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# Western Policies on Child Labor Abroad

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Most recent global estimates show that 186 million children aged five to fourteen are engaged in full-time economic activity, and 111 million are engaged in hazardous labor.<sup>1</sup> The poverty implications of child labor are often transferred within families. 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.<sup>2</sup> In Western liberal democracies child labor is morally condemned, legally forbidden, and virtually nonexistent. Processes of globalization increasingly involve Western societies in these practices, however, through the import of commodities produced by child labor in developing countries, for example. This paper discusses some of the conceptual and practical issues concerning Western policies that seek to curb child labor abroad. The aim is, first, to explain *why* it has proven to be so difficult for Western governments to develop just and effective policies on child labor abroad, and, second, to explore what can be done (and is already being done) to improve policies in this field.

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<sup>1</sup> Kaushik Basu and Zafiris Tzannatos, "The Global Child Labor Problem: What Do We Know and What Can We Do?" *World Bank Economic Review* 17, no. 2 (2003), p. 157. These calculations are based on ILO statistics of 2002. It must be noticed that these statistics are not very precise due to the invisibility of child labor. For one thing, the ILO statistics showing more working boys than girls are likely to be inaccurate because girls work more in the invisible domestic sector. Karen Moore, "Supporting Children in Their Working Lives: Obstacles and Opportunities Within the International Policy Environment," *Journal of International Development* 12 (2000), p. 534; Gordon Betcherman, Jean Fares, Amy Luinstra, and Robert Prouty, "Child Labor, Education, and Children's Rights," in Philip Alston and Mary Robinson, eds., *Human Rights and Development: Towards Mutual Reinforcement* (Oxford: Oxford University Press, 2005); and Jo Boyden, Birgitta Ling, and William Myers, eds., *What Works for Working Children* (Florence and Stockholm: Rädda Barnen and UNICEF, 1998), p. 24.

<sup>2</sup> This mechanism is known as the *dynastic poverty trap*. Basu and Tzannatos, "The Global Child Labor Problem," pp. 153–54, 162. Moreover, cultural values strengthen this vicious circle: uneducated parents are less aware of the importance of education than educated parents. Finally, the participation of children in a labor market depresses adult wages, strengthening this vicious circle. Jane Humphries, "Child Labor: Lessons from the Historical Experience of Today's Industrial Economies," *World Bank Economic Review* 17 (2003), p. 183; and Betcherman et al., "Child Labor, Education, and Children's Rights."

Rejecting child labor on moral terms is one thing; fighting it is quite another matter. The problem is that the directness of our intuitions that certain practices ought to be eliminated does not automatically translate into effective practical means of doing so. This was made clear in an example that has gained notoriety. In 1995, the U.S. Congress considered the Child Labor Deterrence Bill (which came to be known as Harkin's Bill, after Senator Tom Harkin, one of its sponsors), which sought to forbid the import of products made with the involvement of workers under the age of fifteen. Supporters of this bill hoped (and expected) that such a boycott would result in these children returning to school.<sup>3</sup> Soon after the introduction of the bill, the NBC television network broadcasted a documentary showing that Wal-Mart, America's largest retailer, was selling clothing made by child labor in Bangladesh.<sup>4</sup> Images of small children producing clothing for the U.S. market shocked both the public and politicians and brought Harkin's Bill to the center of attention, both in the United States and outside of it. Though the bill was never passed, it caused shock waves in the countries for which the United States was the largest export market, especially in Bangladesh. The Bangladesh Garment Manufacturers and Exporters Association (BGMEA) perceived these discussions in the United States as a threat to its exports. Nervous owners, unwilling to risk access to their most important market, panicked, and quickly fired an estimated 50,000 children: 75 percent of the total then employed.<sup>5</sup> The expectation in the United States that these children would return to school was overly optimistic, to say the least. As Ben White concludes:

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

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<sup>3</sup> For an analysis of Harkin's Bill and the motives behind it, see Mohammad Mafizur Rahman, Rasheda Khanam, and Nur Uddin Absar, "Child Labor in Bangladesh: A Critical Appraisal of Harkin's Bill and the MOU-Type Schooling Program," *Journal of Economic Issues* 33, no. 4 (1999), pp. 994-97; Ben White, "Globalization and the Child Labor Problem," *Journal of International Development* 8, no. 6 (1996), pp. 833-34; Runa Begum, "Elimination of Child Labour from the Export Garment Industry of Bangladesh: An Experience of Western Intervention" (master's dissertation, University of Birmingham, 2003), pp. 42-46; and UNICEF, *The State of the World's Children 1997* (Oxford: Oxford University Press, 1997), pp. 23-24, 60.

<sup>4</sup> The original subject matter of the documentary was that this clothing, made in Bangladesh, was labeled as "Made in the USA." The public outrage it caused, however, was directed at the use of child labor. Begum, "Elimination of Child Labour from the Export Garment Industry of Bangladesh," p. 43.

<sup>5</sup> These figures are contested but are published in official publications of, among others, UNICEF and the U.S. Bureau of International Labor Affairs. UNICEF, *The State of the World's Children 1997*, p. 60; Jo Boyden and William Myers, *Exploring Alternative Approaches to Combating Child Labour: Case Studies from Developing Countries* (Florence: UNICEF, 1995), pp. 29-39; and Bureau of International Labor Affairs, *By the Sweat and Toil of Children: The Use of Child Labor in American Imports, Vol. 1* (Washington, D.C.: U.S. Department of Labor, 1994).

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.<sup>6</sup>

We do not want to suggest that Harkin's Bill is the quintessential example of Western policies against child labor abroad. Still, the harmful consequences of this well-intended proposal indicate the difficulties involved in grappling with this problem.

One lesson learned was that targeted economic boycotts of products made by child labor are not ipso facto the best strategy against child labor, and, as the example shows, they may even have the opposite effects of those intended.<sup>7</sup> Since such Western policies on child labor aim to combat practices in another society, a more general lesson learned was that policy-makers should be well aware of the socioeconomic context involved. Western assumptions cannot simply be applied to developing countries without any reflection on socioeconomic differences. Policy-makers should be aware of the risks involved in intervening in the complex interactions of family choices and market structures in another society.<sup>8</sup> The problem with Harkin's Bill was that it provided only a ban, not the compensatory policies needed to offset the loss of income to the children and their families, nor educational opportunities for the children involved.

In section two, we analyze Western values concerning children and child labor. In its generally accepted meaning, the term "child labor" is used to refer to all employment activities of children. For reasons of clarity, however, we distinguish *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. (It must be emphasized here that we use this basic and important distinction between child work and child labor throughout the rest of this paper.) A precondition for good policies against child labor abroad is that one has accurate information about its causes. Section

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<sup>6</sup> White, "Globalization and the Child Labor Problem," pp. 833–34. White's discussion is based on research done by Boyden and Myers, *Exploring Alternative Approaches to Combating Child Labour*, pp. 29–39.

<sup>7</sup> Some critics pointed out that boycotts that affect only businesses that export goods, which employ only 5 percent of working children, are unlikely to have a significant effect on the overall occurrence of the practice in developing countries. See Bureau of International Labor Affairs, *By the Sweat and Toil of Children*, p. 2; Ulrike Grote, Arnab Basu, and Diana Weinholt, *Child Labor and the International Policy Debate: The Education/Child Labor Trade-Off and the Consequences of Trade Sanctions*, ZEF-Discussion Papers on Development Policy no. 1 (Bonn: ZEF Center for Research Development, 1998), p. 11; and UNICEF, *The State of the World's Children 1997*.

<sup>8</sup> Basu and Tzannatos, "The Global Child Labor Problem," p. 164.

three thus discusses the causes of child labor and how it has been dealt with in other contexts. Section four discusses some of the direct and indirect policies against child labor that we believe to be more promising than Harkin-like bans on products produced with child labor. Section five concludes.

## THE MORAL ASSESSMENT OF CHILD LABOR

Current Western debates on child labor are closely linked to the increasing importance of globalization. Globalization is a multidimensional phenomenon that embodies a shift in the organization of human activity and the deployment of power from a local and national orientation toward interregional and transcontinental patterns.<sup>9</sup> One element of globalization is the increasing permeability of national legal and political orders. Although not made in their territory, most products produced with child labor abroad do indirectly involve practices within Western states—namely, the legally authorized practice of firms owned and registered in the West to subcontract their work out to firms or individual workers in developing countries that often permit or fail to effectively prohibit practices of child labor. The import of commodities produced by means of child labor outside the territory of Western states but often with the involvement of Western firms can cause conflicts with prevailing norms and values. Within Western states, these values are generally liberal-democratic ones. How should liberal-democratic governments deal with child labor abroad? One simple answer would be to apply normative political theories that were constructed for, and developed within, liberal-democratic societies. This could imply, however, that Western values and ideas are imposed with no regard to the specific contexts of other countries. This has proven to be problematic for several reasons. The socioeconomic situation in Bangladesh or India is very different from that in the United States or Europe. Moreover, the divergence of ideas about childhood and the different roles of schooling and work in the education of children implies that it is debatable whether to enact policies based on Western values but aimed at non-Western societies. Another simple answer would be to adopt the relativist position that whether practices involving child labor should be permitted depends only on the internal political decisions of each country. This implies that every state should merely follow (or at least be permitted to follow) its own norms and that

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<sup>9</sup> David Held, "Regulating Globalization? The Reinvention of Politics," *International Sociology* 15, no. 2 (2000), p. 398; and Malcolm Waters, *Globalization* (London and New York: Routledge, 1995), p. 3.

Western governments should not criticize policies and practices within other societies. Especially when they are giving financial or technical aid to developing countries, however, Western governments are not willing to compromise the claim to universality of some of the most deeply held values in their societies, such as respect for human rights, as summarized in the 1948 Universal Declaration, and could not defend policies that conflicted with such values to their electorates.

Unsurprisingly, in such a complicated issue as child labor abroad, simple answers are not available. It is not an either/or story, as both the universalistic and the relativistic arguments have certain plausibilities and also certain limits. In our view, first, external criticism of policies and practices within other societies should be taken to have some weight. Second, there should be some external constraints on how countries set policies in the area of child labor, and certain kinds of incentives can be permissibly offered by Western policy-makers to influence policies in other countries. Third, however, given the fact that certain countries may not share Western norms governing child labor, we think the most relevant question is how far Western policy-makers may go in promoting their own norms, policies, and incentives.

In what ways can liberal-democratic values be reinterpreted so that they become more sensitive to socioeconomic circumstances and cultural values that differ substantially from those in Western liberal democracies without violating their core values? Joseph Carens has proposed a method to distinguish core values from the derivative ones.<sup>10</sup> He perceives the idea of justice in terms of three concentric circles, with core values being contained within the derivative values. The idea is that “as one moves inwards, the understanding of justice is thinner in the sense that it settles fewer questions, but more extensive in the sense that it applies to more contexts.” The outermost circle contains standards of justice that are intimately linked to the history and culture of one particular society. Examples for the United States are the broad interpretation of free speech and the constitutionally guaranteed right to carry arms. The middle circle contains standards of justice that are applicable to contemporary liberal-democratic societies in general. Such norms are more or less directly derived from liberal-democratic values and are historically and culturally specific, though they are not specific to a given

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<sup>10</sup> Joseph Carens, *Culture, Citizenship and Community: A Contextual Exploration of Justice as Evenhandedness* (Oxford: Oxford University Press, 2000), pp. 33–34. For reasons of clarity, we have slightly changed the presentation of his model.

society. The innermost circle contains the basic liberal-democratic ideals, non-negotiable standards of justice that should be applied to all states, regardless of their particular history or political arrangements. Although this minimal standard is the product of “our” liberal-democratic values, it is applied in a universal way. Some policies, practices, and institutions are criticized in the name of justice, “even though we recognize that the people whose policies, practices, and institutions are being criticized may not share our understanding of justice.” There are a number of issues where basic liberal-democratic values should trump the context, as in the discussion of the protection of basic interests and human rights. It could very well be that such core values are more broadly shared than generally is assumed, however, and thus not exclusive Western values.<sup>11</sup>

#### *Liberal-Democratic Values toward Children and Child Labor*

When we apply Carens’s model of justice as concentric circles to child labor, we need to find the innermost circle by distinguishing basic liberal-democratic ideals from their Western interpretations. For example, in our discussion of the conception of “childhood,” we have to peel away Western interpretations to arrive at a conception that is, at least for pragmatic purposes of policy-making, as widely acceptable as possible. We should not start from Western policies aimed at children growing up in modern Western societies, because their situation might differ fundamentally from children growing up in developing countries. Instead we should seek the core values underlying these Western policies and utilize them in our policies on child labor abroad.

To formulate the basic values with respect to children, we first have to know what distinguishes children from adults. A child is a person who in some fundamental way is not developed but is in the process of developing.<sup>12</sup> Children are immature and stand in a dependent, subordinate position to their parents, other adults, and the state. They are therefore a vulnerable category of persons. To become integrated and independent, autonomous persons, children must have room to develop mentally, socially, emotionally, and physically. They therefore need to be protected, nurtured, and educated. In the process of integration, children should be permitted various kinds of interaction with adult life, adapted to their specific stage of development and dependent on the given possibilities of the society they live in. It is generally accepted that adolescents and

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<sup>11</sup> For a similar claim, see Amartya Sen, *Development as Freedom* (New York: Anchor Books, 1999), chs. 6 and 10.

<sup>12</sup> Tamar Schapiro, “What Is a Child?” *Ethics* 109, no. 4 (1999), p. 716.

preadolescents need greater independence and responsibilities than younger children, including limited work responsibilities. Some education is essential for children to develop into independent and autonomously thinking adults, because the capacity to function freely in a (non-slaveholding) society at least requires the capability to understand something like an employment contract. Therefore, literacy must be seen as beneficial to society as a whole and as a prerequisite for individual legal equality and personal freedom.<sup>13</sup> The core liberal-democratic values relating to childhood can thus be described as follows. Children should be able to develop, minimally, into autonomous, elementary educated persons who are capable of functioning in a society, a society that is ideally free from coercion. Those who are responsible for children—parents, other caregivers, and government—should act on their behalf and do everything in their power to ensure that children are not hindered in their development.

### *The Dominance of the Western Conception of Childhood*

The question of how childhood should be conceived is the subject of fierce and continuing disagreement. On the one hand, one finds general agreement that childhood can be described as a biologically driven natural phenomenon characterized by physical and mental growth stages.<sup>14</sup> On the other hand, childhood is to some extent a social construct, and is interpreted very differently in various cultural contexts. Characteristic of the current Western conception of childhood is the strict separation between adulthood and childhood. The origin of this separation can be traced back to the eighteenth century, a milestone of the period being the publication of Rousseau's *Emile ou l'éducation* in 1762.<sup>15</sup> The conception of childhood was established as an ideal in Britain around 1840, and the emergence of this conception can be explained as a reaction to the exploitation of children in the first decades of the Industrial Revolution. It replaced the idea of the young wage earner by the innocent, dependent child, who had to be educated and protected from the dangers of adulthood. It was Philippe Ariès, in his classic *Centuries of Childhood*, who first put forward the thesis that the concept of

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<sup>13</sup> Interestingly, education and liberalism joined each other in the movement of Enlightenment. See the plea for elementary education in John Stuart Mill, *Principles of Political Economy* (Toronto: University of Toronto Press, 1965), p. 952.

<sup>14</sup> William E. Myers, "The Right Rights? Child Labor in a Globalizing World," *Annals* 575, no. 1 (2001), p. 40; and Alec Fyfe, *Child Labor* (Oxford: Polity Press, 1989), pp. 13–14.

<sup>15</sup> Philippe Ariès, *Centuries of Childhood: A Social History of Family Life*, trans. Robert Baldick (New York: Knopf, 1962).

childhood is a modern Western “invention.”<sup>16</sup> Today, the Western “myth of childhood innocence” is very extensively interpreted. It is marked by special clothing and literature specially made to suit the interests and development of children.<sup>17</sup> It is characterized as a fully separate stage of development with its own distinct challenges and needs: growing up is assumed to require an extended period of socialization and formalized education. Children are thus discouraged from participation in adult concerns, such as economic maintenance, and thus kept out of the workplace until mid-adolescence.<sup>18</sup>

Empirically, however, this Western conceptualization of childhood is atypical, both historically as well as in comparison with non-Western societies, in which a far less categorical distinction between childhood and adulthood is employed. At the same time, it has received universal status and has dominated international debates on child labor, presenting a sophisticated Western development as a universal ideal.<sup>19</sup> One can question whether the romanticized interpretation of the ideal of childhood that has dominated policy debates for a long time is (or has ever been) valid, even for Western societies.

#### *Distinguishing Work from Labor*

But if this is the case, the central distinction in these debates is not between either allowing or prohibiting child employment, but between acceptable and exploitative forms of child labor. There is no empirical reason to assume that work per se is harmful to children. On the contrary, “in many societies, in rural areas particularly, work has always been a traditional activity of childhood and it may be fundamental to the transmission of skills and knowledge between generations.”<sup>20</sup> This is why child labor experts have distinguished *child work*, consisting of activities that take children’s growth and development into account and protect them from work activities that threaten to thwart such growth, from *child labor*.

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<sup>16</sup> Ibid.

<sup>17</sup> Fyfe, *Child Labor*, p. 13.

<sup>18</sup> Myers, “The Right Rights?” p. 40; and Fyfe, *Child Labor*, p. 13.

<sup>19</sup> See also Jo Boyden, “Childhood and the Policy Makers: A Comparative Perspective on the Globalization of Childhood,” in Allison James and Alan Prout, eds., *Constructing and Reconstructing Childhood: Contemporary Issues in the Sociological Study of Childhood* (London: Falmer Press, 1997); and Moore, “Supporting Children in Their Working Lives,” p. 536.

<sup>20</sup> Boyden, “Childhood and the Policy Makers,” p. 210. See also William E. Myers, “Appreciating Diverse Approaches to Child Labor” (paper presented at the symposium “Child Labor & the Globalizing Economy: Lessons from Asia/Pacific Countries,” Stanford University, California, February 7–9, 2001), p. 4; and Moore, “Supporting Children,” p. 539.

Work in any form has always been part of a wider set of childhood activities; in fact, it is the norm in most of the world. Outside the Western world, the lives of children are rarely made up of school and play only; indeed, they usually include work as well. Work for children has different meanings in different societies, and varies with social, cultural, and economic factors. Much work in nonindustrialized sectors in developing countries is organized in workshops or family-owned businesses, not in large-scale, impersonal factories.<sup>21</sup> The fact that these children work alongside their parents seems to protect them at least against the forms of exploitation that were common during the heyday of the Industrial Revolution.<sup>22</sup> Such family workshops are typically small and nonindustrial. 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, family-owned businesses. In other cases, parents regard on-the-job training in apprenticeships as a useful activity that both provides an income and gives the child training in skills useful for future employment. In this context, work is seen as an important means of teaching and socializing children. According to Boyden et al., this is especially true for children in their *middle childhood*—approximately between the ages of six and twelve.<sup>23</sup>

This reveals a less categorical distinction between childhood and adulthood than is made in the Western conception of childhood. Children acting in the role of adults is seen as an important element in socialization and education in some developing countries and is taken as an expression of family unity and solidarity—as it was in Western societies prior to the Industrial Revolution.<sup>24</sup> In such situations, children need to become more integrated into their parents' world to become able to function in their society.

*Child labor* is not only defined in terms of the activities involved but also by the long-term consequences for the children involved.<sup>25</sup> The conceptual difference between child work and child labor has its origins in the industrialization of the production process during the early days of the Industrial Revolution.

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<sup>21</sup> Fyfe, *Child Labor*, p. 4; and Boyden, "Childhood and the Policy Makers," p. 211.

<sup>22</sup> Kaushik Basu, "Child Labor: Cause, Consequence, and Cure, with Remarks on International Labor Standards," World Bank Policy Research Working Paper no. 2027 (Washington, D.C.: World Bank, 1998), p. 1089. We do not want to suggest, however, that because children work alongside their parents they are *always* shielded from abuses comparable to those suffered in factories. Agricultural labor and worse forms of nonindustrial child labor can be hazardous and exploitative as well.

<sup>23</sup> Boyden, Ling, and Myers, eds., *What Works for Working Children*, pp. 9–26.

<sup>24</sup> Myers, "The Right Rights?" p. 40; and Fyfe, *Child Labor*, p. 2.

<sup>25</sup> Betcherman et al., "Child Labor, Education, and Children's Rights."

Child labor became an issue of concern after its detrimental effects on the health and future of children became clear. Exploitation, in the sense of dehumanization, is an essential feature of child labor: it takes advantage of the most vulnerable members of society, those who do not have the rights and protections often afforded to adults. A consequence of that exploitation is that it prevents children from receiving education (whether in school or on the job), and hinders their physical, psychological, emotional, or social development.<sup>26</sup> This distinction between child labor and child work is not a strict dichotomy, but, instead, a continuum from the least to the most tolerable forms of work. Except for evident abuses, the distinction between child work and child labor can only be made in specific situations. It depends on, among other things, the age of the child, the conditions in which the child works (does he have adequate rights and protections?), whether a child works together with or isolated from his family, whether the kind of work is endorsed or condemned culturally in the society, and the availability of alternatives in the form of (good-quality) vocational training.<sup>27</sup> As Bequele and Myers suggest, to distinguish the various forms of child employment “usually turns out to be easier in practice [than in theory] . . . it is a question more successfully lived through in practice than intellectually agonized over beforehand.”<sup>28</sup>

So, for any successful Western policy against child labor it is important to make beforehand a conceptual distinction between child work and child labor in the policy field at stake. After all, the alternative strategy of not recognizing this distinction undermines the plausibility of the struggle against child labor, as was demonstrated in the past. International Labour Organization (ILO) Convention No. 138 (1973) is widely discussed in this respect. This convention was adopted at the height of the influence of the communist countries on the national and international policy agenda. It promotes the Western concept of an ideal childhood and, “with a view to achieving *the total abolition* of child labour,” the *absolute* minimum age was decided to be fifteen years (Article 2).<sup>29</sup>

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<sup>26</sup> Myers, “Appreciating Diverse Approaches to Child Labor.” On the distinction between child work and child labor, see also Fyfe, *Child Labor*, p. 4; Jack Otis, Eileen Mayers Pasztor, and Emily Jean McFadden, “Child Labor: A Forgotten Focus for Child Welfare,” *Child Welfare* 80, no. 5 (2001); and Moore, “Supporting Children,” p. 533.

<sup>27</sup> Betcherman et al., “Child Labor, Education, and Children’s Rights”; Moore, “Supporting Children,” p. 540; and Sarah L. Bachman, “A New Economics of Child Labor: Searching for Answers Behind the Headlines,” *Journal of International Affairs* 53, no. 2 (2000), pp. 553–54.

<sup>28</sup> Assefa Bequele and William E. Myers, *First Things First in Child Labour: Eliminating Work Detrimental to Children* (Geneva: ILO, 1995), pp. 26–27.

<sup>29</sup> Emphasis added.

Although not totally eliminated, compared to earlier Minimum Age Conventions, the loopholes for developing countries were reduced and the previous more differentiated, sector-related approach was to a great extent exchanged for a commitment to the total abolition of child labor.<sup>30</sup> With this new policy in 1973, the ILO in fact abandoned its older conventions, which could have been more helpful in distinguishing child labor from child work.<sup>31</sup> The nonrealistic character of the aims of Convention 138 became evident as it received the disappointingly small number of forty-nine ratifications.<sup>32</sup> With “nonrealistic” we do not mean that this convention against child labor was infeasible as such. The aims behind this convention were unrealistic in the sense that they were way beyond the available political will in the developing countries. Apparently the powerful elements in their societies saw this convention as *undesirable*. Absence of political will cannot be ignored if policy-makers want to achieve more than just window-dressing.

#### *Toward a More Inclusive Concept of Childhood and Child Labor*

A broad support for international policies against child labor is undermined if they are based on a culturally specific and atypical conception of childhood. During the 1990s, with policy failures such as Harkin’s Bill, it became increasingly clear that if Western governments and international organizations want to fight child labor, they must acknowledge the diversity in thinking about childhood, and the distinction between child work and child labor. More sensitivity to culture and the way it mediates the effects of experience on children is not the same as defending cultural relativism. Instead, a more inclusive conception of

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<sup>30</sup> From 1919 to 1932, the ILO had created special Minimum Age Conventions for the various branches of industry. The first one, No. 5, in particular received the large number of 72 ratifications. It is the only Convention on child labor ratified by India (in 1955), maybe because the minimum age was set at 12 years for this country. The general minimum age was at first 14 years, later raised to 15, and 16 for specific dangerous environments and night work. The Agriculture Convention established a minimum age of 14 years, *save outside the hours fixed for school attendance* (art. 1). Here, the intention was only to prohibit employment of children during compulsory school hours. Other conventions were added in 1946: No. 77 and 78 prescribed medical examination for persons under 18 years in industry and nonindustrial occupations. No. 79 prohibited night work in nonindustry under the age of 14. Two Minimum Age Conventions were adopted later on: for Fishermen (1959) and for Underground Work (1965). Smolin presumes that these were meant to raise minimum ages for particularly hazardous forms of employment. David M. Smolin, “Strategic Choices in the International Campaign against Child Labor,” *Human Rights Quarterly* 22 (2000), p. 944.

<sup>31</sup> Although Convention 138 speaks of a gradual replacement of the old conventions, and the old conventions are not closed for ratification.

<sup>32</sup> It was especially disappointing that Convention 138 was mainly ratified by Western and Latin American countries, because they comprise a relatively small percentage of the total number of working children in the world. Smolin, “Strategic Choices in the International Campaign against Child Labor,” p. 945.

childhood as the basis of policies against child labor is a way to base policies on a broader representation of human experience than only Euro-American values.<sup>33</sup>

Particularly since the second half of the 1990s, the ILO has indeed advocated a new policy approach against child labor that is based on a more inclusive concept of childhood. In 1999, its most recent convention on child labor was adopted. ILO Convention No. 182 has received acclaim for achieving consensus between developed and developing countries. It distinguishes child work from child labor and focuses on “the worst forms of child labor,” rather than on children’s work in general. Convention No. 182 in fact merely seeks to prohibit forms of child labor that are universally condemned. It calls on governments in a very general way and describes the worst forms of child labor, in Article 3(d), as “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.” It includes slavery or compulsory labor, debt bondage, forced or compulsory recruitment of children for use in armed conflict, and child prostitution (Article 3 (a–c)). Convention No. 182 has won broad endorsement across the world: of the 175 ILO member states, 129 countries ratified the convention, Pakistan and China among them.<sup>34</sup>

## CAUSES OF CHILD LABOR IN THE PAST AND THE PRESENT

A prerequisite for successful policies on child labor is knowledge about what causes child labor. Child work is not at all a recent phenomenon. In fact, it has always existed in agricultural-based societies all over the world. Some two centuries ago, when industrialization began, child work and child labor in Western societies were ubiquitous and even more prevalent than they are in developing countries today.<sup>35</sup> As mentioned before, criticizing child labor began in these days as well. People began to see child labor as something that was morally wrong when they were confronted with the detrimental effects of exploitative child labor in factories and mines. Thus, a glance at the causes of child labor in Western countries and the development of legislation and policies against it may serve as a good historical analogy for the current discussions on child labor abroad.

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<sup>33</sup> Myers, “The Right Rights?” p. 43.

<sup>34</sup> In the slipstream of ratifying Convention 182, these two countries and a lot of other member states also ratified Convention 138. Today, Convention 138 has been ratified by 117 countries. For an analysis of the political agenda, motives, and compromises behind the ILO policy to link the ratification of Convention 182 and Convention 138, see Smolin, “Strategic Choices in the International Campaign against Child Labor,” pp. 946–50; and Madiha Murshed, “Unraveling Child Labor and Labor Legislation,” *Journal of International Affairs* 55, no. 1 (2001), pp. 181, 187–88.

<sup>35</sup> Humphries, “Child Labor,” p. 175.

### *The History of Child Labor in the Western World*

To describe the emerging attention given to child labor and its gradual disappearance in the Western world, Britain serves as a useful example, since its policies served as a model for other Western nations.<sup>36</sup> In the period of early industrialization, child labor was crucial to the transition from domestic to factory production, and extreme poverty meant that such labor was in abundant supply.<sup>37</sup> Employers were especially interested in employing children because of their “delicacy of touch” and their small size—this latter for constructional reasons, as early wooden machinery had to be close to the ground. The legal protection of working children in Great Britain developed very slowly. Although protective legislation on so-called pauper children was enacted in 1767, it took until 1833 before the working conditions of all children in the textile industry were regulated. From 1867 onward, a system of general medical inspection for children in factories came into force. The minimum age for employment in factories was gradually raised from ten in 1874 to fifteen in 1944. Between 1844 and 1920, a half-time system was at work, which enabled children to combine work and school attendance. In 1870, education for children between five and thirteen was made compulsory. Legislation on both the improvement of working conditions and the reduction of working time developed gradually.

Governmental protection of employment began in all Western countries with the protection of children employed in the most dangerous environments: factories and mines. Step by step, protection was improved, both in terms of its scope and its enforcement. Around 1914, the protection of children in Western Europe had reached the standard that children under twelve were not permitted to work. Working hours were reduced to a maximum of ten hours a day for persons under sixteen or seventeen. It took so long because most employers were very hostile to this kind of legislation, arguing that the reduction of working time for children would give an advantage to foreign competitors. Similar claims are of course made now throughout the developing world. For this reason, countries were wary of going much further than their neighbors in labor protection standards. It is widely argued, however, that factors other than legislation may have been much more important in the decline of child labor: for Britain the so-called boom years of mid-Victorian prosperity, and changes in manufacturing methods

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<sup>36</sup> See Thilo Ramm, “Laissez-faire and State Protection of Workers,” in Bob Hepple, ed., *The Making of Labour Law in Europe: A Comparative Study of Nine Countries up to 1945* (New York: Mansell, 1986), p. 76.

<sup>37</sup> Humphries, “Child Labor,” p. 177.

and managerial strategies, were decisive, intertwined with such influences as the rising bargaining power of trade unions and the development toward universal suffrage in the first decades of the twentieth century.<sup>38</sup>

Although we should be careful with historical lessons, we can still draw some general conclusions about the emergence and disappearance of child labor that may be useful for current Western policies against child labor abroad.<sup>39</sup> For one thing, the abundant supply and use of child labor in Western societies during early industrialization was caused by extreme poverty.<sup>40</sup> It took some 150 years between the first protests against the degrading situation of child laborers and the emergence of effective protection of the working child. Moreover, the main factors that facilitated the *reduction* in child labor were economic growth, technological and managerial changes, and the increase of adult earnings. In other words, poverty reduction was a crucial factor. Finally, child labor did not disappear abruptly, but gradually. The legal protection of children began with the protection of the worst-off children, followed by policies against the worst forms of child labor, supplemented by a gradual rising of children's minimum working age.

Britain's historical "piecemeal" approach to child labor is—from a theoretical perspective—not the most ideal policy, of course. Were more rapid improvements in the quality of the lives of working children really infeasible? Many of those involved in debates about these questions at the time—particularly advocates of children and the poor—would surely argue that they were not, and that the slowness of reforms was due to a retrograde political system that served to protect the interests of the rich at the expense of the poor. They argued that land and educational reform, enhancement of rights to collective bargaining, income transfers, and other measures could have been adopted that would have significantly speeded up this process. Thus, an important reason behind the slow progression in this policy field was the lack of political commitment of the "ruling classes" in Western Europe. The level of protection achieved by 1920 is low compared with contemporary Western standards, but it is still higher than in most developing countries today. A reason for this might be that developing countries

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<sup>38</sup> Ramm, "Laissez-faire and State Protection of Workers," pp. 77–79; and Humphries, "Child Labor," pp. 188–89. Moehling shows that there is little evidence that child labor laws contributed to the dramatic decline in child labor in nineteenth-century America. Carolyn Moehling, "State Child Labor Laws and the Decline of Child Labor," *Explorations in Economic History* 36 (1999).

<sup>39</sup> Humphries, "Child Labor," pp. 175–76, 180; and Christiaan Grootaert and Ravi Kanbur, "Child Labor: An Economic Perspective," *International Labour Review* 134, no. 2 (1995).

<sup>40</sup> Humphries, "Child Labor," p. 185.

lack the advantage of being the first industrializing countries, which Western countries enjoyed around 1800. And even in that more favorable takeoff position, Western countries only very gradually extended the protection of working children.<sup>41</sup>

### *Child Labor in Developing Countries Today*

What are the most important determinants of the occurrence of child labor in developing countries today? Although the causes of child labor are often complex and context-specific, we can distinguish two main determinants. The most important reason for the existence of child labor in developing countries is poverty.<sup>42</sup> Fallon and Tzannatos show that the incidence of child labor is negatively correlated with the rise in per capita GDP.<sup>43</sup> Even (most) poor parents do not send their children to work if they can prevent it.<sup>44</sup> Indeed, Kaushik Basu argues that in the situations in which child labor occurs as a mass phenomenon, the alternative to child labor is usually very harsh—acute hunger or even starvation.<sup>45</sup> This is the main reason why targeted boycotts of the products of child labor turn out to be counterproductive (at least in the short term): they focus, in a limited geographical area, 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. If children lose their jobs, and if the reason why they work is not addressed, they may be forced into worse, more dangerous, less-well-paid jobs.<sup>46</sup>

As Basu makes clear, however, this objection would not count if child labor was proscribed in general. If all regulators, importers, and consumers of products in the world would be able to effectively support such a policy, adult wages might rise due to the resulting constriction of the labor supply. If a household's income were to rise sufficiently as a result of this increase in adult wages, then

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<sup>41</sup> Term borrowed from Walt W. Rostow, *The Process of Economic Growth* (Oxford: Clarendon, 1953), p. 17. Jane Humphries discusses Ha-Joon Chang's claim that current child labor standards demand its swifter eradication in developing countries than was achieved in today's developed nations. Chang suggests that today's wealthy countries industrialized and became rich through using policies and institutions that were often the opposite of those now thrust on developing countries. They attempt to kick away the ladder by which they rose to prosperity, denying developing countries the same route to the top. Humphries, "Child Labor," p. 191.

<sup>42</sup> Basu and Tzannatos, "The Global Child Labor Problem," pp. 157–60; and Grote, Basu, and Weinhold, *Child Labor and the International Policy Debate*, p. 10.

<sup>43</sup> Peter Fallon and Zafiris Tzannatos, *Child Labor: Issues and Directions for the World Bank* (Washington, D.C.: World Bank, 1998), p. 3.

<sup>44</sup> Madiha Murshed, "Unraveling Child Labor and Labor Legislation," *Journal of International Affairs* 55, no. 1 (2001), p. 170.

<sup>45</sup> Basu, "Child Labor: Cause, Consequence, and Cure," p. 1015.

<sup>46</sup> Grote, Basu, and Weinhold, *Child Labor and the International Policy Debate*, p. 10.

the basic needs of the household might be met without a contribution from child labor, in which case the family might now prefer to send their children to school rather than to work. In such a situation, a prohibition on child labor would *increase* the welfare of households and the children within them. Unfortunately, an effective and general prohibition cannot be expected in the near future. Although child labor is outlawed in most countries, this legislation is rarely enforced. National governments in many developing countries may have only a limited impact on the lives of the poorest, and the enforcement of these laws is usually grossly inadequate.<sup>47</sup> Thus, legal interventions against child labor usually have only a limited effect. As William Myers concludes:

Social welfare laws [in developing countries] have relatively little impact on the everyday life of the poor, where labor inspection services tend to be precarious and corrupt, and where national governments have extreme difficulty extending full primary education coverage to the rural and urban periphery areas where most working children live.<sup>48</sup>

A second determinant of child labor is the availability of schools. An important assumption implicit in the justifications for Harkin's Bill was that if children did not work, they would return to school. Schooling, however, is only a viable alternative to 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—for example, school fees—and additional costs—for example, school uniforms, books, and other materials. A second factor is the quality of education: if it is of poor quality—due to overcrowded or underfunded schools, underskilled or apathetic teachers, or inadequate sanitation—then it may not be a compelling alternative to child labor.<sup>49</sup> A third factor is accessibility: the physical distance to school should not be too large, and sometimes it is seen as undesirable if the closest school is in another village. Finally, there is a gender dimension to the issue: if

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<sup>47</sup> Murshed, "Unraveling Child Labor and Labor Legislation," p. 182.

<sup>48</sup> Myers, "The Right Rights?" p. 46. Similar conclusions are drawn in Sonia Bhalotra and Zafiris Tzannatos, *Child Labor: What Have We Learnt?* (Washington, D.C.: Social Protection Unit, Human Development Network, 2003), p. 54; Grootaert and Kanbur, "Child Labor: An Economic Perspective"; Fyfe, *Child Labor*, p. 158; Murshed, "Unraveling Child Labor and Labor Legislation," p. 182; Betcherman et al., "Child Labor, Education, and Children's Rights," p. 27; and Bachman, "A New Economics of Child Labor," p. 546.

<sup>49</sup> Boyden, "Childhood and the Policy Makers," p. 212. Sudhanshu Handa argues that school enrollment in Mozambique is affected by the number of trained teachers. Sudhanshu Handa, "Raising Primary School Enrollment in Developing Countries: The Relative Importance of Supply and Demand," *Journal of Development Economics* 69, no. 1 (2002), pp. 103–28.

parents believe that education is wasted on girls, it will not be a viable alternative to work for them.<sup>50</sup>

Both causes of child labor as discussed above are structural. Although parents may have a strong wish to send their children to school, either poverty prevents them from doing so or the lack of the availability and/or the quality of schooling implies that it is not a viable alternative to child labor. Which policies are available to fight these structural causes?

## ANALYZING POLICY OPTIONS

Awareness of the causes of child labor in a specific context is a prerequisite for the prevention of counterproductive policies. This context sensitivity should be combined with the adoption of an inclusive concept of childhood, as was shown above. But which policies are available? We distinguish between direct and indirect policies against child labor abroad.

### *Direct Policies against Child Labor*

The comparison between nineteenth-century Britain and developing countries today may give a first clue as to how direct Western policies against child labor abroad should be designed. It confirms that the fight against child labor cannot be won when its cause—poverty—still exists. Regardless of intense protests, the main reasons for both the abundant use and the disappearance of child labor in eighteenth-century Europe were economic. Socioeconomic circumstances dominate all the other causes that may lead to the exploitation of children. Similar causal relations can be found today: empirical research shows that the economic recession in Ivory Coast and Cameroon in the mid-eighties led to an increase in child labor.<sup>51</sup> Moreover, child labor in eighteenth-century Britain did not disappear abruptly, but gradually. Finally, legislation on child labor was not abolitionist but was, instead, gradualist in nature. The first legislation focused only on the worst-off children, followed by policies against the worst forms of child labor, supplemented by a gradual rising of the minimum working age.

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<sup>50</sup> Moore, "Supporting Children," p. 540; and Bachman, "A New Economics of Child Labor," p. 558. Below we discuss a policy that can target such gender-specific causes of child labor.

<sup>51</sup> On Ivory Coast, see Grootaert and Kanbur, "Child Labor: An Economic Perspective." For Cameroon, see Aloysius Ajab Amin, "The Socio-Economic Impact of Child Labour in Cameroon," *Labour, Capital and Society* 27, no. 2 (1994), pp. 234–48.

Especially in the early 1990s, the argument that all child labor (including child work) should be banned globally and immediately, and that we will have succeeded only when all children in the world receive full-time formal education, was popular. Abolitionist-driven goals and measures, however, have proven politically unrealistic and strategically counterproductive in our nonideal world. As a result, they generally seem to do more harm than good, because their *possible* long-term benefits cannot outweigh their short-term harms. Legal interventions such as the prohibition of child labor are a prudent policy only if we have reason to believe that they will not make the children worse off; for example, if there are alternative ways to provide for, or increase, family income. 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. Instead, Western governments should (and more and more do) embrace a gradualist, step-by-step approach, just as they did when they were combating child labor in their own societies.<sup>52</sup>

These gradualist policies against child labor must be plural in character because child labor is a heterogeneous phenomenon. On the one hand, different kinds of *child laborers* should be distinguished. Policies against child labor should focus on the most vulnerable children and pay special attention to the fight against labor by the youngest children. Some jobs that require physical strength or mental concentration can, under certain conditions, be acceptable for older children but unacceptable for younger ones. On the other hand, with the inclusive concept of childhood in mind, the difference between *child labor*, which is exploitative and harmful to children, and *child work*, which is part of education and socialization, should be distinguished.

It should be acknowledged that *child work* is not harmful, and can even be a valuable alternative for formal education above the basic level. It should be emphasized, especially in this context, that working children themselves are capable of understanding their situation. Although working children are still *children*, as a result of their situation they usually manifest a high level of responsibility and understanding of their situation. Sometimes they even (try to) speak out in public and (try to) fight together against exploitation and discrimination. These attempts and initiatives should be stimulated and rewarded by (Western) policy-makers. When children do have to work, they should at least be provided with

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<sup>52</sup> Moore, "Supporting Children," p. 542.

adequate protections and rights, including rights to association. Therefore, their voices should be heard and their opinions should be taken into serious consideration when policies that address the situation of working children are developed.<sup>53</sup>

As ILO Convention No. 182 prescribes, the category of child labor should be divided into the unequivocally worst forms and other forms of child labor. The unequivocally worst form of child labor includes work that, by its nature or the circumstances in which it is carried out, hinders the physical, psychological, mental, and social development of children, or is work in unhealthy and dangerous environments, or sequesters children from the society's normal protection. These include slavery, bonded labor, and child prostitution.<sup>54</sup> Distinguishing the unequivocally worst form of child labor from less harmful forms implies that the latter may have to be tolerated, at least for the near future.<sup>55</sup> This kind of toleration does not imply indifference but, rather, a sense of realism. As UNICEF argues: "to treat all work done by children as equally unacceptable is to confuse and trivialize the issue and to make it more difficult to end abuses."<sup>56</sup> If it is impossible to ban all child labor, we should prioritize the worst forms. Although coercive measures like targeted bans or boycotts are usually unjustified because they will generally hurt rather than assist child laborers, they may not have to be totally ruled out in the combat against the unequivocally worst forms of child labor. In this case we can doubt whether their short-term effects are more harmful than the unequivocally worst forms of child labor that they would replace. Even then, however, such measures must preferably not be enacted without supplementing them with provisions that create an alternative for the children involved.<sup>57</sup>

Distinguishing these three categories—child work that is permissible, child labor in the less harmful forms that should be tolerated, at least for the moment, and child labor in the unequivocally worst forms that should be fought rigorously—and focusing policies on the most urgent cases deploys scarce

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<sup>53</sup> Per Miljeteig, "Creating Partnerships with Working Children and Youth," Social Protection Discussion Paper No. 0021 (Washington, D.C.: World Bank, 2000); and Manfred Liebel, *A Will of Their Own: Cross-Cultural Perspectives on Working Children* (London: Zed Books, 2004), ch. 1. Miljeteig describes the development and function of several working children's organizations.

<sup>54</sup> Cf. ILO Convention 182 (3) and accompanying recommendation R190.

<sup>55</sup> Debra Satz, "Child Labor: A Normative Perspective," *World Bank Economic Review* 17 (2003), p. 298; and Murshed, "Unraveling Child Labor and Labor Legislation," p. 188.

<sup>56</sup> UNICEF, *The State of the World's Children 1997*, p. 24.

<sup>57</sup> See Basu and Tzannatos, "The Global Child Labor Problem," pp. 166–67.

resources effectively and helps to maintain a broad support for policies against child labor. Moreover, it broadens the range of policy options.

Collaborative, cooperative measures especially seem to be attractive to Western policy-makers. These measures are designed to alter the (economic) environment of the main decision-makers—parents and employers—rendering them more able and willing to let children stay out of work and spend more time in school. A strong advantage of collaborative measures is that they do not necessarily need legislative backing.<sup>58</sup> Examples of collaborative measures are policies that give parents financial incentives to send their children to school, enable the combination of part-time work with part-time education—comparable to the half-time system in nineteenth-century Britain—or improve the conditions in which children work. These policies are especially appropriate for situations where no alternative sources of family income may be available. Since parents typically want to keep their children out of work and, if possible, in school, collaborative measures appear to be more effective than legal bans on child labor, although these are not necessarily either/or options. Empirical research on collaborative interventions shows that the most effective policies are those that fight poverty and enhance access to education.<sup>59</sup> These will be discussed in the next section.

#### *Indirect Policies against Child Labor*

Most collaborative policies are indirect policies, addressing not child labor itself but issues that are causally connected to child labor. Since poverty is the most important determinant of child labor, policies to reduce poverty in developing countries may prove to be most effective to curb child labor. Child labor today is not a phenomenon isolated in developing countries. Some argue that child labor in Western societies did not terminate at the end of the nineteenth century, but was exported to developing countries. The labor done by Western children was, after child labor was abolished, taken over not by adults in the West but by children in developing countries.<sup>60</sup>

Moreover, as a result of the emerging globalization and global interaction, all states in the contemporary world are connected in one global economy. States

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<sup>58</sup> Ibid., p. 164.

<sup>59</sup> For surveys of empirical research on collaborative measures, see Grootaert and Kanbur, “Child Labor: An Economic Perspective”; Basu and Tzannatos, “The Global Child Labor Problem,” pp. 166–67; and Basu, “Child Labor: Cause, Consequence, and Cure,” pp. 1093, 1114–16.

<sup>60</sup> Basu, “Child Labor: Cause, Consequence, and Cure,” p. 1089; Basu and Tzannatos, “The Global Child Labor Problem,” p. 148.

are interconnected through a global network of market trade, diplomacy, and cooperation in international and supranational institutions like the UN, EU, WTO, World Bank, and IMF. A central thesis in current global justice debates is that poverty in developing countries cannot be seen as disconnected from policies in Western societies.<sup>61</sup> The most prominent advocate of this position is Thomas Pogge. In a recent paper in this journal, Pogge argues that the foreign policy of Western societies, and especially their policies that shaped international institutions like the WTO, generates poverty in developing countries.<sup>62</sup> For example, Pogge's complaint against the WTO is that its negotiations result in insufficient market access for poor country exports to rich country markets while pushing for ever-greater access for rich country exports into poor country markets. He thus argues that affluent Western societies promote child labor indirectly.<sup>63</sup> Although Pogge's arguments are not undisputed, the general thrust of his claim is plausible. National states are interconnected through a global network of market trade and diplomacy, and this global institutional order generates poverty in developing countries. This implies that the current foreign policies of Western societies foster the occurrence of child labor.

If Western liberal-democratic governments really want to fight child labor, they should acknowledge that this is not possible by focusing only on the issue itself. Instead, they should also and primarily focus on reducing global poverty as a general means of combating child labor. Formulated in less diplomatic language: it is gratuitous for Western governments to want to fight child labor without accepting their own responsibilities to reduce poverty. If they are truly committed to curbing child labor they ought to support collaborative measures financially. There are many policies available for Western countries to fight global poverty: opening their borders to products that are now shielded off from their markets by protectionist policies, lifting the debt burdens that disable developing countries from providing basic education for children, supporting measures aimed at raising the income of parents so that their children do not have to work, or supporting

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<sup>61</sup> See, for example, Thomas Pogge, *World Poverty and Human Rights* (Oxford: Polity Press, 2002); Allen Buchanan, *Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law* (Oxford: Oxford University Press, 2004); and Charles Beitz, *Political Theory and International Relations*, rev. ed. (Princeton: Princeton University Press, [1979] 1999).

<sup>62</sup> Thomas Pogge, "Symposium on World Poverty and Human Rights" and "Severe Poverty as a Violation of Negative Duties," *Ethics & International Affairs* 19, no.1 (2005), pp. 1-7, 55-83. These two papers are part of a symposium on Pogge's work, which also includes five critiques.

<sup>63</sup> For a similar conclusion, see Ha-Joon Chang, *Kicking Away the Ladder: Development Strategy in Historical Perspective* (London: Anthem Press, 2002), p. 141.

developing countries to improve governance and providing economic and political stability.<sup>64</sup>

Besides supporting the governments of developing countries, indirect policies can also be targeted at the children in these countries, especially by focusing on education. The occurrence of child labor is negatively related to the availability of education. The opportunity costs for parents to send their children to work are low if there is no alternative available in the form of (good) education. This implies that the occurrence of child labor can be influenced indirectly by policies that reduce the costs of education, increase the accessibility of education, or increase the expected returns of education.<sup>65</sup> These policies can take many forms. Subsidies can reduce the direct and additional costs of education. Both the ILO and UNICEF are already quite supportive of education subsidies. Next to this, school construction programs can reduce regional disparities in access to education, making education also available in rural environments. Changing the school times might enable the combination of school and work. The improvement of the quality of teaching and teaching materials and the adaptation of curricula to the needs of low-income children can also make education a viable alternative to work.<sup>66</sup>

Why is minimal basic education important for working children? Because all children in society should at least develop basic capabilities, such as literacy and numeracy. A lack of such elementary education generates an illiterate workforce that is not eligible for social advancement, and it generates a passive and ignorant citizenry, undermining (the possibility to develop) democratic institutions.<sup>67</sup> Thus, child labor that deprives children of even this minimum of basic education must always be considered harmful, regardless of the way it is organized.<sup>68</sup> One of the most promising policies against child labor is a targeted

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<sup>64</sup> Western governments could offer increased market access to those countries that show improvements in the reduction of child labor and the availability of education. But it goes beyond the scope of this paper to discuss the ins and outs of such proposals.

<sup>65</sup> Myron Weiner argues that the introduction of compulsory education is a more effective legal approach than a ban on child labor. After all, a child's presence in school is easier to monitor than a child's absence from work. Myron Weiner, *The Child and the State in India: Child Labor and Education Policy in Comparative Perspective* (Princeton: Princeton University Press, 1991).

<sup>66</sup> Moore, "Supporting Children," p. 540; and Betcherman et al., "Child Labor, Education, and Children's Rights," p. 17.

<sup>67</sup> Satz, "Child Labor: A Normative Perspective," p. 304.

<sup>68</sup> Cf. David M. Smolin, "Strategic Choices in the International Campaign against Child Labor," *Human Rights Quarterly* 22 (2000), p. 979. As a referee for this journal rightfully emphasized, what is needed to function in a society is not a static but a dynamic requirement. If a country develops out of poverty toward a more technologically advanced industry, the education that children need might be more than what they need to function in their current society. So basic education is indeed only a *minimum* requirement.

subsidy to families for sending their children to school. An example of such a program will be discussed in the next section.

### *Examples of 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 this policy is the Oportunidades program in Mexico.<sup>69</sup> This program started in 1997 and pays parents if their children go to school; the stipend 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 grants to provide for the additional costs of education. Moreover, these measures are embedded in a more general program that also focuses on health and nutrition.<sup>70</sup> 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:

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.<sup>71</sup>

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

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<sup>69</sup> The original name (until March 2002) was Progresas, an acronym for *Programa Nacional de Educación, Salud y Alimentación*—the Education, Health, and Nutrition Program. Although it was not the first of such programs, it is the best known. For a description of the program, see Alan B. Krueger, "Putting Development Dollars to Use, South of the Border," *New York Times*, May 2, 2002, p. C2; Emmanuel Skoufias and Susan W. Parker, "Conditional Cash Transfers and Their Impact on Child Work and Schooling," *Economia* 2, no. 1 (2001), pp. 45–96; and Benjamin Davis, "Innovative Policy Instruments and Evaluation in Rural and Agricultural Development in Latin America and the Caribbean," in Benjamin Davis, ed., *Food, Agriculture and Rural Development: Current and Emerging Issues for Economic Analysis and Policy Research* (Rome: UN Food and Agriculture Organization, 2003).

<sup>70</sup> Such programs should be embedded in a country's overall development agenda, including the provision of good-quality schools. After all, it seems to be inefficient to pay children to attend low-quality schools.

<sup>71</sup> Skoufias and Parker, "Conditional Cash Transfers," p. 48.

spiral of the dynastic poverty trap, which we mentioned in the introduction of this paper. 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 from their own children unnecessary. This enables the next generation to also attend school full-time.

Another positive characteristic of the program is that from the very beginning, evaluations were an integral part of the program. This enhances the transparency and accountability of the program, and enables the policy-makers to improve the project over time.<sup>72</sup> Finally, the program is administered in a cost-effective manner, with administrative costs of 8.9 percent of the total budget, which is regarded as quite small given the complexity of the program.

In their evaluation of the project, Emmanuel Skoufias and Susan W. Parker conclude that programs like Oportunidades can be successful at increasing school attendance and decreasing child labor simultaneously.<sup>73</sup> It decreases both domestic work—mainly done by girls—and market work—mainly done by boys. This effect on domestic labor is remarkable, and might be the result of the fact that the program is very attentive to gender issues: girls in secondary school are paid 15 percent more than boys to combat the girl's higher dropout rate, and it recognizes the importance of women's empowerment by giving benefits exclusively to mothers.<sup>74</sup>

Oportunidades seems to be a promising example of a policy against child labor. It is embedded in a more comprehensive poverty-reduction program; it not only reduces child labor but also enhances attention in school; it is transparent, efficient, and effective. Other countries have instituted similar programs or are in the process of doing so.<sup>75</sup>

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

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<sup>72</sup> Evaluations are carried out by the International Food Policy Research Institute in Washington, D.C., and are available at [www.ifpri.org/themes/progres.htm](http://www.ifpri.org/themes/progres.htm).

<sup>73</sup> Skoufias and Parker, "Conditional Cash Transfers," pp. 83–86; and Emmanuel Skoufias, *PROGRESA and Its Impacts on the Welfare of Rural Households in Mexico* (Washington, D.C.: International Food Policy Research Institute, 2005), p. 59.

<sup>74</sup> Skoufias and Parker, "Conditional Cash Transfers," p. 48; and Luis F. López-Calva, "Child Labor: Myths, Theories and Facts," *Journal of International Affairs* 55, no. 1 (2001), p. 67.

<sup>75</sup> Davis, "Innovative Policy Instruments and Evaluation in Rural and Agricultural Development in Latin America and the Caribbean."

measures financially, preferably in cooperation with NGOs who have knowledge of the local situation. Ironically, 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 similar to Oportunidades in Mexico, has been set up.<sup>76</sup> The work is divided up along competences: the monitoring system and stipends are organized by the ILO, education facilities are made available by UNICEF, while funding is provided by the U.S. Department of Labor and other Western organizations.<sup>77</sup> Since these programs are targeted to the working children, 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.

## CONCLUDING REMARKS

There is little doubt as to the need for reducing child labor, but it is a huge, heterogeneous, and complex problem that cannot be solved overnight. Moreover, there is no single, simple policy measure that can end all child labor. Therefore, priorities must be established and policies should be plural in character. Realism and feasibility are just as important as conceptual relevance in the struggle against child labor. In this paper we have addressed both, necessarily selectively and imperfectly, given the complex issue at stake. We tried to explain *why* just and effective Western policies on child labor abroad are so difficult to develop, and we looked at what can be done (or is already being done) to improve them. We analyzed direct and indirect policy options based on the premises of context sensitivity and an inclusive concept of childhood. Sanctions-oriented approaches,

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<sup>76</sup> Although it seems to be less successful than the Oportunidades program. It is less transparent, and it has been very difficult to trace the children that were dismissed earlier. Begum, "Elimination of Child Labour from the Export Garment Industry of Bangladesh," pp. 46–54; and Rahman, Khanam, and Absar, "Child Labor in Bangladesh," pp. 997–98.

<sup>77</sup> Geir Myrstad, "From Exploitation to Education: Action against the Worst Forms of Child Labor through Education and Training" (paper presented at the World Education Forum, Dakar, April 26–28, 2000). It remains an open question whether this program would have started without the threat of sanctions suggested by Harkin's Bill. The only thing we can say is that other programs, including Oportunidades, did start without them, implying that such threats are not a necessity.

such as targeted boycotts on the products made by children, have so far turned out to be strategically counterproductive, and even harmful. We concluded that collaborative policies provide a more promising policy option, especially those that fight poverty and enhance access to education. A strong advantage of collaborative measures is that they do not necessarily need legislative backing. If Western governments really take the struggle against child labor seriously, however, they should also focus on reducing global poverty as a general aim of combating child labor.