Small Hands, Big Voices? Children's Participation in Policy Change in India

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1 Introduction

The Convention on the Rights of the Child (CRC), which entered into force in 1990, gives children the right to 'express […] views freely' in all matters affecting them (United Nations 1989: article 12.1).[1] Following this, the decade leading up to the 2002 UN General Assembly Special Session on Children saw an emerging emphasis on children's participation as a key element of children's rights (White 2002; Harper 2002). While children's rights have been expanded to include a range of rights, children's right to participation has increasingly become a central element in their social mobilisation. And as more spaces have been opened in policy processes for children's participation, examining the challenges in how that participation can influence policy is key to understanding the complexities of realising rights in practice.

The increasing involvement of children and young people in policy processes related to childhood poverty needs to be situated within a broader context of participation in poverty reduction policy. Over the past couple of decades, participatory approaches to poverty reduction have become more common. This has been highlighted with the World Bank and International Monetary Fund's 1999 introduction of Poverty Reduction Strategy Papers (PRSPs), a key step on the road to debt relief for heavily indebted poor countries (HIPC). These papers have to be drawn up in consultation with civil society, and in particular the poor, on the basis that their involvement will produce more effective policies and increase the degree of country "ownership". Echoing this, the 2000/2001 World Development Report, with its extensive *Voices of the Poor* survey, recognises that effective poverty reduction policy requires the input of those affected (World Bank 2000). Yet, while the value of adult participation in decision-making processes that affect them has long been debated, children's right to participation has emerged as a more recent issue in policy and practice.

Children and young people's participation has been defined as 'an ongoing process of children's active involvement in decision making (at different levels) in matters that concern them' (O'Kane 2004: 19). The majority of commentators focus on the processes of this participation, such as the empowerment however defined, of those children and young people involved. There is, however, an increasing need for children's groups and non-governmental organisations (NGOs) to justify their actions to funding bodies and those on whose behalf they claim to be acting and also to demonstrate what children and young people's participation achieves in terms of the impact on the realisation of children's rights. Is participation in policy processes one of the paths by which children will be more able to realise their rights? In order to answer this question, it is necessary to look at what kinds of policy outcomes this participation has had and what factors have constrained or enhanced their influence. To date, there is little evidence to indicate whether or not children and young people can effectively influence policy-makers (Kirby and Bryson 2002; McGuigan 2003).

In order to understand how children's rights can be realised in practice, this article looks at the conditions and/or routes by which the participation of children and young people might be said to have influenced policy relating to childhood poverty. It draws on a case study concerning children's mobilisation in India to track the change in outlook on the part of national and local authorities, from a perception of children and young people as passive recipients of services to a recognition of the value of their active participation (White 2002). Kirby

and Bryson argue that 'We know much more about how to support young people to express their views, than we do about how to ensure those views affect change' (Kirby and Bryson 2002: 63). Research into the influence of children and young people's participation therefore represents a first step towards plugging the gap in existing knowledge, which will ensure that in future, children and young people's participation can be designed in such a way that their policy influence is maximised.

2 The emergence of the children's rights agenda

Attitudes towards children and the idea of children's participation in decision making have been changing over the past decade. At the World Summit for Children in 1990, children showed delegates to their seats. Some 12 years on, at the 2002 UN General Assembly Special Session on Children (UNGASS), children held their own forum as well as participating throughout the rest of the event (CRIN 2002; O'Kane 2004). Putting children's interests and opinions firmly onto the agenda has been described as the new challenge for social development (Save the Children 1995) and the concept and practice of children's participation are becoming increasingly established and accepted by organisations and governments around the world. As White (2002) notes, this new development agenda 'marks a major shift from the consideration of children as marginal subjects primarily within health and education programmes, to the promotion of children as a development target group in themselves, through the rubric of child rights' (White 2002: 725). This shift from the language of needs and beneficiaries to the language of citizens and rights is exemplified in the CRC's discourse of rights and echoes a wider shift in development discourse and practice (Cornwall 2002).

There is still a long way to go, however, before children and young people's participation is fully accepted by those with decision-making power. There are several reasons for this. Harper (2002) argues that governments and policy-makers tend to conceive of policy in relation to children as a question of basic services. She also cites Marcus *et al.* (2002): 'it is often considered that children's well-being can be taken care of via "add-ons" to mainstream policy and the ways in which mainstream policy may lead to or entrench childhood poverty virtually ignored' (Harper 2002:

1077). Both of these assumptions: that children have service-based needs rather than rights and that children will automatically benefit from policies designed for adults, are suggestive of a lack of interest in the rights or opinions of children. Furthermore, many people feel that children are inexperienced and the wrong people to be contributing to, or making, potentially important policy decisions (Panicker 1996).

3 Children's right to participation

There is a range of arguments in favour of children's right to participation, which may be divided into two categories. The first category are those arguments which assert that children's participation results in better decisions, or that it is good for children and young people to participate because it develops their critical thinking, dialogue and citizenship skills (the instrumental approach). The second category are those arguments that maintain that it is the children's right to participate in making decisions that affect their lives (the rights-based approach).[2] As the debate on children's participation moves forward, it is becoming increasingly common for observers to acknowledge the validity of both types of argument: from participation as a means of better addressing children and young people's needs and encouraging their growth as active citizens, to participation as a right. The real question, though, is 'participation in what?' The case study examines the kind of policy issues that a children's movement is attempting to influence and what has constrained or enhanced their efforts.

It has been argued that 'possibly the most difficult area [to assess] with respect to the impact of children's participation, is public policy' (Cunninghame 1999, in McGuigan 2003: 24). Consequently, the question of children and young people's influence on policy processes has rarely been addressed (Johnson *et al.* 1998; CRIN 2002). This article does not attempt an assessment of impact in any quantitative sense, but rather tries to build up a qualitative picture of the areas and characteristics of children's influence on law and policy in both case studies. Studying both the processes and the context of policy influence in this way, generates a series of preliminary conclusions on the constraining and enabling factors for children who aim to influence policy processes.

What is meant by effective policy influence? While it may be partly about the actual changes

that children and young people have succeeded in bringing about in either policy or practice relating to child poverty issues, policy influence also invites a wider interpretation of the notion of influence. Miller (1994) embraces this wider definition when suggesting that 'success' in terms of policy influence operates on three levels:

> Success at the policy level is seen as achieving favourable policy or legislative change. At the level of civil society, it means strengthening non-governmental and grassroots organisations capable of keeping government accountable and responsive to community needs. Finally, at the level of democracy, success means expanding the democratic space in which NGOs and POs [people's organisations] function, increasing their political legitimacy, and improving the attitudes and behaviours of government officials and elites towards NGOs and grassroots groups (Miller 1994: 16).

The analysis of the "success" and "failure" of children's advocacy efforts is thus based on an assessment of the extent to which change has or has not occurred at these three levels: the policy level, the civil society level and the democratic level.

At the policy level, "success" will be determined by concrete changes in policy or law that are associated with the efforts of children and young people. In the context of the case studies, these changes could include, for instance, changes in state policy on the regulation of child labour, or national legal recognition of a working children's union. In terms of the civil society level, "success" (or "failure") will reflect the extent to which the organisations under examination (both the working children's union itself and their supporting NGO) have (or have not) been strengthened by their experience of children and young people's attempts at participation in policy processes. Positive changes leading to a 'success' rating could include increased advocacy expertise, increased confidence on the part of the children and young people and the NGO staff, or a higher profile in the media and the local community. Any or all of these changes would arguably make it easier for the organisation in question to engage with government and keep them accountable and responsive to the community. Finally, when considering "success" and "failure" in terms of democracy outcomes, the analysis takes

into consideration the degree of political legitimacy enjoyed by the children and young people's organisation and any changes in attitude or behaviour on the part of officials and/or decision-makers towards the children's groups.

The analysis is informed throughout by the recognition, as per Miller and Covey's (1997) model cited in VeneKlasen and Miller (2002), that the policy process is a series of interlinked and interdependent stages. In other words the "final" stage of monitoring and evaluation of policy as it is implemented feeds into another round of agenda setting, as well as feeding backwards to improve ongoing implementation and enforcement. This in turn will lead to the refinement of policy formulation, and so on, as illustrated in Figure 1.

This model of the policy process is used in the next section to clarify the points at which children and young people are able to exert the most (and least) influence.

4 Bal Mazdoor Sangh and Butterflies

Butterflies Programme of Street and Working Children was set up in Delhi in 1988. It aims to empower children in line with the CRC by supporting every child's right to 'a full childhood where he/she has the right to protection, respect, opportunities and participation in his/her own growth and development' (Butterflies 2002: 1). The organisation engages with around 750 of Delhi's estimated 400,000 street and working children (Christian Aid 1997) in a variety of ways, based on the principles of democracy and child participation.[3] The children targeted by Butterflies are mostly working as rag pickers, shoe-cleaners or vendors, or employed in restaurants, workshops, garages or small-scale industries (Panicker 1996).

The chief characteristic of the interaction of Butterflies staff and working children, is the degree of autonomy enjoyed by the children. They are organised in their own right and work with Butterflies at the level of equals, rather than clients (Lansdown 2001). Membership in Bal Mazdoor Sangh is dependent on the age of the child and their status as a working or street child with a cut-off age of 18. Boys and girls are equally eligible. The first set of activities organised by the children in partnership with Butterflies could be loosely grouped under the heading of service provision. They include street education, a savings scheme, a

Figure 1: Phases of Policy-making
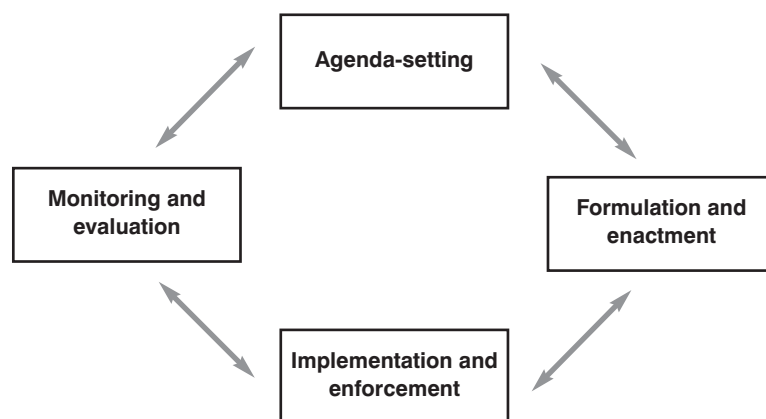
Source: Miller and Covey (1997), cited in VeneKlasen and Miller (2002: 192).

restaurant run by and for the children and health care and counselling.

The second type of activity undertaken by the NGO in partnership with the children is more directly concerned with the empowerment of street children, at least at the individual level, in terms of increasing their control over resources and giving them a stronger sense of agency. The children's council, working children's union and street newspaper are all run by and for the children. Unlike the service provision activities, they do not earn the children money or contribute directly and immediately to their daily needs.

The *Bal Sabha*, or children's council, provides a forum for all activities to be discussed and critiqued and for future plans to be made. Once a fortnight, children from each area hold a meeting to discuss issues that affect them, such as police harassment, non-payment of wages, education, saving schemes, drugs and gambling (Panicker 1996). They also talk about proposals from Butterflies such as prospective outings. Five representatives from each group then attend the *Bal Sabha*, which is held once a month. This meeting usually follows an agenda decided upon by the children and they elect a chair from among themselves. This forum appears to have provided the basis for development of much of the Butterflies programme and many of the activities of the street children.

These *Bal Sabha* meetings led to the formation of the Bal Mazdoor Sangh (Child Workers' Union) in

1991. The Union 'seeks to educate and conscientise children regarding their rights both as children and as workers' (Panicker 1996: 11) and aims to:

- negotiate better wages and working conditions;
- raise awareness of children's rights under the Indian Constitution and the CRC;
- take action in cases where rights are denied or infringed upon;
- mobilise the public to put pressure on politicians to tackle the causes of child labour, such as poverty and adult unemployment (Swift 1999: 5).

The street children associated with Butterflies also produce a newspaper called *Bal Mazdoor Ki Awaz* ('Voice of Child Workers') which they paste up on walls around Delhi. They aim to educate the public about issues concerning working children, such as the reasons children take to the streets in the first place. They face frequent altercations with authority figures such as the police, who say that they have no right to put up posters (Lloyd-Roberts 2001). There have been programmes of street theatre since 1992 and a children's radio station (Butterflies 2000).

Even though they may appear quite different, the two elements of Butterflies' work with the street children of Delhi are complementary. Both the service delivery and the more overtly empowerment-oriented aspects of their programmes have the common feature of educating the children, the public

and the officials that the children interact with their situation and their potential for agency. All of the service provision activities are planned, implemented, monitored and evaluated by the children themselves, which means that they are continually gaining experience in how to design, manage and evaluate projects. This knowledge may then be applied to other spheres, such as Bal Mazdoor Sangh activism and advocacy initiatives. The common feature is the projection of children as agents, not beneficiaries.

5 Children's participation and policy influence

There have been three main areas of policy influence observable over the 12 years that Bal Mazdoor Sangh has been in existence (involving both successful and attempted initiatives). The first and most groundbreaking has been their attempt to gain legal recognition of their union from the Indian government. The second has involved protests, demonstrations and the submission of memorandums and petitions regarding instances of child abuse. The third and most recent, has been their integration into the Delhi Child Rights Club alongside other Delhi children's organisations and their ensuing attempts to ensure that the manifestos of leading political parties at the last general election were sensitive to children's rights and concerns. This section will briefly discuss all three.

5.1 The legal challenge

Following its formation, Bal Mazdoor Sangh initiated a legal battle for recognition by the authorities. The union initially applied to the Registrar of Trade Unions for registration in 1992. This application was rejected, as according to section 21 of the Trade Union Act of 1925, no person below the age of 15 can be a member of a union or form a union.[4] They tried unsuccessfully, to argue that as the 1986 Child Labour (Prohibition and Regulation) Act recognises some forms of child labour, children involved in those forms of labour should be granted the basic right of workers to organise, in order to resist exploitation.

Bal Mazdoor Sangh then filed a writ petition in the Delhi High Court, arguing that section 21 of the 1925 Trade Union Act should be struck down as it was *ultra vires* to the Constitution.[5] The petition was not accepted by the High Court, so the children then appealed to the Supreme Court via a Special

Leave Petition, citing Article 15 of the CRC which states that children have the right 'to freedom of association and to freedom of peaceful assembly' (United Nations 1989: article 15.1). This petition was accepted by the Supreme Court in 1993. Three years of hearings ensued, but the departure from the bench of a sympathetic judge and their replacement by a hostile judge meant that Bal Mazdoor Sangh decided to drop the petition and reapply when a favourable outcome is more likely (Swift 1999; Panicker interview, 23 July 2003).[6]

5.2 Enforcing accountability

Since then, there have been many more attempts to lobby those in power, but usually on isolated issues. One 1994 case involved a 15-year-old boy murdered by his employer, who poured kerosene over him and set it alight. The police registered the case as attempted murder rather than murder. The case received extensive newspaper coverage and the children decided to put pressure on the police to change the charge. They staged a silent march to the residence of the Chief Minister of Delhi and sat outside his residence for four hours, until he agreed to see them. On hearing the details of the case, the Chief Minister instructed the Home Secretary to change the charge to murder. The employer is now serving a life sentence (Panicker interview, 23 July 2003).

Other cases of collective action have involved subjects further from home, echoing the wider political awareness evinced in the Bal Mazdoor Sangh reaction to the first Gulf War. In November 1994, police charged on demonstrators from the Gowari tribe in Nagpur, Maharashtra, causing a stampede, which resulted in an estimated 120 deaths (*Indian Express,* 14 December 1998). Civil liberties and women's groups contacted the Bal Mazdoor Sangh to ask for their support and over 450 children participated in the protest march to the Maharashtra State Resident Commissioner's house in Delhi, where they handed over a letter protesting at the incident (Panicker interview, 23 July 2003).

One further instance of accountability enforcement, in which the actions of the children's union resulted in a government enquiry, concerns the death of a 12-year-old street boy in a boys' home run by the state government in 1995. He was hung upside down and beaten for 48 hours, later dying as a result of his injuries. Members of Bal Mazdoor Sangh presented a memo to the Minister of Welfare

demanding that an independent committee be set up to look at the running of homes. The committee was assembled, but included government officials and therefore was not perceived as being independent by members of the children's union or staff at Butterflies. Bal Mazdoor Sangh demanded a copy of the committee's findings, but they were never released (Panicker interview, 23 July 2003).

Not all of these examples could accurately be described as enforcing accountability. The actions of the children's union concerning the death in the boys' home, for instance, did not bring about the changes that they wanted. However, all three examples show the children engaging with the government on issues of accountability, and getting their voices heard, if not always listened to.

5.3 Political influence

Another channel of influence that members of Bal Mazdoor Sangh have attempted to open up involves direct interaction with politicians at the national level. Prior to the 1999 general elections, members of the union presented a list of children's issues and concerns via the Delhi Child Rights Club (DCRC) to the leaders of India's national political parties for inclusion in their manifestos.[7] Over 1000 children's signatures were attached to the list, which was presented by a delegation of child workers to the Chairmen of the Manifesto Committees of several political parties. These included Congress (I), the Bharatiya Janata Party (BJP), the Communist Party of India (CPI), the Communist Party of India (Marxist) (CPM) and Janta Dal (Panicker and O'Kane 2000). Their 10-point list demanded the right to health and education, access to recreational facilities such as parks, the sensitisation of the police towards the rights of working children, effective action on drugs, children's institutions that are more child-friendly, action to tackle the poverty that leads to child labour, and finally, 'the right to organise and fight for our rights' and the right to have their organisation recognised (Delhi Child Rights Club 1999: 2). These demands were accepted by the politicians concerned and incorporated into their manifestos (Panicker interview, 23 July 2003). The winning BJP party was slow to live up to its election promises, but the fact remains that collectively, the working children of Bal Mazdoor Sangh and the DCRC have become a powerful enough group to get their demands heard at the national level. It is unclear how the new Congress Party government will respond to these demands.

The case of Bal Mazdoor Sangh highlights some of the constraints on influencing policy. Understanding these constraints means acknowledging how the spaces in which policy engagement occurs can influence outcomes and addressing the implementation gap. This case study also highlights the importance of a multidimensional understanding of policy change itself.

Understanding how children's right to participation can influence policy requires seeing policy influence as a cumulative process that cannot simply be measured by an assessment of "policy change" or "no policy change". In the case of Bal Mazdoor Sangh, changes at the civil society and democracy levels have arguably had an impact on local communities, service providers such as the police and medical professionals, and the judiciary. They also have meant an increase in self-advocacy skills for the children themselves. All of these relate to changes in attitudes necessary for agenda-setting: getting children's issues taken seriously, and onto the agenda for policy change.

Bal Mazdoor Sangh has at least some success in terms of all three of Miller's levels of policy influence. Children and young people from Bal Mazdoor Sangh, alongside Butterflies staff, have concentrated on a national-level legal challenge, high-profile demonstrations and, more recently, lobbying national political parties. This approach has framed the possibilities for impact.

Most of the activities undertaken by Bal Mazdoor Sangh have been either 'child-initiated, shared decisions with adults' (such as the wall newspaper), 'child-initiated and directed' (such as the protest marches following the 1995 murder of a street boy), or 'adult-initiated, shared decisions with children' (such as the formation of Bal Mazdoor Sangh itself). However, the children are still limited to demonstrations and petitions in their attempts to reach decision-makers. One of the major limitations on policy influence in this case is the types of spaces in which children engage with policy. These spaces often have the potential to shape the outcomes of their interaction. For instance, access to decision-makers via demonstrations is time-consuming to obtain. Once the incident in question has been addressed, the channel closes up and has to be opened up all over again for the next protest. The director of Butterflies cited the prevarication techniques of senior decision-makers as particularly demoralising for the children. They rarely refuse

point-blank to see representatives from Bal Mazdoor Sangh, but instead make excuses, usually telling them to come back tomorrow or the day after, but rarely actually granting them an interview (Panicker interview, 23 July 2003).

In terms of McGee's (2004) analysis of the dynamics of policy spaces, one-off policy spaces created through pressure around a specific incident as described above are not generally sustainable. Their history is fleeting, with spaces created by the children in the face of resistance from those with whom they seek to engage (illustrated by the Chief Minister who kept protesting children waiting outside his house for hours). The rules of access are similarly unstable, with the amount the children can hope to achieve often dictated by external factors such as the strength of the attendant media coverage. The mechanics appear to be controlled by the children who have created the space, but the underlying dynamic is a power relationship which is heavily loaded against them, as street children dealing with adults in positions of national power. Any concessions that are made by figures in authority could well be made with a view to enhancing their public relations image, rather than with the interests of the children in mind. Finally, the scope for learning that the space affords is limited largely to the children, as the decision-makers they are lobbying have had no stake in creating it and may instead resist its existence.

If the origins, or history, of a space have an impact on its potential effectiveness in terms of interaction with government, then this child-created space does not have the benefit of being structurally interlinked with a government-created and authorised space for decision making. In terms of Miller and Covey's model of the policy process, this excludes children from the formulation and enactment stages of the policy process.

Overall, then, it would appear that the nature of the space in which children interact with policy-makers or local decision-makers has a large impact on the outcomes. For the children affiliated to Bal Mazdoor Sangh, spaces for engagement with decision-makers have to be prised back open each time through confrontational and very public actions.

5.4 Implementing policy and building accountability

The activities engaged in by working children from Bal Mazdoor Sangh fall into two categories: attempts at enforcing existing policy or law and attempts to influence legal or policy changes. Successful strategies for enforcing existing policy address any implementation gap in proposed policy changes.

Protests, demonstrations and petitions by Bal Mazdoor Sangh members on individual issues have only proved partially effective in terms of enforcing existing policy. While the active support of experienced NGO staff and the threat of media coverage may have helped to generate responses from authority figures, the examples given in the case study show that such "success" is often short-lived and partial. More sustainable forms of accountability are required to ensure that children do not have to rely on a media presence to hold policy-makers and implementers to account.

Other channels of enforcement do exist. India's ratification of the CRC, for instance, has given organisations like Butterflies some leverage to try and force national legal compliance with the government's existing international commitments. This was demonstrated through their use of Article 15 of the CRC on children's right to association in their Supreme Court case. However, while changes in the national legal framework would necessitate eventual policy shifts, the children's failed attempt to use the CRC in this case has shown how difficult this may be to achieve.

6 Conclusion

This article explores the challenges of using children's right to participation in practice to change policy. It is not yet clear whether the policy-influencing strategies used by Bal Mazdoor Sangh will lead to sustainable, on-going influence. And while the reaction of the media and local government officials has been positive, this is counterbalanced by the negative reaction of the Supreme Court to a much more fundamental issue: the right of children to be recognised as workers and to organise children's unions.

However, there is a pattern emerging. Children have proved most successful in influencing decision making at the local level, where it is least likely to relate to the power relations at play throughout their society, or even reach a level of decision making high enough to be referred to as "policy". This limited sphere of influence is arguably related to issues of power. Few interests are threatened if children get together to improve access to services at a local level, as individual empowerment resembles little threat to the *status quo*. Yet, deep, vested interests are

threatened if children try to enter a legal space such as the Supreme Court and use it to their advantage. Achieving change at the level of institutional rules, norms and practices, or at the "deeper" level, concerning structures of constraint such as class, gender and age, is difficult and threatens the interests of others (see Hughes *et al*. this issue).

In the light of these findings, the key question for policy-makers, NGOs and young people's organisations interested in promoting children's right to participation is whether sustainable channels of local influence can be scaled up to regional or even national level. While it makes sense to start locally and build up expertise, it is not simply a matter of expanding the scale. Issues of power are liable to generate resistance to children and young people's participation in anything other than the most local of issues and block the implementation of children's rights. A long process of education and awareness-raising is necessary to ensure that government officials, service providers and other adults are aware and supportive of children's rights

and agency. As O'Neill (2000) points out, rights are meaningless, unless they are accompanied by an acknowledgement of their corresponding obligations by those responsible for fulfilling them.

Members of Bal Mazdoor Sangh are slowly moving towards a model of children as active citizens, but their progress is fraught with difficulties and setbacks. A better understanding of the ways in which children may influence policy processes most effectively would enable these unions and other groups of children and young people to achieve policy influence more readily. As McGuigan argues, 'supporting children and young people to influence public policy is still a relatively new area of work [so] it will be crucial that future impact assessments, of child participation and citizenship work, explicitly include this focus' (McGuigan 2003: 24–5). Lasting policy influence and the realisation of children's rights requires expanding and strengthening these successful areas of interaction, while building adult support for children's rights and encouraging an institutional willingness to recognise their voices.

Notes

* This article is adapted from *Children's Participation and Policy Change in South Asia* published by the Childhood Poverty Research and Policy Centre (CHIP) in 2004. CHIP is a collaborative venture between the Save the Children and the Chronic Poverty Research Centre (CPRC). CHIP is working with researchers and advocates, from the North and South, to produce research and influence policy and practice on childhood poverty in the wider context of chronic poverty.

1. The CRC was adopted by the General Assembly of the United Nations on 20 November 1989 and came into force on 2 September 1990. As of November 2002, there were 191 States Parties to the Convention, with only Somalia and the USA yet to ratify it.

2. Hart (1992) draws on Arnstein's well-known (1969) original to create a child-specific "ladder" of participation. This ranks degrees of participation from manipulation, through decoration and tokenism to more meaningful types of interaction such as "assigned but informed", "consulted and informed", "adult-initiated, shared decisions with children", "child-initiated and directed" and finally "child-initiated, shared decisions with adults". This is because Hart recognises that children are often

unable to carry out activities without the help of adults. He emphasises that 'the important principle […] is one of choice: programmes should be designed which maximise the opportunity for any child to choose to participate at the highest level of his [sic] ability' (Hart 1992: 12).

3. Email from Claire O'Kane (ex-VSO volunteer with Butterflies) to author, 12 August 2003.

4. Trade Union Act 1925, Section 21: 'Rights of minors to membership of Trade Union. Any person who has attained the age of fifteen years may be a member of a registered Trade Union subject to any rules of the Trade Union to the contrary'. Online at www.vakilno1.com/bareacts/tradeunionact/ (accessed 30 June 2003).

5. "Ultra vires" is defined by the *Oxford English Dictionary* as 'beyond one's legal power or authority'.

6. A name followed by a date indicates an interview, in this case, a phone interview between the author and Rita Panicker, Director of Butterflies, on 23 July 2003.

7. The Delhi Child Rights Club was formed in the winter of 1998 and consists of 14 different children's organisations.

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