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Fighting Child Labor Abroad: Conceptual Problems and Practical Solutions

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Child labor is a topic that evokes deep emotions and a growing international concern. Most recent ILO estimates show that some 211 million children between 5 and 14 are engaged in some form of economic activity, and 119 million of them are engaged in hazardous work. The poverty implications of child labor are often transmitted from parents to children, a process that is called the *dynastic poverty trap*. If a child has to labor and is therefore insufficiently educated, then as an adult he can only be employed as a low-skilled, low-paid laborer. If his income is insufficient to provide for a family, his children are also forced to work. The vicious cycle thereby continues.

In all Western liberal democracies, child labor is morally condemned, legally forbidden, and virtually nonexistent. This has not always been the case. During the Industrial Revolution, child labor was as widespread in Europe and the United States as it is nowadays in India and Bangladesh. Current debates on child labor within Western societies are closely linked to the increasing importance of globalization and its effects on national governments. One element of globalization is the increasing permeability of national legal and political orders. The import of commodities produced by child labor into Western states refers to practices outside their territory, which nevertheless conflict with its prevailing norms and values.

One finds a near consensus in Western liberal democracies that child labor is a deplorable practice that should be abandoned. Rejecting child labor on moral terms is one thing; fighting it, however, is quite another matter. What, if anything, should governments of affluent societies do to combat child labor?

The problem is that the directness of our intuitions does not automatically translate into straightforward certainty about ways to fight the problem. One complication is that the Western opposition against child labor is usually based on an implicit conception of childhood that is not always embraced in countries in which most child labor occurs. A second complication is that not all work for children is inherently bad. This chapter distinguishes *child work*, activities that take the child's growth and development into account, from *child labor*, which is harmful because it hinders children's physical, psychological, emotional, or social development. Finally, not every Western action against child labor is ipso facto in the best interest of the children involved. This has been shown by an example that has gained notoriety. In 1995 the US Congress considered the Child Labor Deterrence Bill (which came to be known as Harkin's bill after Senator Tom Harkin, democratic senator from Iowa, one of its sponsors) that sought to forbid the import of products made with the involvement of workers under the age of 15. Supporters of this bill hoped (and expected) that such a boycott would result in these children returning to school. Soon after the introduction of the bill, the TV channel NBC broadcasted a documentary showing that Wal-Mart, America's largest retailer, was selling clothing made by child labor in Bangladesh. The visibility of small children producing clothing for the US market shocked both the public and politicians and brought Harkin's bill to the center of attention, not only in the USA. Although the bill was never passed, it caused shockwaves in some countries that mainly export to the United States. For example, the Bangladeshi Garment Manufacturers and Export Association (BGMEA) perceived the discussions in the US Congress as a threat to the export of its products. Nervous factory owners, unwilling to risk access to their most important market, quickly fired around 50,000 children—75% of the total then employed. The expectations in the United States that these children would return to school was not only overly optimistic, it also turned out to be dramatically naive. Development expert Ben White concluded that

not one of the dismissed children had gone back to school. Half of them had found other occupations (mainly in informal-sector and street activities, including domestic service, brick-chipping, selling flowers on the street and prostitution) but with greatly reduced earnings while the other half were actively seeking work. The children still working in the garment factories had better nutrition and better health care than those who had been dismissed.

One lesson to be learned here is that economic boycotts are not the best strategy against child labor and, as the example shows, may have even the opposite effects from those intended. Boycotts only affect businesses that export goods, and these only employ 5% of working children. Therefore, trade sanctions against products produced by child labor are unlikely to have a significant effect on the occurrence of child labor. More generally, the lesson is that Western policies toward child labor applied to developing countries should not be based on impulse, emotion, or good intentions but instead on careful analysis and research. Since such policies aim to combat practices in another country, policy makers should be aware of the many pitfalls risked by intervention in the complex interactions of family choices and market structures. Moreover, such policies need to recognize the forces that give rise to child labor in the first place and that will most likely respond to any attempt to intervene.

Two Differences

There exist two differences between Western countries and developing countries that must be taken into account if Western governments are to successfully enact policies against child labor abroad. One cannot emphasize too strongly the importance of socioeconomic differences and cultural differences among developed and developing nations. For one thing, it should be acknowledged that the socioeconomic, political, and infrastructural situation in Bangladesh or India is very different from that in the US or European countries. Policies such as boycotts focus only on the effects of child labor—its products—but typically fail to investigate the structural reasons for the occurrence of child labor, namely poverty.

Prohibition of child labor is a prudent policy only in the presence of alternative ways to provide for, or increase, the family income. Even poor parents do not send their children to work if they can prevent it. Indeed, development scholar Kaushik Basu argues that in

very poor regions the alternative to child labor may be very harsh—acute hunger or even starvation. Boycotts as proposed in Harkin's bill are counterproductive: children that work in the "export industry" usually work in comparatively good conditions. If they lose their jobs, and if the reasons why they work are not addressed, they may be forced into worse, more dangerous, and less well paid jobs. Moreover, an important assumption justifying Harkin's bill was that if children do not work, they would automatically return to school. Again, things are more complicated, because parental choices are affected by many factors. Schooling is only a viable alternative for child labor if it is within reach. For one thing, schooling should be affordable and several costs have to be taken into account: direct costs (e.g., school fees) and additional costs (e.g., school uniforms, books, and other materials). A second factor is the quality of education: if it is of poor quality—due to overcrowded or under-funded schools, under-skilled or apathetic teachers, or inadequate sanitation—then it is not a compelling alternative for child labor. A third factor is the accessibility: the physical distance to school should not be too big.

In short, Western policies toward child labor abroad must take account of the many differences between Western and developing countries, and not concoct simple analogies with the effects such policies would have in Western societies. Such policies should be based on good knowledge of the socioeconomic, infrastructural, and political characteristics of the society involved.

A second relevant consideration in these debates concerns the differences between developed and developing nations in prevailing ideas about childhood and the role of work and education therein. The conception of childhood is a subject of fierce and continuing discussions. On one hand, one finds general agreement that childhood can be described as a biologically driven natural phenomenon characterized by physical and mental growth stages. On the other hand, childhood is a social construct, and it is interpreted very differently in various cultural contexts. The Western conceptualization can be characterized in terms of a strict separation of childhood from adulthood. Childhood is seen as a "mythic walled garden" of play and study, marked by special dress and literature. It is inspired by the "myth of childhood innocence" where children are happy and separated from the wicked adult world. It is assumed that growing up requires an extended period of socialization and formalized education in schools. Children are therefore

discouraged from participation in adult concerns such as economic maintenance.

However, this Western conceptualization of childhood is atypical. Child work in any form has always been part of a wider set of childhood activities; in fact, child work is the norm in most of the world. It is barred in Western society only as a consequence of harsh work conditions and maltreatment resulting from the Industrial Revolution. The Western conceptualization has changed dramatically since then and is therefore unique in historical context, as much as it is unique in comparison with other non-Western societies.

Much work in non-industrialized sectors in developing countries is organized in workshops or family-owned businesses, not in large-scale, impersonal factories. The fact that these children work alongside their parents protects them against the forms of exploitation that were common during the heyday of the Industrial Revolution. Such family workshops are typically small and non-industrial. Children learn by doing and there is usually no need for formal education beyond the basic level or high school diploma to work in, and succeed one's parents, in the family-owned businesses. Children's acting in the role of adults is seen as an important element in education in such contexts. Moreover, it is taken as an expression of family unity and solidarity—as it was in Western societies prior to the Industrial Revolution. Work is seen as an important means of teaching and socializing children in their middle childhood—approximately between the ages of 6 and 12. In other cases, parents regard on the job training in apprenticeships as a useful activity that both provides an income and trains the child in skills useful for future employment.

Under specific conditions work can be beneficial for children in some societies. Therefore, we must distinguish *child work*—that is an essential and meaningful part of education and socialization—from *child labor*—that is harmful because it prevents children from receiving an education, or hinders their physical, psychological, social, or emotional development. Of course, it is easier to conceptually distinguish both than to give policy recommendations on where to draw the line. However, any successful policy against child labor should bite this bullet. After all, the alternative strategy of not recognizing the distinction between child work and child labor undermines the plausibility of the struggle against child labor—why would one try to abolish necessary sources of socialization and education? Moreover, given the scarcity of energy and means, it is better to set priorities and

start fighting the worst forms of child labor.

Let me return to the Western policies against child labor abroad. I have emphasized some important considerations: the difference in socioeconomic and infrastructural situations, different conceptions about childhood, and the distinction between child work and child labor. Harkin's bill had such unfortunate effects because it was based on over-idealistic and impractical assumptions. However, there are also examples of more successful policies on child labor abroad.

Successful Policies against Child Labor

A policy against child labor that recently gained much critical acclaim is rewarding parents financially for sending their children to school. A good example of such a program is *Oportunidades* in Mexico. This program started in 1997 (until March 2002 the program was called PROGRESA) and pays parents if their children go to school, a stipend that increases with the child's age. The education grants are substantial, about two-thirds of what secondary students would receive for full-time work. In addition, families are also given a grant to provide for the additional costs of education. Moreover, these measures are embedded in a more general program, also focusing on health and nutrition. Such conditional cash transfer programs counteract child labor because they both mitigate the family's need for the child's economic contribution and lower the relative return to work. As such the program reduces child labor, increases educational attainment and improves health and nutrition for children and parents. In their evaluation of the program, Skoufias and Parker argue that

the integrated nature of the program reflects a belief that addressing all dimensions of human capital simultaneously has greater social returns than considering each in isolation. Improved health and nutritional status are not only desirable in themselves, but have an indirect impact through enhancing the effectiveness of education programs, since school attendance and performance are often adversely affected by poor health and nutrition.

The program is effective because it addresses poverty, the root cause of both child labor and low school attendance. In the short term, the program raises family income, lowers the dependence on children's work for the family income, and reduces the cost of attending school. In the long term it can stop the vicious spiral of the dynastic poverty trap, which I discussed in the introduction of this chapter.

Removing the financial limitations of parents enables them to let their children finish their education. If the children enter the labor market as educated laborers they will be able to earn a full family income as adults, making additional income of their own children unnecessary. This enables the next generation also to attend school full time.

Another positive characteristic of the program is that it is administered in a cost-effective manner, with administrative costs of less than 10% of the total budget, which is regarded as quite small, given the complexity of the program. *Oportunidades* seems to be a promising example of a policy against child labor. It not only reduces child labor but also enhances school attendance; it is transparent, efficient, and effective.

Even though such programs are cost effective, they might only be partly feasible for governments of developing countries, with little money available. Western governments hoping to curb child labor should support such collaborative measures financially, preferably in cooperation with NGOs who have knowledge of the local situation. A good example of such cooperation can be found in Bangladesh. In the wake of the discussion on Harkin's bill and the sudden dismissal of thousands of children from the garment industry, the Bangladeshi government and garment industry came under intense public scrutiny. This public pressure enabled local NGOs, in cooperation with UNICEF and the ILO, to negotiate a Memorandum of Understanding with the employers (allied in the BGMEA) to phase out child labor. After long and delicate negotiations, a program, more or less similarly to *Oportunidades* in Mexico, has been set up. The work is divided up along competences: the ILO organizes the monitoring system and stipendiums, education facilities are made available by UNICEF, while funding is provided by the US Department of Labor and other Western organizations. Since these programs are targeted to the working children and are efficient, effective, and transparent, cooperation in such programs seems to be a promising option for Western governments that seek to curb child labor abroad.

Five Recommendations

Let me conclude by suggesting five recommendations for Western policy makers that might enable them to avoid pitfalls such as those found in Harkin's bill.

Act collectively. Child labor is a global problem, and can only be fought on a global scale. Policies against child labor can only be suc-

cessful if they are the result of international cooperation. Even large countries such as the United States cannot achieve much on their own. Policies must encourage multinational corporations to formulate codes of conduct towards child labor. Governments should also work together in international and supranational organizations such as UNICEF and the ILO. They should cooperate with (international) NGOs that have experience in the field, and support promising projects, as happened in Bangladesh.

Act contextually. There is no single simple policy measure that can end child labor. Policies that have been very successful in one context did not work in another context, or even had contrary effects. Before proposing a specific policy, policy makers should be aware of the socioeconomic and infrastructural characteristics of the society involved. Since there exists an emerging body of empirical literature on the effects of different policies against child labor in developing countries, policies should be based on the available information, instead of intuition or good faith.

Policies should be based on an inclusive conception of childhood. Although the Western idea of childhood is very atypical, it has been used as a universal model in many conventions, such as those of the ILO. As such, this biased conception has dominated most international discussions on child labor and children's rights. The fight against child labor would be strengthened if conventions and policies were based on a more inclusive conception of childhood, including non-Western ideas on the balance between work and education in socialization. Moreover, one can question whether the romanticized ideal of childhood underlying international conventions is still valid even for Western societies. Indeed, it is an extreme position to argue that delivering newspapers, babysitting, or mowing the lawn after school is an intolerable infringement on someone's childhood. The abolitionist argument, that child employment is ipso facto an offence against childhood, is based on a romantic conception of childhood that is even outdated in Western societies today.

More sensitivity to culture and the way it mediates the effects of experience on children is not the same as defending cultural relativism, or discouraging international action against child labor. Instead, defending a more inclusive conception of childhood as the basis of policies against child labor takes into account a broader representation of human experience than those found in Euro-American values that are currently used.

Do not propose a global ban on all child labor. Some abolitionist groups argue that all child labor should be banned globally, and that we have only succeeded if all children in the world receive full-time formal education. However, such policy goals are entirely unrealistic, strategically counterproductive and, as a result, more harmful than they are helpful. There are more than 200 million child laborers today, and the practice has persisted for more than two centuries. This is a huge and complex problem that cannot be solved overnight. Of course, child labor is not desirable in an ideal world. However, abolitionist goals are entirely unrealistic and strategically counterproductive in our non-ideal world. As a result, they do more harm than good. Instead of an abolitionist approach, Western governments should embrace a gradualist approach, ranking several forms of child labor on the basis of harmfulness, making a priority the banning of the worst forms, and proposing different policies for different forms of child labor.

We must first distinguish child work—that is part of education and socialization—from child labor—that is harmful for children. Next, the category of child labor should be divided in the unconditionally worst form of child labor and other forms of child labor. The unconditionally worst form of child labor includes work that hinders the physical, psychological, and social development of children. Work in unhealthy and dangerous environments, full-time work for young children, and working too many hours a day also are among the worst forms of child labor. Most attention should be given to an outright ban of these worst forms of child labor. Although such a ban might have negative effects on the poorest families in the short run, it seems pointless to allow dangerous labor for children who cannot properly assess the long-term damage these jobs can cause (and whose parents also may be unable to make such an assessment). Governments should take collective action to single out these worst forms and create, implement, and monitor internationally accepted norms to abolish them. A good example is ILO Convention 182 (1999) that defines and prohibits the worst forms of child labor. The change of terminology is evident: from a rhetoric notion like the “total abolition of child labor” in the earlier conventions to a limitation of, and focus on, the worst forms thereof.

Distinguishing the unconditionally worst form of child labor from less harmful forms implies that the latter, at least for the near future, may have to be tolerated. Toleration does not imply indifference but a

sense of realism. If we cannot ban all child labor we should prioritize on the worst forms. Moreover, banning is not the only policy available. Not rigidly fixing on a ban enables policy makers to consider alternatives, for example, policies to improve the working conditions, or policies that combine part-time work for these children with part-time education.

Do not only focus on legal coercive measures, but also consider collaborative measures. Most policies against child labor take the form of coercive measures intended to forbid child labor legally. Harkin's bill, for example, proposed a legal prohibition of the importation of commodities made by child labor. Coercive measures are important but have to be used carefully; they should be applied only against the worst forms of child labor. Besides legal measures, Western governments could also engage in collaborative initiatives. Such initiatives should be designed to alter the (economic) environment of decision makers (parents and employers), rendering them more willing to let children stay out of work and spend more time on schooling and other activities. These measures do not necessarily need a legislative backup. Collaborative measures are more appropriate for those forms of child labor that are less urgent. Since parents typically want to keep their children out of the workplace and in school, collaborative measures are more successful than legal bans on child labor. The *Oportunidades* program discussed above provides a good example of such a collaborative policy. However, such policies might not be feasible for governments of developing countries, with little money for such incentives. Western governments hoping to curb child labor would do well to support collaborative measures financially by, for instance, fighting poverty, raising the income of parents so that the children don't have to work, supporting policies that keep children in schools, building schools, and many other initiatives.

Child labor today is not an isolated phenomenon in developing countries because, as a result of globalization, all states in the contemporary world are connected in one global economy. Child labor is a symptom of current global inequality, and Western states are not innocent bystanders. The fight against child labor should not be separated from the issue of global inequality. Any action by Western governments against child labor is futile, implausible, and not reciprocal if that action does not also reflect their own responsibility in creating and sustaining child labor. Western governments should accept that child labor is a complex issue and set as a priority elimination of its

worst forms. At the same time, however, Western governments must focus not only on legal coercive measurements but also embrace collaborative measurements. Indeed, increasing development assistance, for example, for programs like *Oportunidades*, is among the best policy options to successfully end child labor.

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