaks of the central Himalayas and embracing the Tibetan valley of Lahul and Spiti. In its eastern districts, it touched Delhi and, on its southern border, it encroached upon the great prairies of Rajputana and Biluchistan.95 The colonial period 1849 to 1947 witnessed a high degree of social change, making it a rich and significant phase for studying society and social groups. Secondly, elaborate records are also available for this period onwards, making it possible to recreate the world of the child and childhood in the colonial Punjab.

The province of Punjab was enjoined to the global economy and

94 The Tribune. October.10.2009.
polity with the annexation in 1849. The colonial rulers introduced a new administrative structure and extended the codes, procedures and laws of British India to the Punjab. Under colonial rule several reforms were introduced in the agrarian sphere and agricultural production increased with large scale canal irrigation schemes. For the political and economic exploitation of the region, new forms of communication and transportation were introduced and colonial rule exercised complete control over the Punjab. As a result of these changes, the demographic distribution and social life of the people underwent a dramatic change. The introduction of western education, the coming of Christian missionaries and the emergence of a professional middle class and several social religious reform movements, produced a certain degree of social transformation.96

British territory was governed through five administrative divisions and further into twenty nine districts. The area was divided into Ambala division, Jullundur division, Lahore division, Rawalpindi division and Multan divisions. Ambala division was carved into Hissar, Rohtak, Gurgaon, Karnal, Ambala, and Shimla districts; Jullundur into Kangra, Hoshiarpur, Jullundur, Ludiana, and Ferozepore; Lahore division into Lahore, Amritsar, Gurdaspur, Sialkot, Gujranwala, and Sheikhupura districts; the division of Rawalpindi into Gujrat, Shahpur, Jhelum, Rawalpindi, Attock, and Mianwali; and Multan into Montgomery, Lyallpur, Jhang, Multan, Muzafargarh and Dera Gazi Khan districts. These subdivisions remain significant as all information in Census Report, Reports on Customary Law, District Gazetteers relates to them, a unit.

Nevertheless, the history of childhood, presents special difficulties for research firstly, because it is so inevitably bound up with every aspect of life, and secondly, because of the relative dearth of historical data on childhood. This is in itself an index of the past status of children. Although there are wide gaps in our knowledge about the life of children in past ages, there is information on certain specific points that is helpful

in our effort to gain a historical perspective, on the status of childhood, by which is meant the position of children in relation to their parents, and the larger social group.

One major problem in the study is related to the age group of children. In the data of the Census reports, the age group in 1868 is taken from 0-12. In 1881 age group is the 0-14 a category that continued up to 1891. In 1901, the Census considered the age up to 15 as that of childhood but reverted to 14 in 1921, only to return to the 15 years mark in 1931. Despite these variations the broad trends in demographic characteristics can be identified and changes therein marked. In connection with the ages of education 6-11 years is the cut off age as this was assumed to be the ‘school going age’ in the colonial period. In the context of customary law since the customs are the injunctions of society, hence, the relationship of parents and children is elaborated but no definite age is assumed, however the terms ‘minor child’ or ‘adult child’ is differentiated. In the legal sphere also the cut-off age is varies and is prescribed by the specific Acts. There is, therefore no specific category of children in the available sources, but a broad delineation of this social group.

This research has been organized into eight chapters. The introduction looks at the concept of childhood and briefly reviews work on children or themes related to childhood. The second chapter presents a demographic profile of children in the context of numbers, distribution, sex ratio, religion and social background and health status. The chapter third is on the extent of child marriage, its variations and decline. In the chapter on education of children, the primary education for children is taken up, its extent and variations in the number of institutions and enrollment of pupils over the years examined. The chapter on children and customary law depicts the role of society in entirety in the personal life of this young category. The sixth chapter on the state and the child reflects some of the measures taken by the government for health and personal life of children. The chapter seventh brings out the measures of the government to improve upon the life of this young category in the milieu outside the family.