A place for work in the children's lives?

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with Deborah Levison, Ben White, and William E. Myers

Foreward

A Place for Work in Children's Lives? is a welcome paper that highlights the various challenges faced by organizations, including Plan International, when addressing issues of children's work. Is there a place for work in their lives? How do we balance the reality that children around the world are working and must work? And, how do we balance this with their right to an education? For Plan the answer is complicated as I'm sure it is for many groups working together with children to realize their rights.

This paper asks us to think about the impact of a "stop child labour" campaign on the children involved. Is it in their best interest? Should work be recognized as supporting children's development? For Plan, all of these discussions need to be grounded in the views of children. We may not always agree with what children and young people say but we must actively listen to their views and work with them, their organizations and unions to find solutions to these questions. While it is generally agreed that there are forms of child labour that are without question harmful to children and must be stopped, we need to ensure that other forms of income generation are available to these young people.

Plan recognizes the important role of education in the lives of children but, like this paper, believes education should not be seen in isolation from the other avenues including work and play that support children's overall development. Professor Bourdillon makes the important point about the role that work, among other activities, has in children's education.

On behalf of Plan, I thank the Canadian International Development Agency (CIDA) for supporting this paper and contributing to this important debate. We are indebted to Michael Bourdillon for authoring this paper that I hope will continue the on-going discussion on the role of work in children's lives and how this impacts our policy and programmatic decision making. Thank you also goes to Deborah Levison, Ben White and William E. Myers for their contribution to this paper.

Rosemary McCarney
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Preface

This document arises out of my long-time on-going work with Deborah Levison, Bill Myers, and Ben White. Although I am the author and take responsibility for what the document contains, I have written it in consultation with the others and am indebted to their contributions.

The text pays particular attention to positive aspects of children's work. Children's work can be harmful in a number of ways, exposing them to hazards and hindering their development, particularly by interfering with school. This negative side of work is well known and widely written about. A growing body of literature, however, questions some of the assumptions about the harmful nature of children's work and draws attention to benefits it may bestow. Because these arguments and the research behind them are less well known, we give them space here. We affirm that many children still need urgent protection from harmful work: our argument is that effective protection requires a nuanced understanding of the place of work in children's lives.

The argument briefly sketched here will be developed in a book, provisionally entitled **Rights and Wrongs of Children's Work**, now being co-authored by the four us. There the arguments will be supported with full documentation, including much illustrative material. The book is expected to be published in 2010 by Rutgers University Press, New Brunswick, in the **Rutgers Series on Childhood Studies**.

Michael Bourdillon

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A place for work in children's lives?

The problem

This document considers the place of work in the lives of children. Most people regard some work – in the home, in school, and elsewhere – as useful in learning and growing up. On the other hand, regular exposés in the media remind us that many children are abused, and deprived of education, in workplaces around the world. How is society to protect children from abuse in the workplace without depriving them of the many benefits and opportunities that work can provide?

Box 1: Terms

In this document, the word "children" – somewhat arbitrarily but in accordance with international conventions – covers all below 18 or the age of majority, although much of the discussion concerns young people in their early to mid teens. In consideration of children's work, attention needs to be paid to the ages and abilities of particular children, as well as to their gender and social status.

"Work" is used in a broad sense to include all kinds of productive work, paid or unpaid, as well as domestic work.

Superficially, it seems easiest and simplest to protect children from harm in the workplace by banning work – "Stop child labour." It is questionable, however, whether such a policy in fact protects children from harm and it has been shown sometimes to deprive children, particularly marginalized and disadvantaged children, of important benefits. The practice often contravenes the interests of children, illustrated in Box 2.

Box 2: Intervention in stiching footballs

In 1996, journalists published sensational reports about children in Sialkot, Pakistan, stitching footballs for sale to export markets. They were depicted as working long hours in poorly lit factories, with no freedom, no schooling, and little time for play. It was observed that children were also involved in stitching footballs in their homes.

International buyers of the footballs insisted that they should not be stitched by children. Work at home was largely stopped and stitching became confined to supervised factories, with better pay and working conditions.

Subsequent study pointed out that most of the stitching in the past had been contracted to families to take place at home, where women could combine it with child care and other work and where children could help as and when it was convenient. Such work was not hazardous for children and was often combined with school. Insistence that stitching take place in supervised factories meant loss of income for many poor households, especially those depending on the work of women and girls. Women could not afford to be away all day at a factory, or had to waste much time in travelling. It is not evident that stitching footballs kept significant numbers of children from school: indeed, income from work enabled some children to go to school. The work was teaching them a useful trade. When stopped from stitching, many were driven to more hazardous factory work, with less flexibility than stitching at home. Omar, a 14-year-old boy, commented: "We used to be able to stitch footballs when we needed to. Now there are no footballs coming to the homes for stitching. Why have they stopped our rozi-roti [means of living]? ... They must hate us... Maybe it is because we are Muslims and people in the West are against Muslims. That is why they don't want Sialkot's name to be at the top."[1]

This is not an isolated case. After children had been removed from work in the garment industry in Morocco and Bangladesh, follow-up studies showed that many children and their families were hurt by moves intended to protect children from "child labour."[2] More recently there have been exposés of children producing goods for GAP in 2007 and Primark in 2008. Again the focus was on removing children from work and little attention was given to whether their lives were thereby improved. Removal of children from work can be even more violent and traumatic than the work itself (see Box 3).

Box 3: Violent removal from the workplace

In its submission to the UN report on children and violence, the first point made by Bhima Sangha (see Box 14) 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 beforehand 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." [3]

Three factors make it urgent to re-consider policy governing children's work. First, current strategies, based on international standards, of removing children from work sometimes leave them worse off than they were while working. Second, these strategies do not attend to conditions of work, leaving many children throughout the world without protection from harmful situations in their workplaces, sometimes even in their own homes. Third, current interventions often obstruct the material and developmental benefits that children might derive from work – the subject of much of our discussion below.

We find that a widely accepted strategy, arising out of humanitarian concern to protect children from abuse in workplaces, in practice fails many children. Before we can consider alternative approaches, we need to understand the current situation and how it arose.

International standards

Current policy is driven by national laws based on international treaties, a top-down and legalistic approach that is not necessarily the best way to deal with issues of child development. There are three key conventions (see Box 4).

Box 4: International conventions

ILO Convention 138 (1973) - requires countries to set a minimum age for "employment or work in any occupation" (article 1). This is normally 15, but 14 is allowed temporarily (articles 3 & 4) and 16 is the ideal in accompanying Recommendation 146 (article 7).

Convention 138 allows domestic work within a child's home, and work in "family and small-scale holdings producing for local consumption and not regularly employing hired workers" (article 5.3). For children two years below the minimum age, the Convention allows authorities to specify permissible "light work" that is part-time, safe, and does not impede schooling (article 7.1).

UNCRC (1989) - asserts the right of children to education directed at "the development of the child's personality, talents and mental and physical abilities to their fullest potential" (articles 28 & 29), and to leisure (article 31), thus limiting the amount of time that may be given to work outside school. Children must be protected from "economic exploitation," and from "performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development." The Convention further requires that states set unspecified minimum ages for entry into employment, and regulate the hours and conditions of employment (article 32).

ILO Convention 182 (1999) - calls for urgent action to eliminate the "worst forms of child labour," including all conditions akin to slavery, work in the sex trade, work in illicit activities, and "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" (articles 1 & 3). The accompanying Recommendation 190 lists a number of considerations that might be used to classify work as "hazardous" and to be eliminated under the last cause. (See box 10.)

The oldest of these, adopted in 1973, is International Labour Organisation (ILO) Convention on the "Minimum Age of Employment," which replaced earlier attempts to stop children from undertaking specific kinds of work deemed harmful, and which aimed to achieve the "total abolition of child labour" (article 1). The Convention does not allow children below the minimum age to find employment even if they are already out of school and have no chance of continuing their schooling. It is also contrary to the Convention for children below the minimum age for "light work" to help their parents in any economic enterprise even in their own homes. In many societies, some tasks thus prohibited are traditional for children and considered part of acceptable child-rearing practice. How did such restrictions arise?

This Convention arises historically from 19th century efforts to stop industrial abuse of children by keeping them out of work places. Legal prohibitions were accompanied by improved incomes, improved opportunities for schooling, demographic and technological changes, and developed administrative infrastructures, all of which contributed to improving the lives of children. The relative importance of these factors remains unclear, as does the effectiveness of legal prohibitions without the accompanying developments. There is no evidence that a strategy to protect children by banning their work is suitable for all countries and all times. Our discussion below will show that there is good reason today to doubt the effectiveness of ILO Convention 138, and perhaps even to consider it counterproductive for children.[4] Indeed, there was considerable evidence even before it was approved that a general minimum-age convention would prove unworkable.[5] The effects on children of policies based on this Convention have never been seriously evaluated, and there has been little attempt to base policy on verified knowledge.[6] Yet in spite of its evident shortcomings, universal adoption of this convention remains an "overarching goal" of the ILO[7] and the basis of much intervention to stop "child labour."

The United Nations Convention on the Rights of the Child (UNCRC), adopted in 1989, provides a more useful and widely agreed base for considering children's work. It focuses specifically on protection from harm in work rather than exclusion from work as such. But it has its own problems, such as the use of the ambiguous term "economic exploitation," which will be discussed below.[8]

The ILO Convention 182 of 1999 calls for the urgent and immediate end to the "worst forms of child labour," an objective that has widespread support, although it is not always clear how it can best be fulfilled. This most recent convention on children's work shifted focus of effort for a time from banning work to the elimination of harm, and is thus more compatible with the UNCRC in its aims than is the earlier Convention 138.[9] A problem remains with the definition of "hazardous" work. In some work, hazards entail high risk to children and need to be eliminated as a matter of urgency. There is need, but not the same urgency, to eliminate or minimize lower risks of accidents or mistreatment to be found in a broad range of work. We shall return to this issue below.

As in all such international conventions, countries ratifying them are responsible for formulating and enforcing appropriate legislation. The ILO and UN do not have capacity for independent enforcement. The widespread ratification of such treaties does not preclude discussion of their implementation or indeed their prescriptions.

The debate

The debate about how to protect children in the workplace is often heated because all parties are concerned to bring an end to serious abuse. The heat of the debate sometimes obscures widespread agreement on fundamental issues, including the following:

• All children have the right to effective education, as good as society can provide, and

• All children have the right to be protected from exploitation or abuse in work, and from any work that is likely to harm them.

Most people also concur with the additional UNCRC principles that:

• All children have the right to express their opinions and to be heard in all matters that concern them (article 12, 1), and

• In all actions concerning children, "the best interests of the child shall be a primary consideration" (article 3, 1).

There is widespread agreement on the need to bring to an end the abuse of children in the "worst forms" of work, following ILO Convention 182 and Recommendation 190. On the other hand, few if any would deny that some work, particularly light work in the home and on family farms, is acceptable. The debate occurs in the middle ground, principally on these three issues:

• Whether or not there is a place for work in "good" childhoods, and if there is what kinds of work are appropriate. This issue concerns the disputed place of work and responsibility in the process of growing up.

• Whether or not work and school can be combined without harming the child. A related question is whether or not a child has a right to work and to earn money if he or she wants to or needs to, and whether or not this is compatible with the child's rights to education and to protection from exploitation and harmful work.

• What work is harmful or exploitative in the context of childhood.

Taken together, these three issues challenge the conceptual basis of the international campaign to "stop child labour," which entails three fundamental problems.

First, it is not clear what is to be stopped. The term "child labour" is variously used to refer to "worst forms," to work that is in any way harmful to children (which is difficult to define), to employment below the minimum legal age (whether or not this is shown to be harmful), in some cases to employment below the age of 15 (whether or not it is legal in the country concerned), or even any "economic activity" by "under-age" children (as little as an hour in a week). In spite of its various meanings, the term is strongly associated with child abuse. Thinking about the work of children in terms of "child labour" turns out to be more confusing than helpful. It is preferable to use the generic term "work" with appropriate qualifiers – harmful, illegal, paid, economic, light, etc.

Second, a campaign to "stop child labour" pays no attention to the benefits that children might acquire through work. Work that provides a net benefit to children in a particular context may nevertheless be in some ways problematic and so be called "child labour." To prohibit such work is to deprive children.

Third, a campaign to "stop child labour" pays no attention to improving conditions and safety in work that is permitted.

Different responses to the three issues are illustrated by the mission statement of the European Union's campaign to "Stop Child Labour" on the one hand and the position of Save the Children Alliance on the other (see boxes 5 & 6). Such contrasting perceptions are to be found at all levels from international organizations, through local NGOs, to children themselves.

A further problem lies in ethnocentric assumptions behind what is classified as "child labour." In practice, campaigns target primarily the work of deprived children and communities in low-income countries, largely ignoring many jobs undertaken by children in high-income countries. Campaigns focus on activities that contrast with Western, middle-class, largely urban, perceptions of what childhood should involve. The idea of "child labour" appears to encourage policies based on ideology and on stereotypes of children and situations. Consideration and assessment of different approaches to children's work are best based on empirical evidence rather than idealistic ideology. For this it is necessary to have a picture of the range of work that children undertake, and the positive as well as the negative roles that work can play in their lives and their development. Since the harm in children's work has received widespread attention, here we pay more attention to the benefits deriving from work, which are often ignored.

Work that children do

Children's work typically starts with light personal domestic chores at a very young age. This can extend in their early teens to the domestic tasks that adults do, when they resent any belittling of their work. Work in the home sometimes extends to full-time running of a household, especially for girls or for children whose parents are dead, absent, or incapacitated. Unpaid work in the home can include work in family commercial enterprises, including farms. As children grow, work may extend outside the home.

Some children are pressured or forced into heavy paid work that takes up most of their waking lives and leaves no time for leisure or education, a practice that must be stopped as a matter of urgency. Often, however, children's labour-force work involves light tasks appropriate to their ages. They usually start with simple jobs that receive little or no remuneration and that adults do not wish to undertake, moving on to more substantial work in their middle to late teens. A consequence of this light work is that their contributions are often ignored or belittled: indeed, children are sometimes required to take on tasks that adults find degrading. Another consequence is that children are rarely in competition with adults (or at least adult males) for jobs.

The world's working children comprise a very large group, with diverse situations, interests, and problems.[12] A small (but significant) minority of children are engaged in the "worst forms of child labour," in kinds and conditions of work that are generally deemed unacceptable under any circumstances. A much larger group are engaged in work that is not in itself dangerous, harmful, or morally intolerable, but which in its present form is likely to be hazardous or to interfere with children's development. The conditions of such work can be improved without prohibiting the work. Many working children attend school and therefore work part-time or seasonally, often without apparent harm or hazard. This includes nearly all working children in high-income countries, but also a very large number in poorer countries.

A very small percentage of working children are employed in factories or on large plantations. Still fewer work in export industries, which often provide the best jobs locally. Very large numbers take on household chores and help in household agriculture or other enterprises. Although much attention is paid to abolishing the work of children in low-income countries, in many of the world's richest countries at least half of all children have experience of regular work in labour markets by the age of 16, much of which is illegal and some harmful or hazardous.

Education through work

All over the world, work – alongside and often combined with play – has historically occupied an important place in children's time and development. There is a growing body of literature that sees child development as a social activity: children learn, and acquire a place in society, by taking part in a variety of activities, including work. Taking part gives meaning to the lives of children. Like apprentices, children start at the periphery, observing and imitating those around them, before moving into the centre of activities under supervision and guidance. Acknowledgement of a child's contribution brings self-esteem and confidence. In this view, work is part of a child's development from an early age, starting with simple tasks that merge with play and developing to various kinds of useful work, depending on ability and gender. This contradicts a view of childhood as a time of learning and play, free of work and responsibility, dichotomised from the world of adults.

The learning functions of work are only partly and imperfectly replaced by the introduction of formal systems of education, which are usually conducted away from the social environments in which the children live most of their lives. In many high-income countries, some part-time employment combined with schoolwork appears to be the majority teen-age experience. A long-term study in the U.S.A. showed young people moving from dull repetitive jobs in their early teens to jobs that allowed for or required responsibility and initiative. Apart from the material benefits and independence children acquired from paid work, some commented that work taught them things they did not learn at school. This study depicted steady work outside school as part of the formation of adolescents.[13]

This was particularly so for children who had little aptitude for school work and found valuable learning experience in extensive part-time paid employment.

In some societies, children from their early teens travel, even across international boundaries, to find employment and to gain experience of other societies and other cultures. In the process they learn how to relate to a variety of people and manage their livelihood, enabling them to return to their home communities with skills, status, and some accumulated capital. There are many hazards in such travel, particularly when children find themselves misled into exploitative and abusive situations from which they are unable to escape. But such trafficking of children, which demands urgent intervention, needs to be distinguished from travel for work that can be beneficial.[14]

Where schooling is absent or inadequate, work may be especially important as a medium for learning. Although work in formal and informal apprenticeships can be an excuse for exploiting children's work for little or no reward, learning through work provides many with livelihood skills. When child street workers in Guatemala City said they had much to learn in order to be successful in the future, they were referring to what they learned through their work and from the adults they worked with, not to what they might learn in a classroom.[15] Working children often value work for the opportunities it offers in the future, a factor that weighs more heavily for them than hazards the work may involve.

Children and their parents often believe that children's work imparts self-confidence and teaches a variety of skills. Although some children's work is denigrating and teaches nothing, there is research that offers some validation to the belief in benefits from work. Research from Brazil, Colombia, Vietnam, and the United States, has found that part-time work of adolescents, when the situation and competence of the children are right, can be positively related to subsequent employment up to ten years after graduating from high school and part-time employment in adolescence appears to reduce the amount of time spent unemployed later.[16]

The World Movement of Working Children declared in 2004, "We value our work and view it as an important human right for our personal development," and announced in 2006, "We promote and defend the dignified work of children and youth."[17]

Material benefits

Much literature describes how, now and in the past, children's work has buffered children and their families against poverty, at least in the short term. The need for or desire of income is the most common primary motive for seeking paid work. Contributions from children may be essential to family livelihood in situations of severe poverty, especially in times of crisis, such as the loss of the breadwinner, or when the season demands extra work. Income from children's work is also essential when children do not have adequate support, as when their parents are disabled or dead. Where income is needed for survival, work can interfere severely with education.

Material benefits of work for poor families are illustrated by an Indian study that showed working children below the age of ten to have better weight for height ratios than their school-going counterparts.[18] Income from work can also provide access to health facilities.[19] It is common for older working children to play an important role in the support of younger siblings, on whom there is less pressure to earn. A study in Guatemala City showed how some young people improved the livelihood of themselves and their families, both immediately and for the future, through their work on the streets.[20]

There is conflicting evidence on the longer term relationships between children's work and their future earnings as adults. Some studies relate work in childhood to lower incomes as adults, particularly when it interferes with schooling or when children enter the labour force very young. Others relate work experience in childhood to improved incomes, at least in the medium term. The relationship appears to be situational: it cannot be generally assumed that work in childhood necessarily exacerbates poverty in the long term.

When paid work is not essential to survival, children's income may still be useful for improved livelihood and to pay for such things as schooling and clothing, or perhaps capital investments such as livestock or a sewing machine. Children rescued from full-time work and placed in subsidized school programs may continue to supplement family income through part-time trading. Income from part-time employment of school pupils in high-income countries may relieve stress on family budgets by buying groceries and removing the need to ask parents for expensive items.

Where work is an optional part-time activity, income is often used for luxury items and entertainment, perhaps after considerable saving. While these are not strictly necessary, the young people may be under pressure from peers and advertisers to spend in this way, even occasionally to the detriment of schoolwork. The role of children as producers and consumers is often ignored or understated, yet it can be substantial even in high-income countries.

Ideally, unpaid work in the home should be rewarded materially in the long term by rights in family resources. Such rights, however, are not always granted to children of the extended family or adopted children, who are often expected to contribute substantial work only for short-term maintenance. The material rewards from paid work, on the other hand, are normally immediate and tangible.

Social benefits

Some children's work is degrading and humiliating, and adults often trivialize what children do. Some work disrupts children's relations with their families and with peers. Work is not, however, always this bad. Starting with domestic work, which can involve menial tasks, children often find their identity and position in their family through their work, and can use it to negotiate a degree of autonomy.

Working children often appreciate better than do adults both the positive and the negative effects of work in their lives, and particularly the social benefits they derive from work. Working children in Nicaragua surprised researchers with their positive attitude to their jobs: 55 per cent expressly stated that they liked to work and half of these said it made them feel useful and important. Three quarters said that they would be worse off if they did not work and in discussions it emerged that the majority would still work even if their families had no need of their income.[21] 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.[22]

In several situations, working children have listed things they like and dislike about their work. We shall return later to things they dislike when we consider harm in work. Among the things listed in favour of employment is that it gets them out of home, an important factor for those whose homes have little space and few facilities. They often feel a freedom in the workplace that they do not experience in the home. Paid work allows young people to expand their relationships beyond home and family. They often enjoy the company of peers in the workplace, and the experience of meeting adults in the context of work.

Although this expansion of social relations can sometimes be exploitative and repressive, it can also have long-term benefits. Children involved in crafts or trading often make contacts in the workplace that are important for the development of their subsequent careers. Even child domestic workers sometimes benefit from the long-term patronage of their employers. In rural Nigeria, hawking is a way for girls approaching marriage age to be visible to prospective suitors, as hawking girls may legitimately be approached by non-kin males in public.[23] In other ways, work may contribute to a young person finding a place in society: work enables them to be "someone in life."[24]

A degree of independence and autonomy is widely cited by young people as a reason for undertaking paid work, in both high-income and low-income countries. This may be particularly important for disadvantaged children, such as those who have been orphaned, whose contributions to an extended family through work and income can provide them with negotiating power.[25] Through paid employment, and particularly work away from home, young people can renegotiate their relationships with adults in their families, moving into adult status while maintaining good relations through their contributions.

Although girls are sometimes harassed at work, economic work can be particularly important for girls who are disadvantaged by cultural restrictions. A girl who contributes significantly to her family's business may have her wishes treated with respect and perhaps resist cultural confinement to her home. Girls who are earning sometimes reduce pressure to accept early arranged marriages. In Bangladesh, work in garment factories allows girls to stay in their own home longer, while gaining some independence, developing new peer networks, and adding to their dowries. This produces a different pattern of transition to adulthood from the traditional early marriage and childbearing.[26]

Young people sometimes find that in their jobs they are trusted as responsible and competent in a way that they do not experience at school. Good relations in the workplace may help a young person to cope with tensions, or even dreariness, at home or school.

A growing sense of independence, however, can also exacerbate tensions within the family. A study of adolescents (aged 16 to 18) in the U.S.A. showed that those in employment were a little more likely to disagree with their parents over such things as dress, friends, going out, helping in the house, sex, smoking, money, school, and family.[27] Related to this, some literature suggests that employment of children leads to behavioural problems. It is not clear, however, whether work is the cause of these problems: perhaps children with prior problematic behaviour at school or at home are more likely to look for paid employment. Neither is it clear whether the problems are more than passing.[28] Those in informal work, especially when separated from their families, are outside adult control and more likely to develop behaviour that conflicts with accepted values in the wider society: but in these cases it is the social environment rather than the work that causes problems.[29] Working children in South America argued that far from making them delinquent, their work kept them from getting involved in criminal activities or begging, and allowed them to live a decent life in spite of their conditions of poverty.[30] Indeed, poor urban parents report wanting to keep children busy, to keep them "off the streets" and away from bad influences.

Right to work?

The right to work was internationally accepted as a fundamental human right in the Universal Declaration of Human Rights (1948, article 23, 1), and is attached to "free choice of employment," to "just and favourable conditions of work," and to "just and favourable remuneration" (article 23, 3). In 1966, two international covenants defined childhood as a state requiring special protection,[31] which some argue overrides their right to work. This argument is challenged by young workers and might be an example of protection being unnecessarily restrictive. The African Movement of Working Children and Youth assert their right to "right to light and limited work", and the right to work has been expressed frequently by children in Latin America and occasionally in high-income countries.[32] Considering the potential benefits of work, they appear to have a case.

Right to participation

Studies of street children drew attention to the fact that children sometimes conduct their lives without adult support and with varying degrees of success. Street children, and working children in general, are frequently victims of abuse and exploitation, which in some cases destroys the lives of the children. Nevertheless, many children find ways of responding to the problems they face, with the support of peers or adults. Intervention that builds on these responses, exemplified in Box 7, is likely to be helpful in the short term and to contribute to children's development and well-being.

Box 7: Street Kids International

Street Kids International arose out of supporting street children in Khartoum, Sudan, by helping them establish reliable and regular incomes, and establishing schools they could attend in the evenings. The organization believes that youth on the streets "have the potential for transforming their own lives when given non-judgmental support in developing skills, making choices, and accessing opportunities." Their policy is to encourage street educators to engage children on their own turf. They have helped many thousands of children through local partners in several countries, who develop initiatives based on local needs.

Children often choose to work, and invariably have views about it, which should be heard and taken seriously. Article 12 (1) of the UNCRC asserts, "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

This means moving away from perceptions of children as passive victims, and rather recognizing them as agents, capable of analyzing and responding to their situations and problems, and as citizens with both rights and obligations in society. A result of such recognition is that interests of the children come to the fore.

It is easy enough to encourage children to participate in activities controlled by adults, but facilitating the participation of children in making decisions to control their own activities is difficult and time consuming. It requires that adults learn to defer power without evading their responsibility to offer guidance and to make appropriate knowledge available and intelligible to children. It also requires learning on the part of children to make decisions responsibly on the basis of information they have collected.

Adults sometimes establish forums, such as child councils, in which children may make decisions. Full participation, however, requires that children are taken seriously in all decisions that affect their lives: they should not be expected simply to accept niches that adults unilaterally cede to them. They should have a say – and often insist on such a say – in deciding on where they are to participate in decision making, and these areas may involve adults as well as themselves. Judgements of competence according to "age and maturity" similarly have to be negotiated between adults and children.

Related to participation is children's right to free association (UNCRC, article 15). In particular, working children should be encouraged to join unions or form their own to protect their interests in the workplace. Trade unions have the mission to protect and promote the interests of labour in society, yet they have largely stuck to ILO Convention 138, ignoring the interests of working children.

Work and school

A serious concern about children's work is that it interferes with schooling. Knowledge that comes from effective schooling is liberating and empowering for children, and is essential for their future dealings with the modern world. So education is a right rather than simply a means to economic ends. The right to education, however, does not imply an obligation on children to attend available formal schools (a point we address below). It does imply the obligation of society to provide a means of learning suitable to the needs and aptitudes of the children concerned.

The movement from productive work to schoolwork as the principle activity of children has been a significant component of the development of the world's richer nations. These are able to invest in compulsory education to create a skilled labour force and wealth in the future: in this view, school becomes the work required of children with long-term economic value for the nation.[33] Accordingly, some high-income countries give tax relief to families whose children are at school. Several middle-income countries, particularly in Latin America, have improved school attendance by paying poor families for the regular attendance of their children. Compulsory schooling does not, however, always allow for choice based on the needs and aptitudes of particular children. In low-income countries, it is not clear that supporting schooling in this way is sustainable, nor that it is a cost-effective way of training young people for available jobs.[34]

At the individual level, there are also economic reasons for giving school precedence over work. A number of studies have shown that schooling correlates with improved future earnings, and that investment by families in education brings good returns. The returns on education appear to be highest in the poorest countries and for primary (rather than secondary or tertiary) education.[35] There are, however, reasons to treat these studies with caution. Statistical correlations on their own do not indicate causal relationships and estimates may overstate the effects of years of education on income.[36] For example, children in better quality schools learn more and are motivated to stay longer at school, as are children with greater academic ability: higher earnings later, therefore, may be due to the ability of students and the quality of their schools (variables rarely accounted for in estimates) rather than simply to the fact that the students have stayed longer at school. Moreover, not all years are of equal importance: a final year in which a certificate or diploma is awarded is likely to have a greater effect on future earnings than are other years. These observations place doubt on how meaningful it is to average out all years or to include schools with high failure rates in such estimates.[37]

A further caution arises from the fact that increased income can be achieved in fundamentally different ways. If a few individuals in a low-income country receive extra schooling, they acquire a big advantage over competitors for jobs and a probable large return for their education. Even in such cases, improved income depends on the kind of employment that is available in particular social and economic situations. When, on the other hand, a whole cohort of children receives the same extra schooling, individual children gain no advantage in competition for jobs. Although it is true that wealthier countries normally spend more on educating their children than do poorer countries, the processes relating production to schooling are complex and varied, and the specific economic advantages of increasing education at the societal level are extremely difficult to measure. Estimates are therefore usually based on what are easier to count, namely, higher incomes for individuals who have received more schooling than their peers. Such estimates do not tell us about the effects of educating a whole cohort. When school systems fail many children, and children or their families perceive that there is more to be gained from work than from the schools that are available to them, statistics on general returns from education do not prove them wrong.

Schools do sometimes fail children. Facilities may be poor, teachers operating without adequate books or even classrooms. Teachers are sometimes poorly trained and have to work with very high pupil-teacher ratios.[38] Teachers may be poorly paid and uncommitted. Pupils sometimes suffer from corporal punishment or verbal humiliation. Bullying is rife even in schools in high-income countries. The result of such problems is sometimes extremely low levels of achievement. Like other kinds of work, schoolwork can be enjoyable and interesting, but it can also involve unpleasant drudgery and even occasionally a damaging environment. In some cases, children need to be protected from school, which "creates the harm that results in the availability of children for work." [39]

There are also costs of schooling. Costs of books, materials, appropriate clothing, and often fees – however low – create problems for families struggling to survive. When schools are not near the children's homes, transport may be an expense, whether in money or in long hours of walking. A major cost for many is the loss of children's contributions to their families, including care of infants, household chores, input into family enterprises, and income from employment: any of these may be significant for the family economy.

Throughout the world, even very poor families often undergo great sacrifices to provide schooling for their children. Millions of children learn at school, and often enjoy the experience even when they and their teachers have to work with minimal resources. When, however, children and their families see little benefit in the schooling that is available to them, and particularly when potential economic rewards for schooling appear lost in declining employment markets, costs of schooling appear to outweigh benefits and children are likely to find work more attractive.

A currently popular campaign slogan against child labour is, "Stop child labour! School is the best place to work."[40] This seems obvious enough when ideal schools are compared with the worst kinds of work. When more benign work is compared with the very poor schools often available to children in poor communities, it is not always so clear which is preferable. The focus should be on making schools the best place to work rather than on stopping alternatives to school. Besides, school and work are not simple alternatives: the vast majority of children combine school with work. Because of the importance of schooling in the modern world, we need to know how work and school are in fact related, and what can be done to accommodate both in children's lives.

Does work outside school affect school attendance?

A commonsense approach assumes that the imposition of work on children keeps them away from school and consequently that stopping work would improve school attendance. Although this is apparently supported by statistical studies showing inverse correlations between school attendance and outside work, such statistics can be misleading.

In some contexts, working children more frequently attend school than do children who do no work outside school, perhaps because some children work precisely to earn school fees and other expenses. A Kenyan study showed that children working over 24 hours per week were likely to attend school as regularly as children working only seven hours a week. A Sri Lankan study showed non-working male students missing school more often than their working counterparts.[41] Other studies suggest that part-time work has little if any effect on school attendance.

When, however, the work – whether in the home or outside it – becomes full-time rather than part-time, there is a dramatic reduction in numbers also attending school.[42] Statistical correlations do not tell us whether these working children are not in school because they have full-time jobs outside (as sometimes happens, particularly in times of crisis), or whether they find jobs because they are not in school (as several case studies suggest). Failure at school and entry into paid employment could both be caused by some independent factor, such as a lack of resources at home, or poor schooling, or the attitudes of teachers to disadvantaged children. When children have already left school for whatever reason, stopping them from working will not send them back to school, but will rather leave them without constructive activity. On the other hand, improving the quality and availability of schooling may reduce the number of children in full-time work.

Does work outside school affect time given to schoolwork?

Even if outside work does not prevent attendance at school, does it take up time that would be better spent on schoolwork? Again, research data provide different answers. On the one hand, especially in marginalized communities, domestic work and economic activities can be heavy and interfere with schoolwork. Several studies show children struggling to balance schoolwork against other work.

On the other hand, work does not always detract from time spent on schoolwork. An American study followed a cohort of young people from their early teens into adulthood, and collected details about how they spent their time: it showed that work largely

took time from leisure activities, and that adolescents sometimes negotiated with employers to ensure they were able to fulfill school assignments.[43] Studies in Bangladesh and Pakistan also suggest that part-time economic work of children and adolescents takes time from leisure rather than from schoolwork.[44]

Does work outside school affect performance in schoolwork?

Even when outside work does not keep children away from school or from schoolwork, it might sap their energy or reduce their hours of sleep, resulting in poor school performance. Evidence from research suggests that up to ten hours of outside work a week does not adversely affect school performance and sometimes even enhances it.[45] Above ten hours, studies in different contexts and places give different results.

Even if a study in a particular context correlates time in paid employment with weaker performance in school, this does not necessarily mean that the work causes children to do badly at school. There may be other factors such as poverty or the education of the mother, both of which often relate to performance at school and the incidence of work outside, and neither of which will be improved by stopping children from working. Sometimes sufficient data are available to control for such variables and establish a statistical link between extensive outside work and poor school performance, but the direction of causality remains undetermined. The long-term American study found a correlation between extensive outside work (over 20 hours per week) and poor school performance, but because it followed children over time, the researchers were able to observe that the children concerned were already achieving poor grades before they took on their extensive outside work, which did not result in grades falling further. In this case it was clear that poor school results pushed to children to find satisfaction in work rather than the other way around. Overall, research does not provide conclusive answers about whether or not part-time work generally impedes school performance.

Combining school with work

School and work are not incompatible alternatives. For the majority of children, education in its broad sense includes both. For some the work is a relatively peripheral activity, undertaken in spare time from school. For others, the work is more central whether because they find school less satisfactory or because the work is essential for livelihood.

Many children work precisely to earn necessary school expenses. If these children could not work, they, and often their siblings, would be unable to attend school. Forty-three percent of surveyed working children in Ibadan, Nigeria, said that they were working to earn money for school.[46] A tea company in the Eastern Highlands of Zimbabwe runs several "earn-and-learn" boarding schools, at which pupils contract to work for the estate as a condition of enrolment. These enable many children from poor families to complete their secondary schooling and sometimes to go on to university and to professional careers.

Box 8: Flexible schooling

- Talib described a school in rural India which was flexible enough to allow children to continue with necessary work for their families and still receive an education.[47]

- In Bangladesh, a non-formal system of education produced good results from negotiating the hours of schooling with parents: it provided many working children with education and fed some of them into the formal system.[48]

- A study in Pakistan showed children in informal schools being livelier and more alert than their counterparts in formal government schools.[49]

- The Manthoc project in Peru organized schools operating near where children work, with hours suitable to them, and operating a module system that enabled them to progress at their own pace even if they missed some classes. In these schools, teachers incorporated what children learned through their work.[50]

School can be adapted to the needs of working children (see Box 8). Apart from suiting their needs in terms of time and place, such education can be targeted precisely for working children to teach protection from abuse and hazards at work, and it can be combined with social support for the children. There is, however, the danger that informal schools may turn attention away from the exploitation of children, or even appear to justify such exploitation. Another danger is that informal education can be inadequate and poor. While these dangers are real, they provide no excuse for failing to provide education appropriate to the needs of particular children.

Apart from formal schooling, many young people throughout the world acquire skills for future earning through formal or informal apprenticeships. They undertake productive work, moving from peripheral to full participation in the activities of the craft under the guidance of an established master, learning from practice and from the example of the master. Not only do they learn the skills of a craft, but they also establish contacts and experience in trading the craft. This learning can be combined with formal schooling. But the practice of apprenticeship varies widely, and can also involve the harsh exploitation of children, who provide the master with cheap or free labour and may receive in return only harsh treatment, little respect, and little training.

There is a danger that schoolwork, assumed to be beneficial for children, becomes dichotomized from other kinds of work, assumed to be harmful. In the 1970s and 1980s, the value of combining work and education in the development of children and youth was commonly accepted by experts: it is not clear that overriding these ideas in the 1990s has been beneficial to children or to societies.[51]

Benefits and harm

It would be wrong to romanticize children's work, especially the work of poor children. Work can be dreary and unpleasant, whether at home, in employment, or indeed in school. It can be excessive, especially when it is a necessary response to poverty. Conditions can be harsh, sometimes damaging to health and development. Working children have often provided long lists of complaints about their work, including harsh treatment, long hours, poor conditions, interference with schooling, and poor and irregular pay. But there are also many benefits to be derived from work, even from work that in some ways is harmful, and it cannot be right to deny possibilities to deprived and marginalized children without careful consideration of both harm and benefits.

How might we distinguish work that is acceptable, even beneficial, for young people from work that is harmful or hazardous to them? In the large number of situations in which work proffers both benefits and actual or potential harm, how do we minimize the harmful elements? One of the difficulties in answering this question arises from the fact that harm and hazards are relative to the situation and capabilities of a child. Potentially dangerous tools can be made relatively safe with appropriate supervised training and relatively safe instruments (such as electrical appliances) can be dangerous without training. Extensive work can hinder the schooling of a child with academic potential, while it can provide a positive educational experience for those children who learn better through doing than through reading or lectures. Hazards must be weighed against potential benefits (as in other children's activities such as sport): a task that imparts skills may be less safe than a dull routine job, but may still be in the long-term best interests of the child. An assessment of net harm or benefit of particular work must take into account alternatives realistically available to the particular children (see boxes 9 & 11): in particular, it cannot be assumed that effective school is available.

Box 9: Girls in prawn-curing factories: whose views are most correct?

In the late 1980s, Indian newspapers repeatedly exposed the sorry plight of girls from the southern state of Kerala working seasonally in the prawn-curing factories of Gujurat and Maharashyra, thousands of kilometres away from home. They were said to have been crudely exploited, working in squalor late into the night. To sleep, they were locked up in a hall without beds.

An anthropologist, Olga Nieuwenhuys, knew the fishing villages from which some of the girls came, and was surprised that their fathers allowed them to travel away from home on their own. So she interviewed some of them and a different perception emerged.[52] The girls had been attracted by accounts of peers who earned money from this seasonal work to help their families and to improve their dowries. They persuaded reluctant fathers to allow them to travel as a group on the annual trip, often starting in their early teens. They spoke of their pleasure at their long journey through India, at working with their peers, at watching videos on weekends, and at gaining respectability in their families. Since they travelled to make as much money as possible and were paid piece-rate, they wanted to work long hours. One described the dormitory as a safe and convenient place to stay.

At home, the girls were involved in the heavy domestic work of poor homes. Most also worked alongside their mothers making coir yarn for fishing nets: while a woman spins, two girls work at peeling and beating coconut husks, winnowing, and turning the spinning wheel. Although the income from such work is low, it contributes to feeding the family. Parents might also hire out a daughter's services to a neighbour. So the girls saw seasonal work in distant prawn factories as opportunity for something better.

ILO Convention 182 and Recommendation 190 provide guides for identifying the "worst forms" (see boxes 4 & 10), but leaves the identification of these to countries. Conversion of this guide into an extensive check-list for intervention would entail answering some difficult questions. What, for example, is "abuse" or a "heavy load" or "long hours" for children of different ages and in different situations? Young children learn to use potentially dangerous machetes and work on family cocoa farms in Ghana without protective clothing, but in a relaxed atmosphere, under supervision, and out of school hours: this might be classified as "hazardous" but not as a "worst form" requiring urgent intervention and removal from the work place.[53] If the Recommendation is understood to encompass all forms of work that is harmful or potentially harmful in any way, the sense of urgency is lost, and there is no guidance on how work that is currently harmful may be made benign.

Box 10: What is hazardous work?

ILO Recommendation 190, article 3, states that in identifying "worst forms" consideration should be given, inter alia, to:

(a) Work which exposes children to physical, psychological or sexual abuse;

(b) Work underground, under water, at dangerous heights or in confined spaces;

(c) Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

(d) Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;

(e) Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

Moreover, it is not always clear what is to be done when the alternatives for the children are perceived to be just as bad. Everyone agrees, for example, that underground mining is dangerous, yet children sometimes willingly take on such work (see box 11). When should children be allowed to make choices in such "worst forms of child labour"? A study of children involved in the drugs trade and accompanying violence in Rio de Janeiro, Brazil, points out that the only hope of ending such activity by children is radically to improve facilities and opportunities in the communities.[54]

Box 11: Underground mining: what is to be done?

ILO Recommendation 190 lists underground work as one of the "worst forms of child labour" (article 3b). At a workshop in Harare, Zimbabwe, there were representatives from young people working in informal mining, for long hours, in dangerous and cramped underground conditions, and for low pay.[55] They pointed out that they had to take on this work or starve, and they appealed to be allowed to work in the formal mines, where pay and safety are so much better.

In Colombian coal-mining areas, small-scale mines sometimes employ children – often with their families – to work in the small shafts, where ventilation and lighting are poor and there is danger from toxic dust and gases and from possible explosions, flooding, or collapse. Twelve- to fourteen-year-olds typically work four to six hours in the early morning, while it is still cool, before going to school and working on family farms in the after-noons. Some of the children want to work longer in the mines, because they are paid well and they consider school useless.[56]

Apart from identifying "worst forms," various attempts at classification have failed to provide clear distinctions between harmful and benign work. One attempted criterion is employment. Since parents and family are assumed (not always correctly) to have an interest in the long-term well-being of their children and since employers do not have this interest, work within a child's family is generally considered to be acceptable while employment of children by outsiders is not. Frequently, however, employment provides benefits, including sometimes relief from oppression, which children do not find at home; and sometimes work in the family can be problematic. Children sometimes escape abuse at home by running away to live and work on the streets. Often employment has both positive and negative elements for children that cannot easily be separated.

Related to this is whether work is in or out of the child's own home. In practice, not all children have homes, not all homes can adequately support the children in them, and not all homes are child friendly. Exploitation of children through unpaid work in their own homes, especially when much domestic work is imposed on girls, can be worse than exploitation in employment. Besides, in many societies, the institution of extended families makes the home difficult to define. On the one hand, extended families can provide an extended home with relief and security against various kinds of crisis; on the other, kinship can be used to cover the exploitation or other abuse of children.

Another criterion is age, based on the assumption that young children are more vulnerable than older children. But this assumption is often hard to establish: in some situations older children receive less care and sympathy than do their younger counterparts. In the home, children usually start work at a young age. The appropriateness of work depends not only on the physical development of particular children, but also on their training and background. In many rural communities young children are taught to use such instruments as machetes and axes safely, tools that would be dangerous for adults to use without appropriate supervised training. Sometimes wages are denied to the young, but there is no just reason why age should be a criterion for paying or not paying children for the work they do.

Under current labour laws, certain sectors, such as mining, are often prohibited to children. Working children and others have pointed out, however, that there are safe and hazardous tasks in all sectors: even mining can have safe jobs at the pithead. It is questionable where this is an effective approach to defining hazards.

The UNCRC demands that children be protected from "economic exploitation," but the term is notoriously difficult to define and proposed definitions do not agree. In a traditional Marxist perspective, any employment in a capitalist system is exploitative and consequently any employment of children is exploitation. With respect to adult work, however, such usage renders the term meaningless, and "exploitation" normally refers to inadequate remuneration (however this is to be judged) and sometimes to harmful conditions of work. It can draw attention to the fact that whole communities, adults and children alike, are exploited by those who are more powerful in the productive process: producers are often exploited by manufacturers, and small-scale manufacturers by distributors. Exploitation thus refers to conditions of work, which cannot easily be defined, rather than to work as such. There appears no good reason why the term should have a different meaning when referring to the work of children, which is often part of a larger exploitative situation.

It is common to dichotomize work into "child labour" to be abolished and "child work" that is benign, but this classification appears to be unhelpful and misleading. It is increasingly accepted that work lies on a continuum, with the most harmful and hazardous to be eliminated at one end and the most beneficial to be encouraged at the other (see the diagram in Key Points at the end of this book). Between lies a variety of kinds of work with varying degrees of harm, hazards, and potential benefits typically mixed together, and varying in their effects on particular children. Within this continuum, harmful work is generally more easily identified at the local level than at the national or international level. At the local level, the circumstances of children and available alternatives are better assessed. Children themselves have occasionally been encouraged to draw up schedules of work that is acceptable for boys and girls of different ages, in the home and outside it.

Psychologist Martin Woodhead pointed out that it can be misleading to focus exclusively on hazards, since even hazardous work can have psychosocial benefits that are significant for children's well-being and development.[57] Social relations surrounding work are fundamental to how the children experience their work and so to its psycho-social effects. In consideration of benefits and harm of work, therefore, a key consideration is children's relations with their families (if indeed they have families), with their peers inside and outside the work place, with adults in the work place, and with society in general. The attitudes of all or any these (expressed partly in

the language they use about children and about their work) affect the psycho-social benefits or harm that come to a child from working. The effects may vary with context: a boy might be despised and belittled while working on the city streets, but through his work be highly respected in his impoverished home area on account of the earnings he brings to his family. One way to make children's work less harmful is to cultivate respect for it. The table lists factors that might be considered in assessing the acceptability of particular work.

		Potential benefits	Potential harm
Physical	Health	- Improved nutrition for worker and other children in family	- Unhealthy environment - Tiredness from excessive work or lack of sleep
	Growth	- Exercise	- Excessive work hindering growth
	Working Conditions		- Excessive hours, poor lighting, excessive noise, cramped conditions
	Hazards	- Learn to deal with dangerous situations	- Toxic chemicals - Air polluted by dust or vapours - Dangerous equipment - Abusive punishment
Income		- Improved livelihood for self and family, including other children - Growing autonomy - Rights in family resources	- None or inadequate remuneration - Remuneration taken by others
Psycho-social	Learning	- Life skills, trade skills - Learning to interact with adults, customers, etc. - Experience for future labour-force work	- Prevents or hinders schooling
	Responsibility	- Develop a sense of responsibility	- Anxiety from excessive expectations
	Agency	- Growing autonomy - Sense of purpose, especially for those out-of-school - Develop resilience by dealing successfully with stress - Discipline, learn to manage time	- Forced to work with no choices - Lose control over life in an abusive work situation - Loss of confidence after failing to cope with excessive stress - Loss of opportunity for creative activity
	Relations	- Broadening of relationships with adults and peers - Relief from tension at home or school - Shared experience with working parents	- Independence and loss of adult guidance - Harmful relations in the workplace - Disrupted relations when away from home - Social isolation
	Self-esteem	- Sense of achievement, status	- Denigration, work not appreciated
	Status	- Status in family and with peers - Empowerment - Improved status for girls	- Loss of freedom, dignity - Gender discrimination, sexual harassment
	Recreation	- Escape from a dreary home	- Loss of leisure

Principles for intervention

Consideration of the potential benefits and harm of children's work suggests some general principles on which attitudes, policies, and interventions should be based.

1. Understand work in relation to the situation of children

Intervention must start from an understanding, based on empirical research, of the place of work in the lives of the children concerned. This requires attention to both benefits and harm, to the causes of these, and to available alternatives. This means recognition of the following:

- Work is one way in which children respond to their situation and develop. Understanding requires acknowledging the agency of children in their responses to opportunities of work

- Children should be seen in their broader context of the societies in which they are growing up as members. Their contributions through work should be acknowledged. Problems related to work should be placed in the context of large-scale poverty, global inequality, and the webs of power within which children are born and grow up. These reflect inequalities based on wealth, social class, gender, generation, ethnicity, etc. Interventions focusing only on children's work do not offer solutions to any of these broader problems

- The appropriate cause for concern and focus of intervention is not work itself, but harmful work. This is the key basis for prioritizing the "worst" cases, consistent with both the UNCRC and in ILO Convention 182

- Understanding requires attention to accurate language and concepts, through which we think and communicate. Simple dichotomies between adults and children, or good and bad work, do not reflect the complexities of growing up and of work, and consequently impede understanding

2. Respect children, childhood, and children's communities

Implied throughout the UNCRC, and many recent studies of childhood, is that children and childhood should be respected. Respect for the inherent dignity of the human person (UNCRC, article 31c) is fundamental to all human rights, and should be fundamental to all intervention.

- Respect for children requires recognizing them as persons who can understand their own situations and make choices on how to improve their lives. It requires acknowledgement of their contributions to their own lives and to the lives of those around them.

- Working children are workers, and should be recognised as such. Disrespect of and discrimination against workers on the basis of age should be no more acceptable than discrimination on the basis of gender.

- Respect involves listening to children and taking their views seriously. Such respect must also extend to the communities in which children live and grow. This is not compatible with language that denigrates children, their work, their families, or their communities for deviating from some assumed notion of "normalcy" (often Western, urban and middle-class). Any such denigration "can have the effect of penalizing, or even criminalizing, the childhoods of the poor"[58] (see Box 12).

Representatives of working children were invited to speak during the session on "child labour" at an international conference on Urban Childhoods, held in Trondheim in 1997. A 13-year-old girl from Senegal got up and spoke in French. She said:

"Do you understand how you insult me, when you talk of combatting and abolishing the work that I do?"

"I have worked as a domestic servant since I was eight. Because of doing this work, I have been able to go to school (which my parents in the village could not afford); I help my parents with the money I earn. I am very proud of the work I do. I joined the movement of working children, and I know what the Convention says about children's rights – the Convention also says that you should listen to me!"

This young worker entered employment well below the permitted age according to contemporary standards. Moreover, she was in domestic work, which widely leaves children open to psychological, social, and physical abuse. Yet years later, she remains justly proud of what she achieved for herself and her family through this work. She challenged the very way we think about children's work, and particularly about children who work to overcome difficulties they face. Twelve years on, there is still a need to reflect on discourse that continues to insult the achievements of such young people.

- Adults, from within or outside the communities concerned, with concerns for the problems faced by children should not claim to be intervening from a position of moral superiority. Judith Ennew, a leading expert on research with children, has pointed out that in any work with children, a significant barrier is often the attitudes of adults, and "the main resource in any project is the children themselves."[59] Children have a right, she insists, to be researched sensitively and competently: otherwise research itself becomes a form of exploitation of them.

- Children are important resources for each other, in work situations and in other aspects of childhood and growing up.

3. Take child rights seriously and practically

Move beyond legalistic rights rhetoric to a practical and flexible understanding of rights. This includes the following:

- Policy must focus on the welfare and best interests of children as a primary consideration (UNCRC, article 3, 1). Apart from adult economic and political interests that often interfere, ease of administration and fear of scandal are also adult interests

- Children have a right to protect their interests through associations of their own or with adults. Children have been systematically excluded from established unions, by both government and union policies, under the guise of not being workers at all when they are under the legal minimum age. There is no credible justification for excluding working children from guarantees of free association available to adults, including membership in trade unions

- The right to effective education must be taken seriously by national governments, local authorities, and other responsible bodies

- When children's rights are being violated, action should not be subordinated to political or economic expediency. Where and when work clearly involves abuse of children, by harming them physically or psychologically, or by depriving them of such rights as education or contact with families, protection of children is a matter of right. Cost-benefit analysis from a societal point of view is inappropriate

A rights-based approach that takes the interests of children seriously must, however, be sensitive to the limited resources and possibilities of particular communities, and to the fact that rights sometimes have to be balanced against each other: it may be

necessary to decide, in consultation with the children concerned, which rights need most urgent attention in terms of effort and available resources. It should also be sensitive to the fact that in daily life, the rights of people, including children, derive largely from cultural values rather than from international conventions. Consequently, any pragmatic rights-based approach must start with an understanding of local conditions and values.

4. Recognize and strengthen the role of work in learning and development

Interventions should aim not only to minimize harm, but also to maximize potential benefits of work in young people's lives. This is a matter on which young people themselves have clear ideas.

- Intervention in most cases (barring the unconditionally worst forms) should focus not on removing children from work, but on making work better for children.

- The educational function of existing work opportunities should be strengthened.

- All children (including children with disabilities and both genders) should have access to safe and educational work appropriate to their age and maturity.

These principles lead to a number of general criteria for good practice.

1. In education
In a safe and respectful environment, provide all children with free instruction that leads to useful life competencies and that ensures functional literacy and numeracy by the end of five years.

The provision of decent education free to all ensures that the vast majority of children attend school. Beyond the minimal criteria of primary schooling demanded by the UNCRC, education beyond the primary level has become so necessary in today's world that conscientious observance of children's educational rights should include free education for all at least into middle adolescence. Work that prevents education should not be tolerated, but schools and other educational programmes should be sufficiently flexible to permit children to engage in part-time work.

Children's experience in inappropriate schools can be as traumatic as that in inappropriate work. Schools and other educational programs need to be places where children want to be. This, rather than chasing children out of labour markets, should be the main concern of governments and communities wishing to reduce the number of school-age children, workers or not, who do not attend school. Although other interventions may also be needed, they cannot help unless education is first made accessible, welcoming, and productive for all children. Moreover, opportunities for learning through work should be incorporated into schools and other educational programmes, especially for children who learn best in this way or who need access to income. Such opportunities are now common in high-income countries, and should be equally available to children in low-income countries.

Children have a right to education, and schools that fail to educate do not meet that right. Therefore, discourse should separate "education," which is an objective, from "schooling," which is just one instrument, albeit a very important one, for reaching that objective. Other activities, such as work and participation in cultural events and practices, should also be regarded for their educational effects.

2. In regulation of children's work
Replace minimum age as the foundation of national and international policies to regulate the work of children with approaches based on the effects of work (and indeed of interventions) on children and on the observance of their human rights.

Currently, most national policies on "child labour" are based on a blanket ban against "employment or work" of all children below a legal minimum age, set around adolescence. Because its implementation has sometimes been shown to have harmed children whom it is supposed to protect, ILO Convention 138 should be suspended as the general standard, at least until proper research shows how its application can be made reliably beneficial for children and respectful of their human rights. People and organizations should press for new debate on this issue and consider annulling ratification of Convention 138.

Rather than prohibiting work, attention should focus on ensuring that any work that children do is appropriate to their age, gender and ability, respects their rights – particularly the right to education, and is properly rewarded. This requires co-operation of employers and communities as well as governments and organizations, illustrated in Box 13.

Protection of children from unambiguously harmful work should be a high priority and an urgent task for both government and civil society (reflecting ILO Convention 182). Among others, it must involve the communities of which children and youth are a part, as well as media, educational, religious, cultural, and other institutions that help set and implement social values. Society needs to be broadly interested in guarding the welfare of its children who work, and that means publicizing situations in which children are being seriously harmed in their work and taking action against such situations, including strong legal action using criminal laws and penal sanctions where that is merited. Public interest is necessary because labour inspectors and police cannot do this job alone.

Box 13: Protecting child domestic employees

Children are notoriously in danger of abuse – psychological, physical, and sexual – in domestic employment, to the extent that many call for a total ban on such employment. Yet domestic employment is the means by which some deprived children are able to improve their situation and even acquire an education (see box 12).

An organization called Shoishab has conducted programs for child domestic workers in Dhaka, Bangladesh, for many years. Trained workers operated through every sort of community institution, including community centers, clubs, NGOs, local leaders, and welfare associations, reinforced by advocacy through the media and more public routes. In the early stages, officers from the organization contacted employers to release children to attend classes for an hour or two a day. Over time, more than 5 000 employers became involved in the programme. Initially, they may have been motivated by the idea that their domestics would become more knowledgeable and useful. But Shoishab aimed to change employer attitudes, so that they become benefactors rather than oppressors. Employers widely accepted a code of conduct upheld through peer pressure. Some employers even ran the services, meeting the educational and recreational expenses of their child domestic workers.[60]

The definition of what work is harmful needs to be justified by rigorously empirical information about the actual risks and effects of that work on children rather than on unfounded stereotypes and assumptions. The more loosely and widely "harmful" is defined, the less urgent, focused, and effective interventions against it become.

Before removing any children from work, particularly disadvantaged children, the harm and benefits should be carefully weighed against each other and against available alternatives, in consultation with the children and the local communities. Before banning any kind of work, the winners and losers from such a ban need to be assessed. In some situations it surely will be necessary to separate children from jobs in which they are engaged, but that should be a last resort. In that situation, it is the responsibility of intervening parties to ensure that children have viable alternatives beneficial to them.

3. In structuring children's work
Help families, employers, educational programs, and children themselves to organize and oversee children's work to be safe and to promote learning both in work and beyond it. Where appropriate, facilitate the successful combination of part time work with school.

Work should be available to children as an appropriate vehicle for developing skills, attitudes, and connections that will enrich their lives and future prospects. Work that consumes their time and energies without protecting them and providing them commensurate value in return is exploitative. Governments, educational institutions, the media, child advocacy organizations, religious organizations, and various community-based groups can provide information to parents, employers, and others on how to organize and supervise children's work in such a way as to ensure that children benefit from it. At the international level, UNICEF, ILO, child defence NGOs, and bi-lateral assistance programs could be helpful in making available the technical, human, and financial resources necessary to support a broad educational effort to make work appropriate for children.

School and work can combine, not only to accommodate children's multiple responsibilities, but also to enrich their developmental opportunities. While school may be a good place to work, work may also be a good place to learn – sometimes the best or only place. Furthermore, since experience suggests that children will in fact work if they need and want to, regardless of laws, it is more productive to facilitate good work that does not interfere with school than to attempt to restrain children from working. Many children can remain in school only because their work enables them to pay for necessary fees and materials. School curricula and teachers can assist students in finding appropriate part-time jobs and making work part of their school educational experience.

Related to this, the purchase of products of children working in dignified conditions and combined with schooling should be encouraged. Prohibitions by governments or boycotts by consumers on the sale of products made by children, without consideration of the conditions of work and the alternatives available to them, are not in the interests of children.

4. In children's rights of participation
Allow and encourage working children to join worker organizations and / or form their own.

Channels should be structured to provide working children with regular voice and influence in their own protection and interests, and international and national laws should guarantee to working children the right of free association in existing trade unions and in their own organizations. Internationally, the ILO and UNICEF should take the lead in revising existing codes and practice. It is not enough to hear working children's voices only through ad hoc events and local projects: they need to be heard regularly and continuously through properly established channels (see Box 14).

Find more ways for children to be heard effectively and to exercise their participation rights. These must take into account differences among children due to class, gender, ability, and "the evolving capacities of the child." Children must have a say in their spaces for participation.

Box 14: Bhima Sangha

The Concerned for Working Children (CWC) in Karnataka State in India responded to child workers in Bangalore who attended union meetings for the catering industry, by providing part-time schooling and facilitating the establishment of a working children's organization, Bhima Sangha, through which children tried to find ways to improve their situation. The philosophy was that work was integral to the lives of many children, and working children should be supported in their work rather than torn from it.

CWC established a training centre in Kundapur District, the home of many young workers, for skills that would enable children to earn a living as adults, such as building, weaving, and leather work. They helped Bhima Sangha to spread in the rural areas, where it gained respect through its initiatives to improve the situation of communities generally.

This became a broader movement in which children learned to identify their problems, collect accurate and persuasive information, and create initiatives to alleviate them. At the same time, CWC worked to improve the quality of education in local schools. They developed teaching techniques for large classes, affordable teaching aids, and holiday training courses for teachers, resulting in improved morale for teachers and enthusiastic learning for pupils.

After fifteen years, virtually no children in Kundapur District are involved in harmful work nor deprived of education.[61] The legacy of Bhima Sangha remains of involving children in their own development through local children's councils, which have links with adult councils and continue to initiate ways to improve the lives of their communities.

5. In assessment
Evaluate all interventions by their impact on children's well-being. Do not remove children from work unless better alternatives are available.

Reduction in the number of children in the workforce cannot on its own be an indicator that a programme has improved the lives of children. It cannot be assumed that there is effective schooling available and that alternatives to work are preferable. Outcomes in the well-being of children are the only valid indicators. Moreover, it is not sufficient to consider only the children immediately affected by intervention: also important is the effect of intervention on younger cohorts, who may be deprived of, or provided with, opportunities in the future.

It is the responsibility of adults to help children make the most of their childhood and grow into capable, confident adults, not to over-protect them from every conceivable risk in the wider world.[62]

Endnotes

1   See Khan 2007 and Save the Children U.K. 1997 for a discussion of this case. The quotation appears on p. 53 of Kahn's book.

2   Boyden, *et al.* 1998, pp. 293-297; Save the Children U.K. 1997.

3   E-copy of text in author's possession.

4   Bourdillon, *et al.* 2009.

5   Dahlén 2007, pp. 330-331.

6   See Woodhead 2007.

7   ILO 2006, pp. 6, 23.

8   The assumption of this Convention that minimum-age legislation will protect children is questioned by the evidence and argument presented in this document.

9   Myers 2001b.

10 http://www.stopchildlabour.eu/stopchildlabour/English/ How-we-work/Our-mission (accessed 4 May 2009).

11 Save the Children Alliance 2007, p. 1.

12 The ILO and others produce estimates of the numbers of working children in different situations and types of work. Although these are much cited by others, the data and the methodology behind them are so precarious that it is prudent to avoid them.

13 Mortimer 2007, p.117.

14 Whitehead, *et al.* 2007. The Palermo Protocol against trafficking of persons (2003) fails to make this distinction in the case of children.

15 Offit 2008, pp. 161-162.

16 Knaul 1995, p. 31; Hansen, *et al.* 2001, p. 131; Emerson and Souza 2006, who, however, argue that entry into the labor force below 13 can be detrimental to future incomes.

17 http://www.rb.se/NR/rdonlyres/F69FDA7D- 6418-4DF6-A3C6-BB818A2A4EF3/0/ WorkingchildrenFinalDeclarationBerlin2004.pdf (accessed 16 June 2008).

18 Cigno and Rosati 2005, p. 86.

19 Liebel 2001, p. 59.

20 Offit 2008, p.169.

21 Liebel 2004, p. 68, citing Pineda and Guerra 1998.

22 Green 1999, p. 24.

23 Robson 2004, p. 206.

24 Liebel 2001, p. 60.

25 Nyambedha and Aagaard-Hansen 2003, p. 171.

26 Amin, *et al.* 1998.

27 Manning 1990, p. 192.

28 Mortimer 2003, p. 165.

29 Apel, *et al.* 2006, pp. 358-360; Campos, *et al.* 1994.

30 Liebel 2001, pp. 60-61.

31 The *International Covenant on Economic, Social, and Cultural Rights* and the *International Covenant on Civil and Political Rights (1966).*

32 Liebel 2003, p. 267; Leonard 2004.

33 See Qvortrup 2001.

34 Bissell 2004, p. 285.

35 Psacharopoulos 1999.

36 See Hanushek, *et al.* 2006; Glewwe 1996.

37 Schady 2000, p. 24.

38 Hallack and Poisson 2007; Glewwe and Kremer 2006.

39 Bissell 2004, p. 286.

40 This is the slogan of the "Stop child labour campaign" jointly undertaken by Alliance 2015, a partnership of non-government organizations in six European countries working in the field of development cooperation (see http:// www.stopchildlabour.eu, accessed 2 June 2009).

41 Guarcello, *et al.* 2005, pp. 14, 25.

42 Full-time work is roughly more than 30 hours per week: the precise number varies, depending on the situation of the children, the flexibility of the school system, and the kind of work. See Edmonds 2008.

43 Mortimer 2007, pp. 97-110.

44 Hazarika and Bedi 2003, p. 55.

45 Stack and McKechnie 2002, p. 99.

46 Omokhodion*, et al.* 2006, p. 284.

47 Talib 2003.

48 Chowdhury 2003.

49 Khan 2007, p. 185.

50 Delap 2004, pp. 7-9.

51 See Myers 2001a, pp. 311-313.

52 Nieuwenhuys 2000.

53 Berlan 2009.

54 Dowdney 2003.

55 Save the Children U.K. 2000, p. 1.

56 Sastre and Meyer 2000, p. 88-89.

57 Woodhead 2004. This article contains a good discussion of psycho-social effects of work.

58 Boyden 1997, pp. 207-208.

59 Ennew 1994, p. 7.

60 Black 2002, pp. 48-49.

61 See report in *Deccan Herald*, 16 November 2004. http://www.deccanherald.com/archives/nov162004/spt5.asp (accessed 20 February 2008).

62 Guldberg 2009, p. 179.

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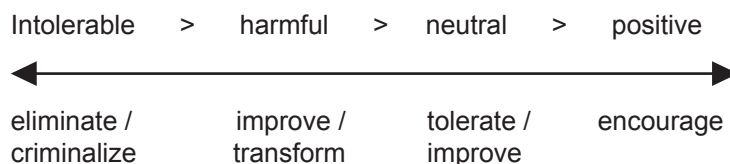
Key Points

The big picture

- Work has always occupied an important place in children's growth, learning and development. Formal education, while important, does not adequately substitute for the important role that work has played in children's development.

- The world's working children are a large and very diverse group, with diverse situations, diverse interests and problems

    - A small (but important) minority of children are engaged in work that is unacceptable under any circumstances.

    - A much larger group is engaged in work that is not in itself necessarily dangerous, harmful or morally intolerable but needs to be improved to minimize the possibility of harm.

    - ILO estimates that about half of all working 5-14 year olds are also attending school, and therefore working part-time or seasonally.

    - Very few children, anywhere, work in factories. Even fewer work in export-oriented production. Very large numbers do household work (chores) and agricultural work, mainly in family enterprises.

    - In many of the world's richest countries at least half of all children have experience of regular work in labour markets by the age of 15.

- "Child labour" is a contentious issue, marked by heated debates between those who contend that work itself should be prohibited and those who argue that the problem lies not in work itself but the harm that can arise from work.

- It is wrongly assumed that children are always better off at school than at work, considering the extremely poor quality of many schools and the huge efforts needed to correct this.

- Children have views about work, and adults should take them seriously.

Assessing rights and wrongs:

A Complex Issue

Child work is too complex to dichotomize into bad "child labour" or acceptable "child work." Rather, work situations can be viewed as lying on a continuum, with varying degrees of harm and of benefits:

Intolerable   >   harmful   >   neutral   >   positive

←──→

eliminate /   improve /   tolerate /   encourage
criminalize   transform   improve

Dimensions to consider:

- Unconditional worst forms? (ILO C.182)

- Possibility of physical harm in short term or long term? > consider:

    - Risks / probabilities
    - Seriousness of potential harm
    - Appropriateness of tools
    - Training

- Possibility of psycho-social harm? use Woodhead's framework

- Conditions of work?
  (tasks, social relations, contracts…)

    - Is child treated with respect by supervisor, peers, customers?
    - Appropriateness in the social context? (gender, ability, culture)

- Denial of other rights?

- Can work be combined with school?

- What are realistic alternatives?

- Current benefits from work (personal growth, income, learning, standing)?

- Effects on the child's future (skills, development, prospects)?

- Gender dimensions of all the above?