

Violence against Working Children

A report on recent research relating
to work that is harmful to children

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Save the Children

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Summary

This report looks at recent research and reports on ways in which children are harmed in the workplace and their rights are violated. Much of this research has focused on the worst forms of child labour, following the direction of the ILO Convention 182. While this focus has resulted in attention to children very much in need of support, it has taken attention away from the problems of large numbers of children in less severe forms of work.

There is need to consult the children concerned, and to treat them with respect, taking their opinions seriously. Failure to consult working children concerning legislation, its enforcement, and strategies to support them could be construed as a violation of children's rights to have a say on matters that affect their lives. Consulting the children will ensure that attention is paid to the interests of children, rather than to the moral discomfort of adults.

The views of children on harmful work on the whole coincide with views of adults and those expressed in international conventions. Working children oppose the exploitation of children; work that inhibits education; long hours for little pay; any kind of forced labour; work that endangers their health or morals; and physical and psychological abuse of children at work. But children sometimes add dimensions, which need to be taken into account when we consider violence to children at the workplace.

Working children lose their self-esteem through being denigrated in their work by employers. The children are also denigrated by discourse that regards their work as deviant, something evil to be abolished, and talks of the "rehabilitation" of working children, ignoring their often admirable and responsible contributions to their families and communities. Such language violates the dignity of the children.

There is much documentation of violence against children in the workplace. This includes physical violence to children and their exposure to a variety of hazards. Violence can also be psychological. They can be deprived of contact with their families. Children's rights to education can be violated by excessive work, and by a failure to provide appropriate education. Children's right to freedom is also sometimes violated.

Poverty is usually one factor that drives children into harmful work, but is not itself the sole explanation. Culture and the demand for child labour are also influential. There is need to ensure that children and their communities are aware of the issues, and that interventions are aware of the perceptions of local communities.

The report goes on to consider particular areas that have been the focus of discussion. Excessive work in the home is noticed by children. Domestic service can be both beneficial and harmful to children. There has been considerable discussion of children in the sex trade, which exposes children to considerable violence and to denigration by those who wish to help them. There is also consideration of children in the drugs trade, again pointing out that intervention must be based on an understanding of the social environment and culture of the children.

When it comes to protecting children from violence, it is not clear that simply banning the workplace will remove violence to children and improve their lives. Rather than a general concern with labour as a problem, it would help to focus on the particular rights of children that are being violated in any situation. These include rights to be respected and to be listened to. The labour of children is a symptom indicating which children most need attention. The children themselves can provide the guide as to precisely where and how this attention might best be applied.

When children are engaged in harmful work, this is violence against children and action is needed. But the harmful work may be a symptom of greater problems for the children rather than itself being the major problem. When work provides for the children a relief from something worse, it is violence against the children to remove their solution as though it were the problem, rather than to discern and deal with the root problem. Children's lives are more likely to be improved by providing them with more and better options, than by removing the option they have chosen to try to improve their lives.

Introduction

This report provides an overview of latest research in English on children and work. It summarises current positions of how children are harmed or violated in the work situation, and makes some suggestions towards policy and good practice based on reported attempts to help the children.

This introduction looks at background issues on child labour. I go on to discuss children's perceptions of what makes work harmful, which add to adult definitions of harmful work. I then present examples of violence to children in the workplace, and summarise current conclusions about causes of harmful work. I present four areas of concern, in which there has been some discussion, before discussing various responses to harmful work.

Childhood

A key issue in the discourse on child labour is the application of a Western ideal of childhood, largely free of responsibility and economic activity, to other societies. While such an ideal is still promulgated by some¹, it has been seriously challenged by many. Most recently, O'Connell Davidson has argued against a radical dualism that divorces childhood from adulthood: she points out that many of the problems facing working children have much in common with those of adults in similar social environments and we need to be aware of continuities between children, who are already active agents, and adults.² It is important to focus on the best interests of children rather than to defend adult constructions of childhood.

Demographically and economically, the situation is fundamentally different in the developed and undeveloped worlds. Whereas around 20 percent of the population is under 18 years of age in the developed world, over half the population is under 18 in less developed countries. In these countries, the smaller proportion of adults also has poorer access to income. It is not possible to offer the same services to children as children receive in the developed world. This issue becomes particularly acute when large numbers of children have to fend for themselves because their parents are dead, or incapacitated, or otherwise unable or unwilling to care for them. Consideration of how to respond to violence in the workplace must take into account the needs of these children.

The point that childhood is compatible with contributing to livelihood is underscored in the *African Charter on the Rights and Welfare of the Child* (1991), which largely follows the UNCRC, but which asserts that children also have responsibilities, including the duty to assist parents and elders in time of need, and to place their physical and intellectual abilities at the service of their national communities.³ With reference to South America, Cussiánovich has pointed out that a perspective that regards childhood and work as incompatible damages the self-esteem of working children in two ways: it makes them properly neither children nor workers.⁴

Defining harmful work

One of the difficulties in this discussion lies in the terminology that is used. In 2003, Save the Children recommended that because of its emotional overtones, the term “child labour” should be avoided.⁵ Other authors have supported this view, pointing out that the term is used by different people or institutions in different ways to suit their particular agendas,⁶ and that it denigrates the children involved and their work.⁷ The term nevertheless remains widely in use.

Some authors have tried to define “child labour” as work that is in some way harmful to children, hindering their growth and development.⁸ Sometimes the term is defined in this way in opposition to “child work”, which is defined as benign work of children.⁹ It is rare, however, to find consistency in such usage. The term, “child labour”, carries connotations of employment, and is widely extended to include any employment under the legal minimum age, whether or not it is shown to be harmful.¹⁰ “Work” also often carries connotations of employment in certain contexts, and is rarely used consistently to cover only benign work:¹¹ some children take for granted household chores and do not categorise these as work, while others include any strenuous activity.¹² The effect of such definitions is to add to the emotional overtones of the term “child labour”, associating it with harm from which children should be protected, without producing clarity.

Harm is relative to a situation and alternative options. Work that takes up so much time and energy that schoolwork suffers may be considered harmful to a child that has no need to do this work. But if in the situation of the child this work is what makes schooling possible, then it benefits the child. When considering what can be done to prevent the exploitation of children, activities for survival often include forms of work that outsiders deem to be harmful and therefore not to be tolerated. A discourse of “abolishing child labour” and prohibiting this kind of work operates against the children and the families most in need of help and support.¹³

In the worst cases of child labour, physical harm from the working conditions, and particularly from chemicals, can readily be assessed and have been recorded. Such harmful working conditions usually affect adult workers as well as child workers and can be addressed by applying labour laws and regulations more strictly.

In the less extreme forms of children’s work, harm is more difficult to measure, particularly psychological harm. Although ways of assessing psychosocial harm to children have been suggested,¹⁴ there has been little research on this topic. Further, a study of the impact of work on children ideally needs to cover a period of time. There has been one such study covering a cohort of children in the USA over ten years that suggests that regular part-time employment during high school does more good than harm for children¹⁵, but caution is required in generalising any of these results to other situations and other countries.

Other authors, for the convenience of statistics, use the term “child labour” to cover any economic activity. This can be as little as three hours or less per week.¹⁶ At the same time, it is spoken of as a problem, inhibiting the education of children. Such a definition includes work that is not harmful, and often beneficial to children. It also excludes work within the home, such as caring for the sick or extensive household chores, which can be disrupting to the lives of children.

Problems with definitions create problems with statistics. The conflation of different meanings of the term “child labour” results in figures that tell us little of the incidence and extent of harmful work.¹⁷ The number of children involved in the agreed intolerable forms of child labour remains unknown, notwithstanding many statistics cited. It is a relatively small proportion of all working children.

Another term that is widely and loosely used is “exploitation”. The UNCRC speaks of the right of children to be protected from economic exploitation (article 32), but does not define this term. Often the term is equated with harmful work.¹⁸ The term is widely used uncritically and loosely with respect to children. Its technical connotations of unequal power relations allowing some to take surplus value are lost, and “exploitation” is often assumed to apply to any situation in which children enter the labour market. In fact, businesses sometimes exploit the co-operation of children – even with the help of the school system – without necessarily causing them harm.¹⁹

Focus on worst forms

Since the passing of ILO Convention 182 in 1999, much literature on children and work has focussed on the “worst forms of child labour”. There is little disagreement that certain forms of child labour are intolerable – slavery, bondage, criminal activity, sex trade, and war. This is where children suffer worst from violence in the workplace, and this is where much attention has been focussed by adult organisations concerned to stop the abuse of children.²⁰

A less clear area is “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children”.²¹ Some writers and organisations try to classify work in particular sectors, such as domestic work, in this way. Others, including many children (see below), argue that there is need to consider particular tasks and particular conditions of work. There is also disagreement about whether it is appropriate to speak of abolishing this kind of work, or whether it would be better to focus on removing or mitigating the harm and the danger.

This focus on “the worst forms” has some consequences that work against the benefit of children.

Reports that have this focus are designed to show up the worst cases of child abuse and to ignore less severe cases or any benefits that the children may receive from their work. They emphasise what makes adults feel uncomfortable rather than the perspectives of the children. I shall present an example of this with reference to domestic work below.

A number of studies have pointed to benefits that children receive from their work. The children often point to these benefits through organisations of working children. Working children are often proud to be contributing to their livelihood and that of their families; through work they find friends, education, and lessons on how to look after themselves that schools do not teach; children often enjoy their work, and the income that it provides.²² Mortimer’s study points to long-term benefits of steady part-time employment while at high school in a developed situation.²³ Work can also be an important part of socialisation and training for street children, who see one of the purposes of their work as to learn to control their lives.²⁴ Even reports that are hostile to the work of children point out that impoverished families receive some relief and greater food security from the work of their children.²⁵ Children see their lives as improving as a result of

leaving poor rural homes to work in cities.²⁶ Such benefits and perceptions are lost when the focus is narrowly on the worst forms of work.

Focus on the worst forms of child labour means focus on abolition, rather than on the lives and needs of children. Activities that children take up for survival may appear to outsiders to be harmful and not to be tolerated.²⁷ I shall return to children's perceptions of their rights being violated by the desire to remove them from the workplace. Such a focus pays insufficient attention to alternative ways of protecting and helping the affected children.²⁸ It has been argued from the point of view of econometrics that focus on abolishing the worst forms of child labour can adversely affect the welfare of the poor:²⁹ while this analysis is debated, it raises the important issue that interventions related to child labour should have as their primary objective the improvement of the lives of the poor.

Emphasis on children in the worst forms of work results in insufficient attention to the much larger number of working children in other forms of work. Many of these children are working under conditions that need improvement. When intervention focuses on the abolition of the worst forms of labour, such children are either ignored or they risk losing their jobs.

Emphasis on rescuing children from the worst forms of work easily overlooks the agency and dignity of the children, treating them rather as victims to be rescued.³⁰ It denigrates their work and their attempts to improve their lives. I shall later point out how children object to the way such an approach denigrates themselves and their work.

In particular, organisations of working children involve mainly children involved in more benign forms of work. Such organisations have proved useful for empowering children to defend their own rights, and become positive instruments for development. A focus on abolishing the worst forms of child labour diverts attention from these organisations.

Other research

There have been few recent studies on children in part-time work in the developed world, pointing to the benefits children see in their work as well as problems it causes.³¹ This report pays little attention to these, since they contain relatively little on violence to children in the work place.

Children's perceptions

Much of the literature on child labour relies on international standards set by adults. Children were not consulted on the ILO Convention 138 on the minimum age for employment. Working children were, however, able to express their views in various forums that led to the ILO focussing its attention on the worst forms of child labour in Convention 182. It remains rare for children to be consulted before enacting legislation on child labour or on initiatives to enforce such legislation. The failure to consult working children on legislation and its enforcement, and on related strategies, could be construed as a violation of children's right to have a say on matters that affect their lives.

O'Connell Davidson³² makes the point that much discourse about the abuse of children is based on, and reinforces, adult perceptions of a radical division between childhood and adulthood. Reactions of adults often serve to defend their perspectives of childhood rather than focussing on children's needs. It is important to see the children as subjects, shaping their own lives, and merging into the adult world. Attention to the perspectives of children helps us to focus on children's problems rather than adult constructs.

When children are consulted, their views on harmful work on the whole coincide with views of adults and those expressed in international conventions. They oppose the exploitation of children. They oppose work that inhibits education. They oppose long hours for little pay. They oppose any kind of forced labour. They oppose work that endangers their health or morals. They oppose physical and psychological abuse of children at work. But children sometimes add dimensions, which need to be taken into account when we consider violence to children at the workplace.

The importance of listening to children is now widely accepted. Some authors, however, emphasise the limitations of children's perceptions, asserting that adults are in the best position to make decisions.³³ Others point to the need to take children's opinions seriously in deciding on strategies and policies.³⁴ These points of view can be reconciled.

Denigration of children and their work

Several reports have rightly pointed out how working children lose their self-esteem through being denigrated in their work by employers. The children also complain at the way they and their work are also denigrated by discourse that regards their work as deviant, something evil to be abolished, and talks of the "rehabilitation" of working children, ignoring their often admirable and responsible contributions to their families and communities. Such language violates the dignity of the children.

The final declaration of the children at the international meeting of working children in Berlin in 2004 included this statement.

We value our work and view it as an important human right for our personal development. We oppose every kind of exploitation and reject everything that hurts our physical and moral integrity. In our lives our work allows us to resist with dignity the economic, political

and suppressing model that criminalizes and excludes us and continues to worsen the living conditions of ourselves, our families and our communities.³⁵

The statement criticised those working for the abolition of child labour because “they are undermining our dignity as working children and jeopardizing our rights”.

This reinforces an earlier Declaration By The National Movement Of Working Children And Adolescents Of Peru (MNNATSOP) On The New ILO Convention Concerning Child Labour in 1999, in which the children stated:

In general, the Convention maintains throughout a negative view of work as something harmful and unacceptable for us as underage children. That view has been generalized and disseminated, with the result that just because we work we are regarded as if we were sick, outlaws, or anti-social delinquents that need to be "rehabilitated and reincorporated into society."

We feel we are being mistreated and stigmatized simply because we work and, once again, we are disappointed at the ineffectiveness of organizations that should not only protect us from abuses and exploitation but also stimulate us and value us as members of society with our own rights. While there are certain situations that do undermine our dignity, we feel that work is an expression of solidarity towards our families and our country, Peru, which is trying to overcome the poverty in which we find ourselves everyday.

Children’s perspectives on violence in the workplace

Regional reports from children to the UN secretariat on children and violence have generally paid little attention to violence at work. There have been exceptions. The submission from Bhima Sangha, a working children’s movement in Southern India, made a number of points on violence at work, some of which I shall return to below.

Between 2000 and 2004, facilitators from Save the Children UK collected views of children in a variety of occupations and locations in Dhaka. These children expressed positive features of their work, including feeling proud to help their families, finding status in their work skills, having money to spend, and meeting friends at work. Children have also defined work as good if it provides prospects for the future in terms of employment or the development of skills, factors that the children saw as more important than hazards that the work might contain.³⁶

There are also many things they dislike about their work, most of which correlate with what adults define as harmful work, including long hours that interfere with school and play, compulsory overtime, unpaid overtime, inadequate or no pay, lack of freedom, lack of contact with home, various kinds of physical and verbal abuse, physical hazards, poor working conditions and environment. Bhima Sangha’s submission on children and violence points to adults who lure children into work through false pretences. They also express concern about bonded labour, which is still common in rural areas in India.

Some issues raised by children are missed by adults. Children said that being confined indoors and forced to be stationary was worse than being able to move around out of doors. They also raised the issue of job insecurity.³⁷ Bhima Sangha

raised the matter of violence to children working in the streets or on their way to work, and particularly harassment of girls. They were also concerned about the absence of saving facilities for their money, which is particularly necessary in context of street bullies: since they are minors, normal saving and banking facilities are not available to them.

The issues of inadequate pay and job insecurity are missed in interventions based on Convention 182. These issues concern labour rights rather than protection from labour. Indeed, many actions designed to protect children from work create greater job insecurity. Discourse about “abolishing child labour” can contribute to the job insecurity that children do not like. Some observations by children point to violence arising from the enforcement of international standards.

Job insecurity

While some children are desperate to get out of the intolerable work situation that they find themselves in, many children want to be allowed to continue working and to have their conditions improved. Such children are worried about the security of their jobs.

Job insecurity is an issue that often affects labour generally. It becomes worse for children, because legislation often makes their work illegal making it difficult for them to defend themselves from instant dismissal. Children under the minimum age of employment are not allowed to form or join trades unions and so defend themselves. Further, unions are often reluctant to allow children under the age of majority to join, even when these children are legitimate workers. The lack of organisation for these children makes them particularly vulnerable to all kinds of violence at the work place, and unjust dismissal in particular.

Job insecurity is worsened by campaigns to abolish child labour. In its submission to the UN report and children and violence, the first point made by Bhima Sangha with respect to violence in the work place is as follows:

The Government conducts raids on our work places as a part of its Child Labour Eradication Programme and “rounds up” working children like stray dogs. We are pulled out of work, taken away against our wishes and illegally confined. The actual raid experience is very traumatic for us. No one talks to us before hand to ask us if we need to be rescued. No one talks to us after the raid about what the next steps will be. Sometimes we are sent off to the Observations Homes and kept there for days. We are constantly told that we have to stop working and start going to school. But they do not realise that in our given situation of poverty and deprivation, work is a necessity. Even if we try to explain our situation, we are not taken seriously. If we are migrants, we are sent off to our villages. They do not realise that we left our villages because we had no livelihood there. In the raid process we the concerned children are not at all consulted. Our needs are not taken into consideration. The alternatives forced on us by the Government actually make our situations worse than before. These raids are a total violation of our rights and are not a solution to child labour.

In the early days of Bhima Sangha 1990s, it was possible to strive for the improvement of working conditions for children in certain sectors, so that harmful work places could be made safer for the immediate future while long term solutions were being developed. It was also possible to find ways of combining work and school for children who were compelled to work under the age of 14 (the minimum age for work). Due to the processes leading to the adoption of ILO Convention 182 on the worst forms of child labour, there has been more pressure on the government, both centrally and at state level, to enforce legislation against child labour and to enrol children into formal schools.

Now, any form of negotiation or initiatives aimed at under 14s are likely to result in the children being removed from work and enrolled in the formal school system, with inadequate attention to the financial needs of children and their families, or to accommodate the needs of children who have been put into formal schools with little or no schooling background. This has resulted in a situation where it has been impossible to design and develop long term alternatives for children – while providing them with immediate support and assistance in their immediate present.³⁸ The organisation of working children is consequently afraid to raise issues concerning the working conditions of these children, in fear of making their situation worse.

It has been suggested that legislation on the minimum age of employment violates the fundamental human right of children to work and to join unions. While children have a right to protection from situations that are shown to be harmful to them, fundamental human rights should not be removed without specific justification.³⁹ The right to work appropriate to their age has been claimed by children in both developed and developing countries.⁴⁰ The problem is compounded by the fact that when states legislate the minimum age of employment, they do not always ensure that the “light work” permitted by the Convention is specified: consequently, any employment becomes illegal.

With reference to Africa, Andvig has pointed out that for children who need an income, child unemployment rather than child labour is the major problem.⁴¹ In such cases the welfare of children is violated by the refusal to allow them employment.

Sectoral approach

Consultations with children also suggest the inadequacy of a sectoral approach to defining the worst forms of child labour. The children point out that there are different tasks within any sector, some of which are appropriate for children and some of which are not.⁴² We shall see this issue arise again when we consider domestic work and its characterisation by some as one of the worst forms.

Violations against children in the workplace

Physical harm

Conditions of work

The growth of children can be damaged by work that is too heavy for their growing skeletons. Children complain of the loads they have to carry in paid work, particularly in portering and in agriculture, as well as in the home. A 12-year-old girl in South Africa commented.

Being given a 20-litre container to fetch water is hard. It is going to be heavy. This can cause you not to grow up.⁴³

Children's growth can also be damaged by working in positions that do not allow comfort and natural development. Children complained of work that requires them to be stationary in a confined space. This applies to a variety of industrial situations.

Children complain of not being allowed to move around, and of remaining in an uncomfortable position for long hours.

Poor lighting and insufficient ventilation frequently damages the health of workers indoors.

Sitting at crowded silk looms for long stretches of time exposes children to a variety of health problems.

The rooms are often damp and poorly ventilated; children sit with their legs tucked under them or dangling down into the pit underneath the loom. The crowded work environment encourages the spread of contagious diseases, especially tuberculosis and digestive disorders. Poor lighting and constant visual strain damages the eyesight. The fine silk threads cut the fingers, and the cuts are difficult to heal properly.

A medical examination at a health camp for some eighty-five children released from bondage in Kanchipuram's silk looms in November 1997 found that all were malnourished, two had pulmonary tuberculosis, twenty-six had various skin infections, and many had vision, dental and hearing problems.⁴⁴

Elsewhere, silk workers reported breathing problems and pain in their shoulders and upper backs.

Excessive dust can damage health, and especially the lungs, both indoors and out – especially in mining and quarrying.⁴⁵

Children complain of work that allows them no time for play or interferes with their studying.⁴⁶ Long hours of ten or more per day are frequently recorded in agriculture in the peak season, in domestic work, and in a variety of manufacturing enterprises. In mining, children may spend 24 hours continuously down a shaft.⁴⁷

Some situations have particularly harsh conditions for children. Camel jockeys are given shock treatment and special diets to keep their weight down.⁴⁸

I have discussed job insecurity. The absence of labour regulations means that children can be dismissed easily, without justification and without notice.

Leave and benefits to cover sickness are rarely given to children, who are forced to continue working while sick or to lose their wages and even their jobs. This is a common complaint from the children. Twelve-year-old Kanshi Ram, who works as a weaver's assistant, told the Human Rights Watch interviewer that if he gets sick,

the owner will scold me and will not allow me to leave. If I take leave he will beat me. He will ask me if I am cheating him.⁴⁹

Physical abuse

The punishment of children for making mistakes or absconding from work by beating them is widespread. Sometimes such punishment extends to deprivation of food. Nallanayaki P., who was thirteen years old and from a low caste, told the interviewer:

Always [the weavers and owners] are beating me—I don't like to work. They always scold and shout. They beat me on the back and head. They are always knocking their fists on my head or hitting me with a comb [wood piece in the loom].⁵⁰

A study of children in the sari industry in Bangladesh points out that 72 percent of the working children mentioned being slapped, beaten or kicked. One 15-year-old commented on his experience over two years:

Bihari ustads punish too much. My second ustad once hung me by the hands and beat me so hard, the stick broke. After that he continued beating me with the shuttle. I left him and worked under a third ustad. This one insulted me and did not pay me regularly. But I learned. I now work under a fourth master.⁵¹

An 11-year-old reported:

Two days before Muharam, I was fooling around, so he [the master] got hold of the shuttle, hit me hard and split my head. It bled a lot. He took me to the doctor and I had to be stitched. Afterwards, he was affectionate with me. When I get punished, mother says nothing.⁵²

The wound subsequently became infected and the master paid for further treatment.

Camel jockeys are sometimes punished by electric shock and being dipped in water.⁵³

The sexual harassment of girls by supervisors and others is frequently recorded. This is often associated with a working environment in which women are also subject to harassment.

Chemicals

In various types of work, children are exposed to physical harm through the use of chemicals. Rarely are they properly informed on the dangers of the chemicals they may come into contact with. In the USA, farm workers, including children, are exposed to pesticides washed into irrigation canals and subsequently coming into contact with workers and damaging their health.⁵⁴ In agriculture generally, workers, including children, are sent into the fields shortly after pesticides have been applied, again damaging their health.⁵⁵ Children also come into contact with pesticides in the packaging process, causing sickness. Sometimes children have been working while fungicides are sprayed overhead.⁵⁶

Children involved in gold mining in Burkina Faso were themselves worried about the effects of toxic acid fumes and mercury on their health.⁵⁷

Children in the silk industry in India develop respiratory problems from vapours and diesel fumes.⁵⁸

We notice that many of these hazards apply to working conditions generally – for adults as well as children, and can be partly overcome by applying safety standards. Nevertheless, children are particularly vulnerable to many chemicals because of their age and size, and the fact that they are still growing.

Other Hazards

Numerous hazards face children at work and are documented in reports on particular situations. Here are some examples that indicate the wide range of hazards. One study produced the expected correlation between working hours and incidence work-related injury or ill-health in Brazil, Cambodia, and Bangladesh, but pointed out that the precise relations depended on sectors, with agriculture producing more ill-health and injury than other sectors.⁵⁹

In agriculture, children frequently have to use sharp knives and machetes, frequently suffering injuries from these.⁶⁰ When these injuries are not adequately treated they fester in hot humid climates.

Skin irritation from certain kinds of work (such as work with burned sugar⁶¹), and cuts from pruned plants have also been noticed in agriculture.

Children working with silk cocoons in India are regularly injured by scalding water.⁶²

Informal work can be very unhygienic and hazardous. The recycling of garbage is an example: it can be lucrative, but there is danger of injury and of exposure to toxic chemicals, and dangers from eating unhygienic left-over food.

Camel jockeys suffer a variety of injuries, from genital damage to sever brain damage and even death.⁶³

Some children have complained at dangers incurred in travelling to and from work, especially for girls.

Frequently, employers do not provide adequate medical care when children are injured, and wounds easily fester.

Children working on the streets are faced with aggressive or insulting behaviour from the public, assault and robbery from criminals on the streets, and often with aggression and harassment from the authorities. This harassment is aggravated when their work is perceived as illegal.

When work takes time away from sleep, this makes the children more prone to accidents, as well as interfering with their attention to schoolwork.⁶⁴

Psychosocial harm

Verbal abuse

The most frequent damage to children's psychological development from working is low self-esteem. Frequently children complain of the lack of respect in the way employers speak to them, particularly when they make mistakes. In one study in Bangladesh, 84 percent of the working children complained that they had insults and other hurtful words thrown at them.⁶⁵

Children complain at the humiliation of being slapped or reprimanded in public – in front of other children, or guests, or customers.⁶⁶ They point out that it is possible to correct errors with politeness and respect. The verbal abuse they receive can be damaging to the self-esteem of children.

This kind of lack of respect can be reinforced by the way other adults speak of and to working children, treating them as deviants without responsibility, and in need of rehabilitation – or simply regarding them as of low status rather than recognising their efforts to improve their lives.

Abusive behaviour also sometimes comes from older working children, who bully newcomers to the workplace, or from children in better-off families.

Emphasise inequality

The employment of children often underscores inequality in society. Rich children go to school and do not work: poor children work and often do not go to school. The distinction between working and non-working children therefore reinforces a culture of inequality.

While this is true, the work is not itself the cause of inequality. Indeed it is often the way in which poor children try to improve their economic situation and reduce inequality. One of the reasons children give for working is to achieve social recognition and resist marginalisation.⁶⁷ Stopping children from working may make liberal people feel more comfortable, but it does not necessarily improve the situation of the poor and reduce inequality.

Stress and lack of leisure

Fear and abuse lead to stress, which can damage a child's development. A work situation that allows no time for playing and prevents socialising with peers can exacerbate stress.

Stress also comes from excessive responsibility. Child domestic workers in Zimbabwe complained that young children should not be left alone with infants, and even older children should not be left in charge of the house.⁶⁸ This kind of responsibility is often imposed when children are in their own homes, as well as in paid domestic service.

Away from home

The African Movement of Working Children and Youth defend as one of their key twelve rights the “right to stay in the village”. In explanation, they say that they should not be compelled by circumstances to seek incomes in the cities and away from their rural homes: rather there should be opportunities to earn the incomes they need in their homes.

In many parts of the world, children move from rural to urban areas in search of better incomes, better lives, or even better schooling. Such movement may also take place between rural areas to gain access to the better resources of a particular area, such as better agricultural conditions, or the presence of mineral resources, or fishing grounds. Sometimes in this process, they are victims acting under adult compulsion, in which case there is a clear violation of their rights. Sometimes they are willing economic migrants, in which case the issue of rights is not so clear. Sometimes children wish to leave home to escape violence or abuse.⁶⁹

When the work place requires that children live away from home their right to contact with their parents (if they have these) may be violated. The presence of family usually provides some protection from abuse.

Sometimes the movement takes place within the extended family in a manner that is culturally approved and helps to socialise children in family responsibilities (I shall return to this point in the discussion of domestic work below). Sometimes the children receive regular visits at work from the parents, who are thus able to check on the situation of the children and remove them if necessary.

Sometimes the children perceive such visits as lacking in care, and motivated solely to collect their wages.⁷⁰

Away from home, children are often without emotional support. Sometimes they lack contact with peers. They are vulnerable to abuse. Further, the children often do not have the resources to return home if they wish to, a situation that may be deliberately engineered by the employers. In such a case, their work becomes akin to slavery. In some kinds of work, such as fishing, there is no way back home until the season ends or the employer with the boat agrees to help.⁷¹

Most of this kind of movement occurs within the borders of a country. The movement may be facilitated by friends and relatives, in which case there is a good chance that the children will maintain contact with their families. Sometimes, however, the movement is facilitated by persons who make money out of finding children for employers. In such cases, children are enticed away from home by promises of high salaries and a better life, which fall short of what is given to the children in practice.

The parents may be willing partners to these movements of children, in the hope or illusion that the children will thereby benefit. It may also be that children are sold to traffickers in a desperate bid to handle the family economy.

When the movement crosses national frontiers, children become more vulnerable. Again, there may be an element of voluntary migration, when children cross an international frontier for better economic opportunities, or better schooling, or to visit kin.⁷² Children from poor families or poor areas often do not have the resources to obtain legal authority for such movement. In such a case, they sometimes employ the help of “traffickers”, but remain vulnerable both during the journey and on arrival at their destination because of the illegal nature of their travel, making it impossible for them to claim any legal rights.

Children would not willingly engage in the most severe and harmful conditions of work, such as the sex trade, or fisheries, or certain types of agriculture. So it is precisely these most exploitative forms of labour that sometimes rely on abducting children, or luring them away with false promises, and taking them far from home to a place where they can expect no help or support.⁷³

In the worst forms of child trafficking, children may be physically abducted from their homes. Alternatively, they may travel voluntarily under false pretences. Their journeys are often extremely uncomfortable, and very hazardous. When they arrive at their destination, they are forced to work in harsh and exploitative conditions, with little possibility of escape. Girls in particular may be forced to take part in sex work. They have little chance of contacting their families.⁷⁴

Deprivation of education

Widespread in the literature are broad statistical inverse correlations between non-schoolwork on the one hand, and school performance or attendance on the other. A common assumption is that work outside school takes children’s time and energy away from school.⁷⁵ When children are compelled to work for long hours, they are thereby deprived of education. Full-time work, therefore, at ages when education is compulsory deprives children of the right to education. Some studies suggest that significant part-time work, whether at home or in economic activities, can also affect school attendance.⁷⁶

Sometimes, children are withdrawn from school and sent into employment for the economic benefits for the family. This may be a matter of necessity for the family, but the children's right to education is thereby violated and the families need support.

Often, however, the children look for employment after they have dropped out of school for other reasons. It may be a lack of funding to pay for school expenses, or it may be the perception that the schooling available to them is of no benefit to them. Sometimes children and their families perceive school to be less important than learning a trade, which will help them later in life.⁷⁷ In some cases, school can be humiliating and harmful to the children, especially when they suffer physical or psychological abuse at the hands of the teachers. When children are in employment rather than at school for these reasons, their right to education is violated by the failure of the educational system, and work provides an alternative way to spend their time constructively.

Assumptions that school is incompatible with part-time employment are not generally supported by data.

School and work are not always in competition for the time of children. A study in the USA showed that time spent in employment was generally taken from passive activities, such as watching television or "hanging around" rather than from school work or social activities. Studies in less developed countries have also shown that work and school are not always in direct competition for time: improving school attendance can have a relatively small impact on employment, taking time rather from leisure and other activities.⁷⁸ Sometimes school takes time from work and vice versa,⁷⁹ but this does not necessarily mean that work affects the achievements of the children at school.

Simple correlations between poor performance and attendance at school on the one hand and part-time work on the other do not indicate the precise relationship between cause and effect. When intervening variables, such as poverty and education of parents, are taken into account, the relationship between work and educational outcomes is not strong and not precise. Indeed some studies show a positive relationship between limited work and school performance, in both short and long terms.⁸⁰

When children want to combine economic work with their schooling, therefore, their wishes should be respected unless in particular circumstances the two are shown to be incompatible or the work is shown to be harmful.

If it is conceded that children sometimes have a right to work, or that in certain circumstances they have to work for survival, they still have a right to education.⁸¹ This right may be violated at the workplace, when insufficient time is allowed for education. It may also be violated by the failure to provide appropriate education that is compatible with the children's work in time and accessibility.

It should be noted that children can be abused at school, including having excessive loads of schoolwork imposed on them. This can cause both psychological and physical harm, and is no less disastrous for the children than excessive economic activity.⁸²

Deprivation of freedom

Children complain that they lack freedom in their work. This partly relates to inflexible routines.

More serious is the widespread persistence of bonded labour, in which children are forced to work to pay off family debts, and in which they have no say over the type of work or its conditions.⁸³ Also more serious is the enslavement of children trafficked away from their homes. Sometimes children are put in shackles and chains by parents for refusing to work.⁸⁴

Even when children freely choose employment, they can be prevented from leaving in a variety of ways. Funds can be withheld, making it impossible to return home. Sometimes they are beaten if they try to escape the work situation. Sometimes in a society in which children are frequently physically punished, the fear of a beating suffices to keep control over them.⁸⁵

When children are fostered out, because of the death of their parents or the inability of their parents to provide for them, they are sometimes compelled to work for their living. Indeed, sometimes people foster children precisely to acquire a virtual domestic slave.⁸⁶

Causes of harmful work

There has been considerable discussion on the causes of harmful work. Most of these focus on environments that pressurise children to work, but the work sometimes results from decisions by the children, to avoid a worse situation or in the hope of a better or more exciting life.⁸⁷

Culture

In the past it has been suggested that children undertake economic work rather than go to school primarily because it is accepted in particular cultures. Such views now appear too simplistic to encompass most situations. Throughout the world, even poor people see the potential value of sending their children to school. The decision that they should do other work instead depends on a variety of factors, often economic, but including the failure of the educational system. Nevertheless, there are cultural environments in which the children of certain classes, or castes, or ethnic groups, are perceived to be better employed in economic activities than at school.⁸⁸ Such cultures can be influential among other factors and need to be opposed.

In certain cultural contexts, parents insist that children are involved in the generation of income rather than going to school. A study in India pointed out that parents often believed children were born to serve and support them and saw nothing wrong in children not being in school or not being able to play.⁸⁹ A report on Bosnia and Herzegovina describes children, often of migrant Romani families, who are forced to make money for the family usually by begging on the streets⁹⁰. Such attitudes are, however, rare. Even among poor communities, education is generally valued and parents try to send their children to school if they can afford it⁹¹.

Another cultural value that sometimes results in excessive workloads being imposed on children is the allocation to children of certain tasks, such as herding domestic animals or collecting firewood. There is also often an assumption that children should always respond to requests by senior family members, and that this has priority over any leisure activity.⁹²

Cultural values can keep children from work. A study in a Bangladesh slum showed 60 percent of the 12-16 age group working for pay, but only 20 percent of the 8-11 groups and 2 percent of the 5-7 group.⁹³ These groups were generally considered too young for paid employment and even poor parents would try to keep their young children from employment.

Related to culture is the education of children's parents. Several studies have shown that increased education of parents reduces the probability of their children working in place of going to school.

Poverty

One of the key issues in compelling children to work is poverty. Children often point out that they are working because of their poverty. It is widely established

that generally (though with exceptions) children do more work in poorer societies. At the household level, poverty often correlates statistically with children working even when other controls are considered.⁹⁴ Often, however, poverty combines with other factors in withdrawing children from school and forcing them to do other work.

Many poor families manage to send their children to school until some other crisis hits them, such as crop failure, or the death or departure of the main breadwinner. Then their coping mechanisms are no longer adequate and one or more children may be compelled to contribute to family income.⁹⁵ Research in Tanzania suggests that access to credit can help to overcome this kind of shock and keep more children in school.⁹⁶ Improved food security also appears to increase the number of children at school and decrease the number in full-time work.⁹⁷

It has been pointed out that in Africa, much of the work of children occurs on family plots of land or, less often, in family enterprises. This kind of work depends on the family having some resources to utilise. Consequently, it is often not the very poorest children that are working excessively, and at the household level the link between poverty and children's economic work is loose.⁹⁸

Other problems

Poverty is a major problem that drives children to work, but it is not the only one.⁹⁹ We have seen that failure in the education system can also result in children seeking work. Death of parents means that many children have to fend for themselves. Abuse at home, whether from one's own parents, or from extended kin, or step- or foster parents, can result in children seeking independence and trying to support themselves. Often such forces drive the child away from home, and leave him or her unprotected and with little alternative to full-time work.

Availability of work

The availability of employment affects the number of children working and the number of hours they do. Classically agriculture requires labour, especially seasonal labour. The greater the proportion of a population involved in agriculture, the more likely is it that many children will be involved in working.

It has been suggested with reference to India that the structure of the labour market is an influential factor in the number of children working. Where the employers have control over social lives of their employees, and able to keep wages below the family subsistence level, they can develop low-paid jobs for women and children, creating a demand for child labour.¹⁰⁰ In such cases, interventions should target the employers.

Lack of information

Many children leave their homes in the hopes of finding a better life elsewhere. They may be encouraged by misinformation from traffickers, or there may be a lack of awareness of the difficulties of life in big cities. Information about realistic opportunities is lacking.

Children who are abused are often unaware of their rights, or of institutions that might protect their rights. Education in child rights can reduce violence against children.

Focus

Much of the work of children has both positive and negative factors. The boundaries between forms that predominantly benefit children and those that harm children are not always clear. Forms of work that are initially benign easily slip into more exploitative forms of work. On the other hand, people who see the positive factors, are likely to resist campaigns that do not recognise these and talk only of abolition, depicting such campaigns as ethnocentric pressure from outside.¹⁰¹

This problem may be partly overcome by advocacy on precisely what makes work harmful to children, making communities – including concerned employers – aware of the problems that children face.¹⁰²

Specific areas of concern

Some sectors have received particular attention in the literature. Here I point to areas that pose conceptual problems and differences of opinion.

Work within families

Children's perceptions about harmful work extends to work in the home, which is often omitted from surveys on child labour. One document by children lists work appropriate to girls and boys of different ages, making no reference to whether or not the work is paid employment.¹⁰³ Children in South Africa have commented on the heavy burden of carrying water and collecting firewood, the latter point also made by the children of Bhima Sangha in India.¹⁰⁴ Children in the Philippines considered work abusive when work forces them to leave school or forces them into prostitution or dealing with drugs, but they also considered work at home abusive when it is demanded unfairly:

when a child works like a slave at home when the youngest sibling is not given work to do;
and when
a child is not through doing one chore and is already asked to do another.¹⁰⁵

Household work is an area in which gender discrimination typically occurs, with heavy demands made on girls, who consequently may have little time for leisure.

Work within the family is more difficult to monitor than formal employment, and harder to assess. Domestic work in particular is regarded as non-economic work when performed in the child's own family and is often omitted from surveys of work.

Nevertheless, domestic work can be exploitative¹⁰⁶ and burdensome on children and as disruptive as other work, involving children in long hours.¹⁰⁷ It can also involve carrying heavy loads. A study in Egypt showed that the domestic work of girls had a similar relationship to their schooling as did the market work of boys.¹⁰⁸ Even relatively well-off girls are sometimes forced to run a household in the absence of parents, disrupting their school work.¹⁰⁹

Particularly disruptive is the involvement of children in caring for the sick in their families. This sometimes involves the child withdrawing from school altogether. One study in Britain indicates young carers frequently suffer from stress and sometimes from health problems of their own, and about 70 percent develop psychological problems as adults.¹¹⁰ The problem becomes acute where many adults are incapacitated by HIV/AIDS, when young carers have also to take over housework and the care of young siblings.¹¹¹ While children involved in this kind of work are arguably those most in need of support, their work has received little attention in the literature on child labour.

A girl aged 13 in South Africa reported:

I go to my grandmother's house in the morning before school, to wash her and dress her and after school I go straight to her place to do things for her. I cook for her, my sister fetches most of the water

for her. I am forced to do this because my grandmother cannot do anything for herself. She cannot go to toilet alone, she defecates where she is, walks with a stick. I have to tidy up everything.¹¹²

Domestic work easily spills over into helping in family projects. In Africa, the most common form of child work is on family farms. While such work can be benign, it can also be exploitative, taking up much of children's time, imposing heavy burdens, and interfering with schooling. Bhima Sangha's submission to the UN secretariat commented:

In several parts of India, especially in drought prone areas, there is a severe shortage of fodder. Some of our members who are from such regions report that they have to take their sheep to far away fields for grazing. Sometimes they have to stay in those fields, for many nights and days, without any protection or safety.

In countries where manufacturing is farmed out to households, children often become involved in the work at a young age. This can be relatively benign, with the children able to work flexible hours and combine this work with schooling. In some situations, the presence of home-based manufacturing increases the chances of children combining work with school rather than abandoning school for work.¹¹³ On the other hand, it can effectively result in bonded labour, when parents take out loans against the labour of their children.¹¹⁴

Domestic employment

Child domestic work has received considerable attention. Several studies point to the extreme vulnerability of child domestic workers to abuse, by being kept away from home – sometimes in conditions of virtual slavery, by being forced to work long hours, by physical and psychological abuse, and underscoring social inequality between the worker and the family of the employer. When children live with their employers, there is no division between the place of work and the place of rest, hours are rarely defined, and children are on call 24 hours a day. Often the children are dependent on their employers to visit their families, and the employers may be reluctant to let them go. Sometimes children are incarcerated in the employers' homes.¹¹⁵

Because of the vulnerability of children to these kinds of abuses, some people suggest that this sector should be classified as one of the worst forms of child labour and a violation of children's rights.¹¹⁶ Two of the criteria of the worst forms often apply to domestic labour. One is that domestic work may involve forced or compulsory labour: children are sometimes forced to work by parents, guardians or employers and are sometimes prevented from leaving their work by employers. This is exacerbated when the children are removed far from their family home in order to work. Evidence suggests that, especially in West Africa and South Asia, child domestic workers are frequently abused, and often carried to their employers as an element in commercial child trafficking.¹¹⁷

Second, work can be classified as one of the worst forms of child labour when by its nature or by the circumstances in which it is carried out, it is likely to harm the health, safety, or morals of children. Excessive hours, lack of sleep, unsafe practices, and various forms of psychological, physical, or sexual abuse, can bring domestic work into this category. Working in isolation or at night may also be harmful to the child. Child domestic workers may be left with the heavy

responsibility of looking after the home in the absence of employers, even overnight.

Not all child domestic work, however, is as abusive as this, and perhaps it is appropriate to listen to the children and look at specific jobs and specific work situations rather than condemn a whole sector. It is interesting to compare two reports on child domestic work in Morocco. One by Human Rights Watch focuses on children whose situation is intolerable. Another by Sommerfelt equally points to the abuse and suffering of child domestic workers, but also points out that some of the girls feel they have benefited from the employment and have no desire to return to their rural villages.¹¹⁸

One of the problems of definition of domestic employment lies in definitions of households. While it might be tempting to condemn domestic work performed outside one's own family, this may be problematic for children who do not have a family, and in societies where "family" is defined broadly. In some societies, over a third of children are even today brought up away from their parental homes. This has the effect of spreading household security, giving the children a chance to travel and learn from elsewhere, and socialising them in responsibilities to extended kin. Children may be helped by a wealthy kinsperson or friend in exchange for services. Such arrangements can impose on the patron responsibility for substantial gifts at the end of the service to set the child up for life.¹¹⁹ Some children are able to continue their schooling precisely through part-time employment as domestic workers. Such children may express pride in the fact they have been able to improve their lives through their own efforts.¹²⁰

Relocating to kin for social reasons or to provide care for the children is not always clearly marked off from relocation to work.¹²¹ Children sent to stay with kin and help them under cultural obligations may be exploited by the kin, compelled to work long hours and without pay or schooling.¹²² Even relocation for religious education can result in exploitation of children by the adults responsible for teaching them.¹²³

Child domestic employment is easily concealed by the employer and the child adopting terms of kinship towards each other. The employers sometimes suggest that they are adopting the child into the family and therefore helping them out.¹²⁴ Such an attitude can work in the child's favour, when the child receives emotional and social support from the employers' family and feels included.¹²⁵

The ideology of being taken into the family can also work against the child, because the child does not receive the rights of an employee, with clearly stated tasks and hours and benefits. Child domestic workers rarely receive the same educational support as children of the employers' family, and they often have poorer living and eating conditions. Sometimes the working children are kept apart from children of the household, who may contribute to the abuse of the workers, thereby emphasising the status difference between working and non-working children. We notice that domestic service generally in many countries is low status work, often taken up by disadvantaged minority groups and immigrants.

Because domestic service closely resembles exchanges of service between kin, some countries have argued that domestic work should not be subject to the normal labour laws, whether for adults or children.¹²⁶

When orphans or poor children find a patron, within or outside the extended family, this may be a way of improving their lives and even their schooling. It

does not appear to be helpful to them to exclude such possibilities in a blanket ban on child domestic work.

Such patronage, however, can also be means of exploitation. Extended family, kin, step- or foster parents sometimes make excessive demands on the children and treat them badly. Some kin treat children very badly, while some unrelated employers (even of under-age children) treat their child employees very well. Sometimes, better off families take in the children of poorer kin in order to do all the housework and to relieve their own children to focus on school work.¹²⁷ I have pointed out that children may be adopted precisely to obtain a virtual domestic slave.

Even when children are not treated well, they still sometimes prefer to be employed than to return home. Sometimes they find ways of taking from employers what they believe they deserve.¹²⁸ In my study of child domestic workers in Zimbabwe, the majority wanted improvements to the way they were treated, but only a minority wanted to give up employment altogether.

Sex work

Adults have agreed that sex work is an intolerable form of child labour, harmful to them physically, socially, and psychologically. The declaration of the World Movement of Working Children in Berlin in 2004 spoke of the sex trade as a criminal activity, not to be confused with their more dignified work. Some children have declared, however, that they see it is a form of work, a way of earning an income, which they sometimes see as not as bad as the bleak alternatives available to them.

In the worst scenario, children may be sold and taken from their homes in the sex trade, either through lack of attachment to their families or the inability of their family to cope with crisis. When the family is not involved in the initial entry into the sex trade, children usually acquire a stigma in this activity, and the family may be reluctant to take a child back when the child is trying to escape and return home.

Young people in the sex trade are often ashamed of their work and are not aware that they are victims of abuse, or they believe that they are partly to blame. Often they do not like to speak of their work through an underlying sense of guilt and the difficulties they face in getting out of the trade.¹²⁹

But the reluctance to speak may also result from fear of being further denigrated by society. There is a danger that their situation is worsened by moral condemnation.

In the seven years I was working, night after night, I thought it was me, that I was wrong. The police would always chase me and social workers called me a pervert. There was no one there to validate that I was victimised.¹³⁰

Like adults in sex work, children may lose their autonomy and freedom, falling under the control of abusive pimps.

Particularly vulnerable are children who have been taken away from home for the purpose of the sex trade. These children are often ignorant or naïve about what they are entering, and communities need to be informed and warned. The children may be taken to another country on the understanding that they would be entering legitimate employment, only to be sexually abused on arrival.¹³¹ Usually, they are without any support and do not know where to turn for help.

Outreach work into areas where they are working is required to find them and offer assistance.¹³²

Even in the sex trade, there is need for care in how we perceive the children, and to pay attention to the way they perceive their world and their work in order not to denigrate their persons further. In particular cultural situations, sex work does not carry the immoral connotations that it carries in much of the developed world, and the children do not necessarily see themselves as being abused. Occasionally children may see their relationships with some clients as friendly and caring rather than as a commercial transaction, and so they and their peers become more vulnerable to being drawn into it, especially if they lack a caring family life.¹³³ Others have their own way of perceiving sex as work, and of acquiring status within the trade.¹³⁴ Street children may consider the sex trade as work – another way of earning a living, like shoplifting, and quite congenial and lucrative.¹³⁵

O’Connell Davidson, who has studied the sex trade widely, makes the point that children’s agency and perceptions should not be ignored here. Often they and their clients see young prostitutes as able to make their own choices. The children, like adult sex workers, make this choice often because of the bleakness of alternatives in their own lives.¹³⁶

In all such cases, a simple moral condemnation of their work can be damaging to the children. Intervention requires good communication so that both interveners and children can find a way to improve the lives of the children. A study in Vietnam shows some young prostitutes acquiring a purpose in their lives, and skills in managing and protecting themselves through their work. Others were more powerless and badly abused. It was disrespect for their human dignity that hurt the most.¹³⁷ We must be sure that interventions do not add to this disrespect.

One study in Thailand points to the lucrative nature of the sex trade. While the oldest daughter in the family is expected to work hard in the home, younger daughters may be expected to contribute to the families’ status by earning substantial amounts through the sex trade. The motive here is not so much to relieve poverty as to obtain symbols of status.¹³⁸ Successful intervention must take account of such situations.

Related to children in the sex trade are situations in which children grow up with mothers in the sex trade. A study has been done in Bangladesh on children who were growing up in the brothel environment in which their mothers were engaged as sex workers.¹³⁹ The conditions of such children may be improved both by paying attention to their mothers, whose attitudes towards their children and the future can change with appropriate opportunities, and by providing safe houses for the children away from the work places of their mothers.

Illegal activities

There has been little research on children in illegal activities. One notable exception is Dowdney’s study of children in the drug trade in Rio de Janeiro. Although dealers do not deliberately recruit children, they are happy to utilise their help and employ children, paying them for their work. Children are drawn into the trade through social association with dealers on the street, and through a lack of alternative prospects to improve their lives, often entering full-time

employment between 10 and 15. As one 15-year-old commented, “This is what I want. I don’t like it, but this is what I chose for me.”¹⁴⁰

The gangs also give the children an identity and status in an organisation, together with some excitement. Once employed in the trade, they are considered legitimate targets by rival gangs, even when not armed.¹⁴¹ Although traders claim that children should not carry weapons, their perception is that some children mature at an early age, and children as young as 13 and 14 often carry guns.¹⁴² These children quickly become involved in control within their community and in battles between rival gangs and with the police. Children in organisations are indoctrinated to hate rival gangs. As a result, many children are shot and killed. In the 14-year period from 1987 to 2001, 3 937 children (persons under 18) were killed due to injuries related to small arms¹⁴³. In 2000, 31% of deaths of under 18s were related to firearms.

Dowdney points out that this involvement of children in trade and warfare over drugs takes place in the context of communities in which there is limited government presence, in which social control is exercised by persons outside government, in which access to formal labour markets is limited (particularly by inadequate education), and in the context of repressive and corrupt policing. It cannot be dealt with simply as a criminal matter, nor is any intervention that directly confronts the drug traffickers likely to succeed. Rather, an approach is required that provide children with alternative perspectives from a very young age, including alternative cultural activities, alternative organisation, better education, and improved and realistic prospects to improve their lives in other ways.¹⁴⁴

He further points out that any rehabilitation of children must take into account their experience and participation in violence.

Improving the situation of children

There is much documentation of violence to children in the workplace. It is not, however, clear that simply banning the workplace will remove violence to children and improve their lives.

Respect

Children complain bitterly about lack of respect to their persons. Respect for children in the workplace is an important step towards mitigating and removing violence towards them. This requirement applies to the employers of children, and to agencies that try to help them. Intervention must be based on understanding the children in their social context, rather than on moral assumptions about behaviour perceived to be deviant. And respect evidently requires that the children's own opinions and suggestions about their situation be heard and be taken seriously.

Enforcement of legislation

When children are found to be in intolerable situations, some kind of rescue is urgently needed, together with appropriate punishment of those who abuse the children. In rescuing children from such situations, interventions must ensure that the situation of the children is not thereby worsened. There is also need to ensure that the child's self-esteem, possibly seriously damaged by the work situation, is further not damaged in the rescue operation. There is also a danger that the rescued child simply makes way for another: removing a child from bonded labour sometimes results in the burden of debt being passed to a younger sibling.¹⁴⁵

To ensure that the child's self-esteem is promoted, and that the interests of the child are fully catered for, it is important to engage with children to be rescued and listen to their suggestions on how their situation might be improved. Such participation on the part of the children concerned helps to provide an understanding of the total situation of the child.

Some of the violence to children and adults could be mitigated by enforcing legislation on labour standards and particularly on safety standards at work, with punishment of employers who breach these standards. Exposure of the breach of standards by monitoring organisations is helpful and to be encouraged. When children face problems in work that are also faced by adults, attention should be directed to the social environment rather than specifically to children.

It is not clear that enforcing minimum age legislation is always to the advantage of children. If such legislation is to be enforced, care should be taken that appropriate light work for children below the minimum age of employment is specified and made legal, including relevant conditions of work and hours. A blanket ban results in resistance from children and their families, as well as from employers, some of whom are concerned about the welfare of children in their

communities. Working children should rather receive no less protection in their work than do adults.

Advocacy

Because much of children's work is outside formal sector, legislation on its own is not likely to be effective. The informal sector is difficult to monitor, and legislation can not easily be enforced. Advocacy is required to change where necessary ideas on what is appropriate for children to do in the home and elsewhere. It should aim not only at removing children from harmful work, but also at improving conditions of children who are working legally (which is likely also to improve the conditions for all children).¹⁴⁶ The aim should be to indicate to the community problems that children often face and to enlighten communities on precisely what makes work harmful to children.¹⁴⁷ It should thus cover both work that is inappropriate for children and unacceptable conditions of work that is not in itself harmful. This helps people to draw the necessary boundaries between benign work and harmful work in all sectors. Advocacy should also raise problems for particular children, such as those based on gender or ethnicity.

Such advocacy can be particularly effective if children are themselves involved. Videos showing children speaking about their own cause provide a particularly powerful form of advocacy.¹⁴⁸

Child participation

In some cases of intolerable work, the situation is urgent and action must be taken even before the children are properly consulted. Nevertheless, as soon as possible, and as much as possible, the children should be empowered to participate in decisions that affect their lives.

Consulting the children and involving them in strategies has a number of advantages. It ensures attention to what the children perceive as the most problematic areas of their work, rather than on what makes adults feel uncomfortable. Involving the children in collecting information ensures that the information reflects the reality of working children's lives. Participation in collecting and interpreting information encourages the active participation of children in projects, which can make them more effective: the involvement of children in lobbying is particularly powerful. This kind of participation enables children to take actions themselves and helps to inform their communities about the problems of child workers.¹⁴⁹

The participation of children in defining and solving their problems has a beneficial effect on the children, over and above its usefulness for effective intervention. Participation improves the self-esteem of working children. It helps them to express themselves. It improves their social relations generally, and their confidence in the future. It enables them to fight for improvement of their working conditions.¹⁵⁰

A very successful means internationally of encouraging children's participation in work situations is through organisations of working children. Such organisations encourage children to meet and share their problems, finding ways of alleviating them. Children's organisations are able to reach many

children who do not have contact with adult help. Although these organisations are denied the status of trades unions, they continue to fight for the rights of working children and for the development of their communities generally.¹⁵¹ A wide range of adults in this field acknowledge that status and attention should be given to these organisations.¹⁵²

Focus of action

The aim of intervention must be in the best interests of the particular children to be helped. It must aim to improve the lives of vulnerable children. This requires analysis of particular situations in which children suffer violence, and the particular rights that are being violated.

Rather than a general concern with labour as a problem, it would help to focus on the particular rights of children that are being violated in any situation. In this case the labour of children is seen as a symptom or guide to indicate which children most need attention. The children themselves can provide the guide as to precisely where and how this attention might best be applied. A good example of this in the Philippines is described by Rialp: through consultation with the children and an analysis of the situation a programme to eliminate child labour became successfully embedded in a programme to relieve poverty.¹⁵³

Poverty alleviation

Poverty alleviation can reduce the number of children in the work place in both the short and the long term, and improve the bargaining power of children who wish to work. Particularly important is improvement of food security, and help in emergencies.

Alternative income

There have been some successful attempts to entice children away from work and into school by paying a stipend to the children or their families, dependent on their attending school regularly and doing the assigned work.¹⁵⁴ Such policies invariably increase school attendance (which is their purpose), although they do not always result in a parallel decline in work.¹⁵⁵

There can be difficulties in this policy. One is to ensure it is sustainable: it is not sufficient simply to compensate current workers without ensuring that the younger cohorts from the same communities will be catered for. This means that such a programme should be able to rely on local funding rather than depend on outside aid, which is likely to be limited in duration. Further, one needs to ensure that children withdrawn from work to go to school are not simply replaced at work by other children from the family or community.¹⁵⁶ Another problem is to ensure that the stipends are received by the targeted group rather than by better-off families who might also wish to benefit. The cost effectiveness of such programmes in poor countries has been seriously questioned.¹⁵⁷

Whenever funding is made available to help children who are thrown out of work, the needs of younger cohorts of children need to be considered. The conscience of western liberals is made more comfortable if the children thrown out of employment are compensated, and no further children are admitted to

employment.¹⁵⁸ Such arrangements discriminate against the younger children who may at some stage need incomes.

Occasionally, projects to provide alternative forms of income have enabled children to move out of the worst forms of child labour or to keep children from seeking incomes elsewhere. These include income-generating activities through gardening and animal husbandry, as well as crafts, enabling children to earn at home rather than migrate for work.¹⁵⁹ Income can be helped by the sale of products in Europe with a guarantee that they are made by children in dignified working conditions and without prejudice to their education.¹⁶⁰ Such income generation responds to requests by children, but in stretched economies it is sometimes difficult to find profitable niches for children.

Perhaps benign employment could be an efficient form of income generation. The South and Central Asian Convergence of Working Children – Nepal met at Kathmandu in August 2005, and their declaration included this statement:

We believe that we need to come out of the hazardous working situations by means of appropriate alternatives like respectful, paid work with minimum wage; and standard and equal opportunity of quality education without discrimination.

Information and education

There have been some attempts to inform children in rural areas about the problems they might face if they go to the cities in search of a better life. The effectiveness of such campaigns remains to be assessed.

It is helpful to introduce institutions that are readily accessible to children in need of help, including free-phone lines. Such institutions need to be widely advertised.

Improving the educational system can make children less vulnerable to violence at the workplace. Schools should be accessible and affordable. Quality of teaching should be such that children and their families see the benefits of schooling. Education can include vocational programmes that give children more options and bargaining power.

Where children must be involved in economic activity, education should be provided that can be combined with work. This does not mean, however, that children's right to education can be satisfied by poor quality, part-time education.¹⁶¹ There have been some attempts to provide working children with education geared precisely for their lives.¹⁶²

Conclusion: Whose problem?

I conclude by reflecting on whose problem we are trying to solve. One problem is the discomfort of middle-class liberals at seeing children working in areas that do not suit their image of childhood. They consider this cruel if it involves work for livelihood: less attention is paid to children compelled to work long hours at school, or sport, or the arts.

For children, “child labour” is a problem when they are compelled by adults to work in adults’ interests, or when the conditions of work are extreme and damaging to their health and development.

But in most cases, for children the work is a partial, perhaps temporary, solution to larger problems. It may be the means of livelihood. It may be a way of acquiring independence from an intolerable situation. It may be a way of occupying themselves when school has failed them. It may be a way of exercising responsibility and acquiring self-esteem and status within their families. It may be a way of surviving in the absence of an effective family. It may be a way of avoiding alternatives that are even worse, including sometimes abuse at home. If in these cases the work is harmful to the children, this is a symptom of problems for the children rather than being the major problem. When work provides for the children a relief from something worse, it is violence against the children to remove their solution as though it were the problem, rather than to discern and deal with the root problem.

Children’s lives are more likely to be improved by providing them with more and better options, than by removing the option they have chosen to try to improve themselves.

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Footnotes

¹ E.g., G.K. Lieten, Anup K. Karan, and Anoop K. Satpathy, *Children, School and Work: Glimpses from India* (Amsterdam and New Delhi: IREWOC and Institute for Human Development, 2005). P.23.

² Julia O'Connell Davidson, *Children in the Global Sex Trade* (Cambridge: Polity Press, 2005). On the agency of children, see also Manfred Liebel, *A Will of Their Own: Cross-Cultural Perspectives on Working Children* (London & New York: Zed Books, 2004).

³ Article 31a. The appropriateness of this assertion has been questioned as asserting unnecessary rights to elders. Anne Kielland and Maurizia Tovo, *Children at Work: Child Labor Practices in Africa* (Boulder & London: Lynne Rienner, 2006). P.10.

⁴ Alejandro Cussiánovich, "Some Premises for Reflection and Social Practices with Working Children and Adolescents," in *Working Children's Protagonism: Social Movements and Empowerment in Latin America, Africa and India*, ed. Manfred Liebel, Bernd Overwien, and Albert Rechnagel (Frankfurt and London: Verlag für Interkulturelle Kommunikation, 2001). Pp.124-125.

⁵ Save the Children Alliance, *Children and Work: Save the Children's Position on Children and Work* (London: Save the Children Alliance, 2003). P.3.

⁶ Judith Ennew, William Myers, and Dominique Pierre Plateau, "Defining Child Labor as If Human Rights Really Matter," in *Child Labor and Human Rights: Making Children Matter*, ed. Burns Weston (Boulder & London: Lynne Reiner, 2005). Pp.44-50.

⁷ Michael Bourdillon, "Translating Standards into Practice: Confronting Local Barriers," in *Child Labor and Human Rights: Making Children Matter*, ed. Burns Weston (Boulder & London: Lynne Reiner: Lynne Reiner, 2005). P.164.

⁸ For example, Burns Weston, "Introduction," in *Child Labor and Human Rights: Making Children Matter*, ed. Burns Weston (Boulder & London: Lynne Reiner, 2005). P. xv. Also G.K. Lieten, "Child Labour and Poverty," in *Working Children around the World: Child Rights and Child Reality*, ed. G.K. Lieten (Amsterdam & New Delhi: IREWOC Foundation & Institute for Human Development, 2004). P. 65.

⁹ Lieten, Karan, and Satpathy, *Children, School and Work*. Pp.88-89. UNICEF, *Child Labour Today* (London: UNICEF, 2005). P.7.

¹⁰ International Labour Organisation, *I.P.E.C. Action against Child Labour: Highlights* (2002b). Pp.11-12. UNICEF, *Child Labour Today*. P.10. Dos Santos extends the term to cover "inappropriate work": Benedito Rodrigues dos Santos, "Combating Child Labor in Brazil: Social Movements in Action," in *Child Labor and Human Rights: Making Children Matter*, ed. Burns Weston (Boulder & London: Lynne Reiner, 2005). P.218.

¹¹ See, for example, Lieten, Karan, and Satpathy, *Children, School and Work*. P.61. Although the authors define "child work" as benign, they regular use the work "work" to refer to employment.

¹² Save the Children UK, *Children's Views and Definitions of Harmful Work: Implications for Policies and Practice* (Dhaka, Bangladesh: Save the Children UK, 2005). Pp.3-4. Ann C.E. Nilsen, "Negotiating Children's Work: A Comparative Study of Children's Work in Norway and Zimbabwe" (University of Bergen, 2002). P.68.

¹³ See Liebel, *A Will of Their Own*. P.206.

¹⁴ Martin Woohhead, "Psychosocial Impacts of Child Work: A Framework for Research, Monitoring and Intervention," *The International Journal of Children's Rights* 12, no. 4 (2004).

¹⁵ Jeylan T. Mortimer, *Work and Growing up in America* (Cambridge, MA: Harvard University Press, 2003).

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