

Problems with 'Child Labour'

Michael Bourdillon.

Abstract

Campaigns to eliminate the exploitation and abuse of children through child labour have been growing in strength in the last decade. Although the broad intentions of such campaigns are admirable, interventions to eliminate child labour have sometimes worked against the children they are supposed to help. The need for more nuanced intervention is now widely accepted, as is the need for more careful definition and prioritisation of what is to be eliminated. There remain, however, fundamental problems related to the term 'child labour' and the various meanings and associations it carries. This paper will point to confusion caused by the term, illustrated in recent documents from the ILO and UNICEF. It appeals for precision from academics in analysis and communication, and touches on the relationship between academics and practitioners in humanitarian work.

Introduction

When we hear the term 'child labour', we think perhaps of children working long hours under harsh conditions for little pay in the gemstone or textile industry in Asia, or perhaps of children in European factories 200 years ago. Europe has improved since those days and we want the lives of children to improve in a similar way elsewhere. There were opponents of factory reforms in Europe, but such opposition has long been discredited. Now there is a growing global movement to stop child labour. Superficially it seems that we must support such a movement wholeheartedly. This afternoon I am raising my concerns about this kind of discourse.

While sweatshops for children in Africa are relatively rare, there are many working children on the continent. The International Labour Organisation (ILO – 2002b, 11) estimates that there are 48 million children in sub-Saharan Africa who are economically active in the 10-14 age group, representing 20-30% of children – a higher percentage than anywhere else in the world (Admassie 2002, 255). Economic work of children often correlates with poverty (Admassie 2002, 267), and poverty is widespread in Africa. Besides, the large number of orphans, created principally by the AIDS epidemic, means that many children have to be economically active for themselves and their siblings to survive. So I am dealing with a global issue that is very relevant to many African countries, and mainly from African experiences.

Apart from economic activities, there are occasionally traditional institutions, sometimes religious, in which children become virtual slaves (see, e.g., Quashiga). Demands can be made on children to work in the household, especially when time-consuming work is necessary such as fetching firewood or water. This work can become extremely burdensome when children are compelled to care for sick or elderly relatives. Even when work does not prevent school attendance, it can have an adverse affect on school performance. So working children deserve our attention. When there are many children doing much work in a society, this is a symptom that there is something wrong – that the children are not able fully to develop their potential. The question remains as to whether it is useful to focus attention on

preventing them from working in a campaign to stop child labour, or whether we could more usefully focus our attention elsewhere.

A personal history

While I do not want to be associated with those who opposed factory reform in the 19th century, I find myself in sympathy with some of the arguments in favour of the employment of children. To explain where I stand, and where my sympathies are, let me say briefly how I became involved in the topic.

Since 1990, I have been supporting Streets Ahead, an organisation that helps street children. Everybody feels uncomfortable at seeing children living and working on the streets. The official policy is to forcefully remove the children from the streets, ideally placing them in 'houses of safety' (often a euphemism for juvenile prisons), but sometime simply forcefully removing them and taking them far from the city.¹ This temporarily removes the problem from sight, but does not help the children. Our organisation, on the other hand, provides services (but generally not accommodation) to children on the street by employing outreach workers to meet them where they live and work, and by inviting them to a drop-in centre where they can wash and eat and join various programmes, some of which are designed to improve their income-earning capacities on the streets. Because we do not pressurise the children to leave the streets, we are seen by many as encouraging them to stay on the streets.

Seeing children on the streets is a problem for government and urban officials, and for us, the public. Living on the streets creates many problems for the children, but this life usually comprises a solution to the greater problems they faced before. While we strive to provide better options (and last year we helped 56 children return to their families), my argument has been that we do not improve their lives by taking the option of the streets away from them. For many of them, we are unable to offer a better alternative to life on the streets. Consequently, a key element in improving their lives is providing better and safer ways of earning money. When as a representative of Streets Ahead I was invited to an international conference on child labour, I could not see that a ban on child labour would help the children I was representing.

My second route to this area was through certain 'earn-and-learn' schools on tea and coffee estates in Zimbabwe (Bourdillon 2000). In these schools, children contracted to do a full day's work for the estate in return for remuneration and a place in the estate schools. There was much wrong with conditions in these schools and it was easy to depict them as remnants of the and colonial era grossly exploiting children (see Grier 1995). Yet local communities spoke highly of them, wanted more schools established, and demanded priority for their children in being given places at these schools. Workers on other estates wanted them duplicated. I spent a couple of months at one of the schools, and visited others, getting to know teachers, some of the children and their families, and also managers on the estates. I also met many adults who had been through the schools, and who pointed out how these institutions, for all the hardship they imposed, had given them good education and the chance of a better life. All the children I met were there by choice: although they had many criticisms, they did not want to be deprived of the opportunity the schools gave them. While I had much to say in criticism of the schools, management addressed some of my criticisms. While the work undoubtedly tired the children and interfered with their performance, the work made schooling possible for many of the children and the schools produced better than average results for the district. Again, for these children, employment was not a problem: it was a solution to greater problems.

¹ This is not as bad as moves to eliminate the problem by eliminating the children (see Dimenstein 1991).

Management were debating whether the schools were worth the expense and trouble involved in running them, let alone the danger of stigma on the international markets. Children received the same rates for their work as did adults, and the company subsidised their schooling and meals besides: so this labour was not particularly cheap. Some in management argued that in purely commercial terms the schools should be discontinued and picking tea should be mechanised: others argued that costs did not strongly outweigh the benefits, and the service to the community should be maintained. Children and parents were worried that the schools might be closed. When management raised the age of entry into the contracts to the minimum age of employment (15 years), some bright youngsters had to herd cattle or do nothing for couple of years before starting their secondary education.

Perhaps local attitudes could be best illustrated by one young man who had been through one of the schools and had done well. Now he had a relatively well-paid administrative post on one of the estates, and was full of praise for the schooling system that had made this possible. But with his salary now coming into the family, he funded the education of his younger siblings elsewhere, explaining that while individuals like himself have been helped by the system, 'I do not want them to suffer like me.'

If we start with an idealised idea of what childhood should be like, based on what it can be like in an affluent society, the schools are horrifying aberrations. But for some children with few other opportunities, these schools provide a chance of a better life, and a chance that was being threatened by the international campaign against child labour.

A campaign to eliminate child labour

From its inception, the ILO has been committed to stopping the employment of children. In recent times, Convention 138 of 1973 stated that no child should be employed at an age at which education is compulsory in that country, and in any case below the age of 15 (or 14 in exceptional circumstances), with the recommendation (146) that all states should aim to raise the minimum age for employment to 16. Children under 18 should be protected from work that may jeopardize their health, safety or morals. The convention conceded that children in the 13-15 age group (or 12-14 in some countries) may be engaged to do light work that does not interfere with their schooling. This convention did not initially receive widespread international support, receiving fewer than 50 ratifications in the following 25 years – the first ratification from an Asian countries was by the Philippines in 1998. It has been argued that the Convention was based on ethnocentric, western concepts of childhood (Myers 2001, 53).

In Africa, there has long been the perception that the campaign against child labour fails to appreciate the situation in developing countries. In 1979, Ng'anga (p.81) argued that some children had to work in Kenyan cities because they had no family support. These children should not be stopped from working, but rather their rights should be protected to ensure that they received schooling, a minimum wage, contracts binding on the employer, and freedom to leave. A more recent overview points out that for children who need an income, child unemployment rather than child labour is the major problem (Andvig 1998, 327).

Success in eliminating child labour has sometimes proved harmful for the children concerned. One much-cited example is the textile industry in Bangladesh, which responded to the Harkin bill in the United States (banning the import of goods produced wholly or in part by child labour) by agreeing to stop the employment of children. Factories using child labour reduced from 43% in 1995 to less than 4% by the end of 2000. Large amounts of donor money went into educational and training programs for the displaced working children, which included compensation for lost income (ILO 2002a: 89). Many of the children, however, did not find their way into these programs, partly because they lost their jobs before the programs became effective. By 1998, only half the children sacked from garment factories

were still in school. Some found work that was physically more strenuous, and paid very much less, than their previous work in the garment factories. Some became child prostitutes (Save the Children 2000: 40-42). The massive funding for educational programmes was no longer available for newer generations of children, who never had the opportunity of working on textiles and so had not been displaced.

Zilama's study in Morocco (1998, especially 29-30) pointed to positive reasons for working, including access to skills, financial independence, and respect within their families. She describes the stress, in both emotional and material terms, for themselves and for their families, when girls were dismissed from their work because international pressure deemed them too young. The result was that some of the girls so dismissed were forced into more exploitative forms of employment, including prostitution.

A number of non-governmental organisations working with children pointed out that the campaign to eliminate child labour was not always in the interests of the children (see Lolichen & Ratna 1997; White 1996, 833-834). Support for the minimum age convention remained lethargic and the ILO admitted the complexity of the issue. In spite of setting up its *International Programme on the Elimination of Child Labour* (IPEC) in 1992, the ILO was losing its initiative. In 1999, the organisation revitalised its programme through Convention 182, which requires countries to take urgent steps to stop 'the worst forms' of child labour, principally any form of forced labour, child pornography and prostitution, the use of children for illicit activities, and work that is in any way harmful to a child's health, safety or morals. This Convention received immediate and widespread support. It deals with forms of work which are largely criminal in nature, and rightly gives priority to those children who find themselves in these extreme forms and who desperately need help.

The ILO claims some success in its campaign. There is clearly a growing awareness of the gross exploitation of children in many situations. Related to this is awareness of the complicity of Western businesses when they utilise the cheap labour of exploited children. Countries ratifying the convention on the minimum age increased from 50 at the end of 1996 to 117 by October 2002, and 131 countries had ratified the convention on the worst forms of child labour (ILO 2002b: 19). A variety of non-governmental organizations have supported the campaign, and over 80 countries have associated themselves with the ILO's International Program for the Elimination of Child Labour. Evidence suggests an overall drop between 1995 and 2000 in the proportion of children working (ILO 2002a: 19-20). Nevertheless, some of the figures are questionable as measures of success: fewer children in employment does not necessarily mean that children in poor communities are better off.

Although the campaign against the worst forms of child labour is widely supported, reservations have been expressed against aspects of the programme by the ILO and IPEC. When focus moved to the worst forms of child labour, some people hoped that the previous emphasis on minimum age legislation had been recognised as a false start (Myers 2001, 53). The ILO, however, has asserted that minimum age legislation remains central to its policy (ILO 2002a: 7). The Organisation has put pressure on governments to ratify Convention 138 and to raise the minimum age of employment in their countries, making such steps a precondition for its considerable technical and financial support (Myers 2001, 47). Changes brought about by such pressure have questionable practical impact.

The Government of Zimbabwe, for example, in 1999 raised the minimum age of employment to 15 (Statutory Instrument 155 of 1999), thus appeasing the ILO and paving the way for funding for projects. Shortly after this, the Minister of Public Service, Labour and Social Welfare, argued in a public meeting that the international campaign against goods produced by children in developing countries 'is a ploy by developed countries to protect international markets which are essentially regulated and controlled by the latter'. She pointed out that legislation alone is not the answer to problems of working children: we need to take account of their situation and implement programmes to minimise the negative consequences of child labour in the short term (Bourdillon 2000, intro and concl).

While focus on the worst and most intolerable forms of child labour is important for those children most urgently in need of protection and support, such focus pays little attention to the much greater number of children involved in more benign forms of labour. Working children in Peru expressed the misgiving that the Convention focuses on abolition and denigrates their work (MNNATSOP 1999). Focus on worst forms of child labour emphasises negative aspects of children's work and the elimination of the work, instead of seeing what is positive in their work and looking for areas in which conditions of work need to be improved.

Children's rights

In the last quarter of a century, there has been growing attention to children's rights. Neither the United Nations Convention on the rights of the Child of 1989, nor the African Charter on the Rights and Welfare of the Child of 1990, forbids the employment of children. Indeed, the first internationally accepted convention on children's rights, adopted in Geneva in 1924, included the statement, 'The child must be put in a position to earn a livelihood.' Such a statement had become too controversial for inclusion in international agreements of the late 1980s. The African Charter (Article 31 a & b), however, speaks of children's responsibilities to their families, their nations, and to Africa: these responsibilities include assisting their families in case of need, and placing their physical and intellectual abilities at the service of their communities, both of which could include economic activity.

Article 32 of the UN Convention and Article 15 of the African Charter enjoin states to protect children from economic exploitation, and from work that threatens their health, education or development. Both documents demand legislation on an unspecified minimum age for employment, and on hours and conditions of employment. The Convention speaks of rights of children to education, to care from their parents, to rest and relaxation, all of which may be threatened by excessive demands of work.

While the campaigns to stop child labour continue and grow in strength, awareness of the complexity of the issues is growing more slowly. Experience of damage to children in the past has resulted in growing acknowledgement that not all work is bad, and that interventions must pay attention to what happens to children thrown out of work. While such results are acknowledged, they are not always given due attention.

A point that is made by the United Nations Convention on the Rights of the Child is that the best interests of the child shall be a primary consideration (UNCRC, article 3.1). This implies that in any intervention, improvement of the lives of the children concerned should have priority over any national or international policy.

What children say

One right that has often been ignored in the past with respect to children and work, but which is now receiving more attention, is the right of children to have a say in decisions that affect their lives. Consulting the children concerned is one way to ensure that their interests are not forgotten. Yet the opinions of working children have rarely, if ever, been taken into considerations in preparing legislation on child labour. With respect to the discourse on child labour, children, like adults, say different things, depending largely on their different experience and also on the adults who advise and direct them.

Last year, 2004, there were two meetings of children on issues of child labour. The first comprised of a group of about 30 representatives of working children's movements from different countries in the world, meeting in Berlin in April for the second World Meeting of Working Children. This group were all working children, and were chosen by their peers to represent them. The central theme in their declaration was that their work deserves respect. The second, a 'Children's World Congress on Child Labour', was held in Florence in May. This congress received more publicity and funding, and comprised around 200 children from

all over the world. Although the children included some former and current child workers, the selection of delegates varied. Many were school children selected by adult organisations on the basis of their enthusiasm for the elimination of child labour. The tone of statements coming from this meeting were strongly against 'child labour'. Even among working children, there is not always agreement, but generally these are more concerned with improving the conditions of work, and rarely talk about abolishing their work.²

I recently met with a group of working children, who asserted their determination to eliminate the 'worst forms of child labour', about which they had been briefed. As an example, they explained that many children were involved in contract farming, which could be dangerous without protective clothing and when they were forced to remain in the fields during a thunderstorm. When I asked whether this meant the children should not be employed in contract farming, they emphatically rejected the suggestion: they wanted to be allowed to work, but in safety.

In 1998, the African Movement of Working Children and Youth asserted their right to choose whether or not to work, and decided not to participate in the *Global March Against Child Labour* because they believed they would be marching against their means of subsistence (Enda 1999, 85).³ This applies particularly to child workers in poor communities, where the livelihood of the children and their families often depend on children's work. Even in developed communities, children sometimes assert their right to seek employment even during the school terms (Leonard 2004).

In 1999, the National Movement of Working Children and Adolescents of Peru produced a 'Declaration on the New ILO Convention Concerning Child Labour' (MNNATSOP 1999). They pointed out that for 25 years they had campaigned for the dignity of children working in homes, on the streets, in fields, and in the cities. They campaign against language that treats work as unacceptable for children and speaks of working children as in need of 'rehabilitation'. They opposed raising the minimum age of employment and argued that working children are better protected if their work is recognized and legislated for (as adults are protected) than if their work is made illegal and therefore difficult to monitor.

In May of 2004, the declaration of the world meeting of working children stated its opposition to discourse that denigrates the work they do. They do not wish to be considered deviants in need of rehabilitation. The declaration included this statement.⁴

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...

We are not the problem but part of the solution.

That children's views should be given serious consideration does not mean that they should necessarily be followed. It is possible that the wishes of children are sometimes in

² A good illustration of this point is a booklet produced by the Children of Balkur Panchayat in India, *Work We Can Do and Cannot Do* (Bangalore: The Concerned for Working Children, 1999), that outlines appropriate inappropriate work for girls and boys of different ages. Their guidelines draw no distinction on whether or not the child is in employment.

³ Nevertheless, the movement insists that it can work with organisations like the ILO and UNICEF in improving the situation for working children.

⁴ There was some disagreement, particularly between delegates from Africa and those from South America, over whether the declaration should openly confront the discourse of the ILO and 'The Global March against Child Labour' as denigrating their work. There was no disagreement, however, over the statement I cite.

conflict with what adults perceive to be in their best interests. When children wish to take drugs or miss school for immediate pleasure and satisfaction, we as adults have an obligation to take a more long-term view of their lives, and of society, and to stop behaviour that might jeopardise their future. When we over-ride the wishes of children in matters that concern their lives, we should have clear evidence of harm that is to be avoided and benefits that will accrue to the children concerned. If employment is to be banned, its effects on children need to be specifically addressed. We need to be careful not to allow our perceptions of the interests of children to be coloured by our own interests.

‘Child labour’ and ‘child work’

Many organisations now distinguish ‘child labour’, harmful work to be abolished, from what they call ‘child work’, which they depict as the acceptable work of children. This distinction has some attraction to many people, since it enables them to acknowledge the complexity of children’s work, without impeding the campaign to stop harmful child labour. There are a number of problems, however, with this terminology. I shall be arguing that the distinction causes confusion rather than clarity, and often works against the interests of the children.

One of the problems is that many languages do not have equivalent words and the distinction is difficult to translate from English. I want to focus, however, on the more fundamental problem of the distinction within the English language. While many of you may think that this is my problem and not yours, the distinction has become so imbedded in discourse and policy concerning working children that it has become a problem for the children – and therefore for all of us who are concerned about children and their rights.

Let me step back from the particular problem for a moment, to consider the way language works and how words acquire meaning. In a conversation with Alice, who had wandered through the looking glass:

‘When I use a word,’ Humpty Dumpty said in a rather scornful tone, ‘it means just what I choose it to mean – neither more nor less.’ (Carroll 1957: 187)

When Humpty gives to words his own eccentric meanings, it is obvious to us that language does not work in this way. When I studied philosophy many years ago, we were exhorted to discover meanings of words and symbols in their common use rather than in formal definitions.⁵ A group of academics may define a term, such as ‘ideology’, in a particular precise way to save having to repeat a long discussion every time the term comes up. In such a group, the word acquires its specialised meaning through habitual use. Nevertheless, we have to be aware that others may not use the term in the same way and we have to clarify our usage when communicating outside the specialised group. If our language contains too many special meanings, it becomes difficult to understand and confined to a small clique. When we speak to a larger audience, we have to pay attention to how they understand the words we use, and the various associations that these words carry.

So how does this apply to the distinction between ‘child labour’ and ‘child work’? In normal English usage, there is no clear distinction between ‘labour’ and ‘work’. ‘Labour’ carries the connotation of being strenuous, but not necessarily harmful. In a variety of contexts, both terms carry connotations of employment. ‘Labour’ in particular refers to formal employment in such phrases as ‘labour law’ or ‘the labour movement’. When you use the term ‘child labour’, people’s usual immediate reaction will be to think of children in employment. But a person’s ‘work’ can also refer to their formal employment.

⁵ See Ludwig Wittgenstein, *Philosophical Investigations* 1.43: ‘For a large class of cases - though not for all - in which we employ the word "meaning" it can be defined thus: the meaning of a word is its use in the language.’ Correct use of language therefore involves using words according to commonly accepted rules.

In practice, since 'child labour' usually carries the connotation of employment, when people try to redefine the term as harmful work, they create an association between employment and harm. This association works against the interests of children who need an income. Conversely, when 'child work' is defined in opposition to 'child labour', it distances unpaid work from harmful work.

Usage in ILO documents

In its report to the 90th session of the International Labour Conference (2002a, 9), the ILO rightly pointed out that some work of children is legitimate and should not be included under the category 'child labour'.

The term *child labour* does not encompass all work performed by children under the age of 18. Millions of young people legitimately undertake work, paid or unpaid, that is appropriate for their age and level of maturity. By so doing, they learn to take responsibility, they gain skills and add to their families' and their own well-being and income, and they contribute to their countries' economies. Child labour does not include activities such as helping out, after school is over and schoolwork has been done, with light household or garden chores, childcare or other light work.

The report goes on to list three categories of work that are to be classified as child labour and to be abolished. The first is defined by a legal criterion.

Labour that is performed by a child who is under the minimum age specified for that kind of work (as defined by national legislation, in accordance with accepted international standards), and that is thus likely to impede the child's education and full development.

Notice that the last phrase indicates the rationale for the criterion rather than a modification it. If employment below the minimum legal age does not in fact impede the child's education or development, it remains classified as 'child labour' and is to be abolished.

The second category is hazardous work that jeopardizes the physical, mental or moral well-being of a child. The third comprises the unconditional worst forms of child labour, including all forms of forced labour, prostitution, and other illicit activities. These two categories ensure that the term 'child labour' carry connotations of harm to children. The association between child labour and harmful work is thus reinforced – but without critical analysis specifically of the issue of employment.

Although the ILO has turned its focus towards the worst forms of child labour, it maintains a continuity with the earlier programme focussing on the minimum age to enter employment, which remains its prime tool in the fight against child labour (2002a, 7). In practice it is rare that particular kinds of work of children are prohibited by national legislation: the legislation, often created under pressure from the ILO, focuses largely on the minimum age for employment. Consequently much children's work falling in the first category of 'child labour' is so categorised not on the grounds of the harm it may do, but simply because the child is formally employed. Nowhere have I seen any research to show that children are in practice protected from harm by minimum age legislation. The assumption of harm comes from the fact that their work is classified as 'child labour', which in turn is assumed to be harmful.

WHAT is child domestic labour?

- Child domestic labour refers to situations where children are engaged to perform domestic tasks in the home of a third party or employer. This includes all children in domestic service who are under the legal minimum working age and those above the legal minimum age but under the age of 18 in an exploitative situation.
- Where the exploitation is extreme - work which is hazardous and likely to harm the health, safety or morals of children, or includes trafficking, slavery or practices similar to slavery - this constitutes a worst form of child domestic labour as defined under ILO Convention No. 182. Many children in domestic service are subjected to the worst forms of child labour, and they need urgent help.

WHAT is NOT child domestic labour?

- In every country of the world, children lend a helping hand in their own home. They may make the bed, hang out the washing, babysit a younger sibling, pick fruit on the family allotment or feed the chickens. In moderation, allowing time for education and play, such tasks are a natural part of childhood development and family socialization. This kind of work is not child domestic labour.
- In some countries it is legal for children to do light work in their teenage years, such as distributing newspapers, not interfering with school, babysitting, assisting in shops after school hours. The ILO Convention No. 138 on minimum age provides guidance on this issue.

To make the issue more concrete, in the ILO information sheet⁶ on child domestic labour, the first definition of child domestic labour refers explicitly to employment and the legal minimum age, with no reference to harmfulness. Other categories refer to exploitation and harm. It appears that it is fine to babysit a younger sibling, but not to perform the same work for payment by a neighbour.

In Zimbabwe the minimum age of employment is 15. So if a child of 14 is employed for a few hours a day to help with school and living expenses, this is clearly classified as child labour since the child is below the minimum age of employment, and is thus associated with exploitative work. The benefits to such a child, including often a sense of achievement, are ignored in this classification: child labour must be stopped. If, on the other hand, a child in the rural areas has many hours of domestic chores to perform, the classification becomes ambiguous.

In measuring the success and necessity of its campaign against child labour, the ILO focuses on the economic activities of children, rather than on the hours and conditions of work that are harmful (see 2002a, 19). Notwithstanding problems faced by the children, the ILO still cites the case of the Bangladesh garment industry as a success on the grounds of the reduction of the numbers of the children employed and the fact that many had been 'rehabilitated' (*id.* 89).

Usage by UNICEF

A recent report by UNICEF on child labour cites the Bangladeshi case among other cases in which the livelihoods of child workers have been threatened by intervention. The report, however, continues:

While such campaigns can present dangers to the child workers involved, they have had an important side effect. Many companies based in the industrialised world have now adopted codes of conduct intended to stop children below 15 from being involved in manufacturing goods that the company imports from developing countries – even if the country concerned allows children to start work younger than 15. (2005, 24-25)

This statement suggests that stopping children from obtaining employment compensates for the harm they have suffered. The policy concerning the employment of

⁶ <http://www.ilo.org/public/english/region/eurpro/london/news/faqchild.htm#domest>

children seems to have priority over the interests of children. Discrimination against the produce of needy children is being encouraged.

This report discusses what is meant by 'child labour', commenting that the term implies the child should not be working and should be returned to school and contrasting it with 'child work'. Although 'child labour' conventionally referred to children working before they reached the minimum age for employment, the report said that the term has now been 'redefined to refer to all young people engaged in harmful employment, whether they are school-age or older' (p. 7). Later (p.10), it becomes clear that this is an extension of the term rather than a redefinition: the term is thus used to bring together the conventional meaning of employment below the legal minimum and employment in harmful work – two very different kinds of activity, which nowhere in the report are analysed separately.

Both meanings of the term refer explicitly to employment. Although the report contrasts 'child labour' with acceptable 'child work' (p.7), it is not consistent in this usage and sometimes uses 'child work' to include employment (pp. 22, 37, 40). The document is an argument against the employment of children and does not consider harmful work in other contexts.

The report emphasises the need for a legal minimum age for entry into employment and enforcement of such legislation. It continues:

This does not mean prohibiting those children below the minimum age from working or earning any money. It is reasonable for children to help out in the home and to contribute to a family business, as long as this does not jeopardise their education or expose them to harm. (p.10)

If it is reasonable for a child to work in a family business, why is it not reasonable to work in some other business as long as this does not jeopardise their education or expose them to harm? This statement seems to suggest that what makes the work unacceptable, and to be classified as 'child labour', is that remuneration has been agreed.

The effects of this discourse

My concern is not simply academic bickering about the use of words. The two documents I have cited are recent documents by bodies influential in developing policies concerning children's work, and influential in thinking about appropriate interventions. The discourse of 'child labour' and 'child work' adopted in these documents has a significant effect on the lives of many children. So it is important that the terminology used should promote accurate thinking to ensure that interventions genuinely serve the interests of the children.

As defined in these two documents, the term 'child labour' conflates very different kinds of activities and situation. Employment below the minimum legal age needs to be considered separately from work that is clearly harmful or dangerous to the children.

Since the term 'child labour' is defined in many instances as harmful work, it is difficult to consider the benefits that may accrue from the work. Such benefits are not only economic, but include issues of status, training, growing responsibility, even enjoyment and social life for the children. To ensure that our interventions improve the lives of working children, we need to examine the place of work in their lives, looking at both the costs of the work and the benefits it brings (see McKenchnie & Hobbs 1998, 41). We could then devise interventions to maximise the benefits and minimise the costs. On the other hand, once a particular type of work is classified as 'child labour', it is thereby perceived to be bad and something to be abolished.⁷

⁷ There is a parallel between the term 'child labour' and the concept of witchcraft that is so dominant in African societies. To label an act as witchcraft precludes any possible benefits that may accrue

The dissemination of information on harmful forms of child labour has persuaded many 'fair trade' associations, and organisations concerned with ethics, to ensure that no child labour is involved in the produce they endorse. Since the term is not confined to harmful forms, the result is that organisations discriminate against the produce of children and many children are deprived of the chance of earning an income. When employers try to help children in need by providing them with opportunities to earn under relatively favourable conditions, at best they are tolerated but more frequently they are criticised.

The conflation of employment and harmful work into a single category appears to be a face-saving device. It makes it appear that the current emphasis on worst forms of child labour is simply a continuity of past policy, and avoids facing the problems associated with simply legislation on minimum age for employment. The justification for the policy lies in its emphasis on harmful work, while the more controversial aspects escape consideration.

The emphasis on the worst forms of child labour draws attention to sensational cases and away from the more usual situations of working children. At the world meeting of working children, delegates pointed out that the most of the activities designated in the convention on the worst forms of child labour are in fact criminal activities. These should be condemned and should not be confused with the more legitimate forms of work that children do.

The discourse on child labour makes it difficult for working children to draw attention to conditions of employment. The child domestic workers I have been working with in Zimbabwe suggested that 12 was a reasonable minimum age for employment (some of them speaking from the experience of starting younger). They would like to see clearly spelled out the responsibility of employers to see that their young employees get to school and have time for their homework. They would like to see guidelines to ensure that young children are not given work and responsibilities inappropriate to their age. They would like to see the hours of work varied according to age (although they felt that the legal limit of six hours a day for 15- to 18-year-olds unrealistic in terms of obtaining employment opportunities). Since, however, the legal minimum age of employment is 15, employment for children under this age is classified as 'child labour' to be abolished. If any such child tries to draw attention to their conditions of work or living, they are likely to find themselves out of a job rather than have the conditions improved.⁸

There is often a problem of children being compelled to do excessive work in their own homes or the homes of kin, and this can be a greater problem for the children than formal employment. Such work does not receive adequate attention when harmful work is conflated with employment. When children spend long hours on unpaid work in the home, this is associated with helping out – 'child work'. In Zimbabwe, as in many African countries, culture dictates that any adults in an extended family may demand the services of children, and parents feel unable to refuse such services. Many children are compelled to look after the homes of kin, and sometimes to care for sick kin. Sometimes parents go away, leaving older children to run the home. In rural communities, demands are made on children by kin in neighbouring homesteads. Since these situations are culturally acceptable and not related to employment, such helping out is not usually scrutinised as child labour, although it often results in disrupting the child's social life and schooling (see Rurevo & Bourdillon 2003, 33; Chirwa & Bourdillon 2000; Robson 2000; Mangoma & Bourdillon 2002; Bourdillon 2005, ... (5)). A recent survey on child labour in Zimbabwe, sponsored by the ILO, excluded consideration of domestic work in the children's own homes (Government of Zimbabwe

from it. The term appears to promote understanding by naming an activity, but in fact impedes an analysis of the social problems and tensions that have arisen in the community.

⁸ I have been informed that Bhima Sanga, the movement of working children in Karnataka State, India, has found that whenever they raise issues of conditions of work, the issue of 'child labour' is raised and children lose their jobs. They have learned from experience the need to remain silent on such issues.

1999,). Even schoolwork can be harmful. At one workshop that adopted this distinction, I pointed out that in certain contexts (in, for example, in Korea and Japan – Che 1995; Field 1995) schoolwork impaired the health and development of children and should be classified as ‘child labour’: the response was laughter. So although ‘child work’ is defined as benign, the term is normally used in contrast to employment and potential harm is easily ignored.

An important effect of the language of ‘child labour’ is access to resources. There has been considerable investment of both material and human resources into the elimination of child labour. When such an investment has been made, it is difficult to persuade people that it might have been misplaced. Governments and organisations looking for funds to help their children, or themselves, are under pressure to adopt this discourse. The more people adopt the discourse for material gain, the more it dominates thinking at the policy level.

Child labour and education

To illustrate the need for clarity in language, I take the relationship between economic activities and education. The ILO policy on the minimum age for employment has always been explicitly linked to education, and the Minimum Age Convention stated that the minimum age for entry into employment should not be less than the age of completion of compulsory schooling. The aim was to ensure that human capital is developed to the full (ILO 2002a, 7).

Broadly there is an inverse correlation between numbers of children undertaking economic activities and numbers of children at school, although in many cases school and work can be combined. A study in Ghana (Heady 2000, 18, 33) showed that children were able to combine school and economic work, and work did not seriously affect attendance. Work did, however, correlate inversely with performance in certain subjects. A study in Tanzania showed that excessive hours of non-school work (including housework) is related to poorer performance in reading for girls and arithmetic for boys (Akabayashi & Psacharopoulos 1998/9, 133-134). It would seem, therefore, that stopping children from working would benefit their education. Such a conclusion does not adequately consider cause-effect relationships.

In European history, as in many case studies in developing countries, when more children go to school, fewer are involved in economic work, and those that are so involved work fewer hours. Projects that have encouraged working children to go to school by providing compensation for loss of income and economic incentives for school attendance have resulted in fewer working children (see Green 1999, 25; Anker & Melkas 1995, 13-34). Simply improving the availability and quality of schooling has sometimes resulted in greater attendance. The converse, however, is not true: I have come across no case study in which simply stopping children from working has resulted in more children going to school.

I have already mentioned ‘earn-and-learn’ schools in Zimbabwe, in which the employment makes schooling possible. Even where schooling is free, children sometimes need to supplement family incomes to feed and clothe themselves and their families. Stopping the formal employment of such children can have the effect of reducing incomes, and so lengthening working hours and inhibiting schooling.

Besides, light economic work is not necessarily detrimental to schooling. A study in Scotland showed a positive correlation between employment of less than five hours weekly and certain categories of school performance (McKechnie *et al.*, 297). The context and type of work is relevant: while rural children typically spend more hours in employment than do urban children, their schoolwork often suffers less. Even when an inverse correlation is shown between work and school, it is not always clear that that the poorer performance is the result of work, or whether instead the economic work arises from lack of interest and ability in schoolwork (Heady 2000, 33; Oloka 1991).

Economic work sometimes brings benefits of its own. A study of school children in Lagos, has shown that, while there was a small negative correlation between school performance and economic work, working children were over-represented in leadership positions in the schools (Oloka 1991, 21). Another factor is the perception by both children and adults that school education is of no use to them, and will not win them employment at the end. Such perceptions are exacerbated when teachers carry little respect in the community. Thus, we find a child working at her mother's vending stall, claiming that, unlike school, this work was teaching her to make an adequate living (Mapedzahama & Bourdillon 2000,....). A boy of 14 years withdrew from school to work in his father's sewing business: he was happy that he was learning a profitable craft, unlike his peers still at school (although he would have liked more training in sewing – Mutisi & Bourdillon 2000,).

We need also to consider the quality of education offered and its relevance to the children concerned. Street children who have missed some of their education do not wish to join a class of children much younger than themselves. When on occasion street children have been offered more practical types of education in which the benefits are clear, they have responded with enthusiasm. Child domestic workers in Senegal were happy to give of their sparse free time to courses that would improve their capability and status in their work (Coulibaly and Faye 1999).

In many cases, children simply enjoy their employment. When child workers in Paraguay were asked what they liked most about their lives, the most popular response was their jobs, well ahead of school (Green 1999, 24). A third of a study sample of working children in Lima did not prioritize between work and school: both were considered important, and about half said they would not like to stop working (Glasinovich 1995). In a study of working children's perspectives in four countries, around three quarters preferred to combine work and school: in Bangladesh and Ethiopia, the remainder largely preferred work only (Woodhead 2001, 106).

Improving educational opportunities is likely to reduce the number of working children and improve their chances in life. A campaign that focuses on improving education in poor communities is highly likely to be beneficial for the children. But a campaign that focuses on stopping or hindering children from earning money is unlikely to benefit them in any way.

Conclusion

I have argued that the term 'child labour' should not be used in analytical academic discourse. While I believe this to be widely acknowledged, it is difficult to avoid the term entirely. An organisation that has long worked for and with children, the International Save the Children Alliance, in its policy document on the exploitation of children has offered similar advice (2003, 3), but with little effect – even the organisation's officers frequently fail to follow this advice. This recommendation poses a problem in communication with wider society, where any attempt to challenge the term can easily attract social stigma of tolerating the economic exploitation of children.

The words 'labour' and 'work' do not mean different things in the English language. Moreover, every culture in the world accepts that there is nothing wrong with children doing some work or labour. So when we meet the term 'child labour' with its negative connotations, we should demand to know exactly what it means. In particular, when people talk of the elimination of child labour, or of abolishing child labour, we should demand to know exactly what is to be eliminated or abolished.

Some kinds of intolerable work, such as the sex trade in the context of AIDS, should be stopped as a matter of urgency. Here the language of elimination and abolition is entirely appropriate.

But in much children's work, even work that is currently harmful to children, the work can be rendered benign by changing the conditions. In a recent workshop with working children, the following list of concerns was drawn up:

- Long hours (including school work or house work or any kind of work)
- Dangerous work
- Bad working conditions, especially when they affect health
- Work that interferes with education and development
- Not enough sleep
- No play or leisure
- Bad living conditions
- Living far from parents and family
- Insufficient pay
- Injustice – making orphans or girls do more than their fair share

All these issues need to be addressed. In none of them is it necessary or even helpful to prevent children from working or from being employed. So when interventions are proposed to eliminate child labour, we should demand to know precisely which children are likely to benefit from the intervention and precisely how.

References

- Admassie, Assefa 2002 'Explaining the high incidence of child labour in sub-Saharan Africa'. *African Development Review*, 14, 2, 251-275.
- Akabayashi, Hideo and George Psacharopoulos 1998/99 'The trade-off between child labour and human capital formation : a Tanzanian case study.' *The Journal of Development Studies*, 35, 5, 120-140 .
- Andvig, Jens Chr. 1998 Child Labour in Sub-Saharan Africa – An Exploration. *Forum for Development Studies* 1998, 2, 327-362
- Anker, Richard, and Helina Melkas 1995 *Economic Incentives for Children and the Families Intended to Eliminate or Reduce Child Labour*. Geneva: ILO.
- Bourdillon, Michael 2000 'Child labour and education: a case study from south-eastern Zimbabwe.' *Journal of Social Development in Africa* 15, 2, 5-32.
- Bourdillon, Michael 2005 'Translating standards into practice: Confronting local barriers.' In *Child Labor and Human Rights: Making Children Matter* (ed.) Burns H. Weston. Ch 6,
- Carroll, Lewis, 1957 *Alice's Adventures in Wonderland and Through the Looking Glass*. London: Collins.
- Che, Hie-Joang 1995 'Children in the Examination War in South Korea: A Cultural Analysis.' In *Children and the Politics of Culture* (ed.) Sharon Stephens. Princeton, NJ: Princeton University Press, 141-68.
- Chirwa, Yotamu, and Michael Bourdillon 2000 'Small-Scale Commercial Farming: Working Children in Nyanyadzi Irrigation Scheme'. In *Earning a Life: Working Children in Zimbabwe* (ed.) Michael Bourdillon. Harare: Weaver Press, 127-146.
- Coulibaly, Pierre Marie, and Dibou Faye 1999 *Le programme AEJT – ENDA – Gouvernement – IPEC/BIT au Sénégal*. Report from ENDA Tiers-Monde, Dakar.
- Dimenstein, Gilerto 1991 *Brazil: War on Children* London, Latin American Bureau.

- Enda Tiers-Monde 1999 *Working Children of Africa*. Dakar: Equipe Jeunesse Action.
- Field, Norma 1995 'The Child as Laborer and Consumer: The Disappearance of Childhood in Contemporary Japan.' In *Children and the Politics of Culture* (ed.) Sharon Stephens. Princeton, NJ: Princeton University Press, 51-78.
- Glasinovich, Walter A. 1995 'Trabajar o estudiar: un falso dilema'. Translated extract in *Learning or Labouring? A Compilation of Key Texts on Child Work and Basic Education* (ed.) Judith Ennew. Florence: UNICEF, 80-82.
- Government of Zimbabwe 1999 *Zimbabwe 1998: National Child Labour Survey Country Report*. Harare: Central Statistics Office.
- Green, Duncan 1999 'Child workers of the Americas.' *Nacla Report on the Americas* 32, 4: 21-27.
- Grier, Beverly 1995 'Earn-as-you-learn: Child Labour and Schooling on the Tea Estates of Colonial Zimbabwe.' Paper presented at the Annual Meeting of African Studies Association, Orlando, Florida.
- Heady, Christopher 2000 *What is the effect of child labour on learning achievement? evidence from Ghana*. Innocenti working papers 79. Florence: UNICE – Innocenti Research Centre.
- Heady, Christopher 2000 *What is the effect of child labour on learning achievement? evidence from Ghana*. Innocenti Research Centre. Innocenti working papers, 79. Florence : UNICEF.
- International Labour Organisation 1999 *Convention (No. 182) Concerning the Prohibition and Immediate Elimination of the Worst Forms of Child Labour*. June 17, 1999, reprinted in 38 I.L.M. 1207 (1999) and 3 Weston & Carlson III.D.4
- International Labour Organisation 2002a *A Future without Child Labour: Global Report*. Geneva: ILO.
- International Labour Organisation 2002b *IPEC Action against Child Labour: Highlights 2002*. Geneva: ILO.
- Leonard, Madeleine 2004 'Children's views on children's right to work: Reflections from Belfast. *Childhood*, 11, 1, 45-61.
- Lolichen, P.J., and Kavita Ratna, 1997 *Harming Children by ignoring their Voices: Experiences from Bangladesh, India and Morocco*. (Draft Dossier) Bangalore: The Centre for Applied Research and Documentation, The Concerned for Working Children.
- Mangoma, Jacqui, and Michael Bourdillon 2002 'The work of children in impoverished families.' In *Women, Men and Work: Rural Livelihoods in South-eastern Zimbabwe* (ed.) M.F.C. Bourdillon and Paul Hebinck. Harare, Weaver Press, 13-35.
- Mapedzahama, Virginia, and Michael Bourdillon 2000 'Working Street Children in Harare.' In *Earning a Life: Working Children in Zimbabwe* (ed.) Michael Bourdillon. Harare: Weaver Press, 25-44.
- McKechnie, Jim, and Sandy Hobbs 1998 *Working Children: Reconsidering the Debate*. Report of the International Working Group on Child Labour. Amsterdam: Defence For Children International and International Society for the Defence of Child Abuse and Neglect.
- McKechnie, Jim, Niamh Stack, and Sandy Hobbs 2001 'Work by Secondary School Students in Scotland.' *International Journal of Education Policy, Research and Practice*, 2, 3, :287-305.

- MNNATSOP 1999 *Declaration by the National Movement of Working Children and Adolescents of Peru (MNNATSOP) on the New ILO Convention Concerning Child Labour*. Available at <http://www.tu-berlin.de/fak1/gsw/pronats/doku/mnnastop.html> (last visited May 15, 2004)
- Mutisi, Martha, and Michael Bourdillon 2000 'Vendors at a Rural Growth Point.' In *Earning a Life: Working Children in Zimbabwe* (ed.) Michael Bourdillon. Harare: Weaver Press, 75-94.
- Myers, William E. 'The Right Rights? Child Labor in a Globalizing World'. *Annals of the American Association of Political and Social Science* (May 2001), 575, 38-55.
- Ng'anga, P.K. 1979 'Law governing the employment of children in Kenya'. In *Children and the Law in Kenya* (ed.) S.B.O. Gutto. Nairobi: Institute of Development Studies, Univeristy of Nairobi, Occasional Paper No. 35, 75-82.
- Oloka, Beatrice O. 1991 'Children's Work in Urban Nigeria: A Case Study of Young Lagos Street Traders.' In *Protecting Working Children* (ed.) William E. Myers. London: Zed Books, 11-23.
- Quashigah, E.K. 1998 'Religious freedom and vestal virgins : the 'trokosi' practice in Ghana.' *African Journal of International and Comparative Law*, 10, 2, 193-215.
- Robson, Elsbeth 2000 'Invisible carers: Young people in Zimbabwe's home-based health care'. In *Earning a Life: Working Children in Zimbabwe* (ed.) Michael Bourdillon. Harare: Weaver Press,
- Rurevo, Rumbidzai and Michael Bourdillon 2003 *Less Visible Street Children*. Harare: Weaver Press, 2003.
- Save the Children 2003 *Children and Work: Save the Children's position on children and work*. London: Save the Children Alliance.
- Save the Children U.K. 2000 *Big Business, Small Hands: Responsible Approaches to Child Labour*. London: Save the Children Fund.
- UNICEF 2005 *End Child Exploitation*. London: UNICEF.
- White, Ben, 1996 "Globalisation and the Child Labour Problem." *Journal of International Development*, 8, 6, 829-839.
- Woodhead, Martin 2001 'The Value of Work and School: A Study of Working Childrens' Perspectives.' In *Child Labour: Policy Options* (ed.) Kristoffel Lieten and Ben White. Amsterdam: Aksant, 103-16.
- Zalami, Fatima Badry 1998 *Forgotten on the Pyjama Trail: A Case Study of Garment Workers in Méknès (Morocco) Dismissed from their Jobs Following Foreign Media Attention*. Amsterdam: International Working Group on Child Labour.