

The Rights and Wrongs of Children's Work

The PPIC-Work project has been featured in a comprehensive text on children's work and is considered to provide a positive example of a child-centered approach to programming with working children. The text is entitled "Rights and Wrongs of Children's Work" by Michael Bordillon, Deborah Levison, William Myers and Ben White and is published by Rutgers University Press. The authors point out that many attempts to respond to the question of children's work or child labor have been ineffective in helping children and have simply concentrated on removing them from workplaces. The PPIC-Work approach has been more effective because it has applied a participatory process with working children and business owners to develop and implement the programming that can be applied on a large scale through microfinance institutions. PPIC-Work appears as a case study in the text on pages 194 – 202.

The publisher of the text, Rutgers University Press, describes the work as¹:

"Rights and Wrongs of Children's Work, authored by an interdisciplinary team of experts, incorporates recent theoretical advances and experiences to explore the place of labor in children's lives and development.

This groundbreaking book considers international policies governing children's work and the complexity of assessing the various effects of their work. The authors question current child labor policies and interventions, which, even though pursued with the best intentions, too often fail to protect children against harm or promote their access to education and other opportunities for decent futures. They argue for the need to re-think the assumptions that underlie current policies on the basis of empirical evidence, and they recommend new approaches to advance working children's well-being and guarantee their human rights.

Rights and Wrongs of Children's Work condemns the exploitation and abuse of child workers and supports the right of all children to the best quality, free education that society can afford. At the same time, the authors recognize the value, and sometimes the necessity, of work in growing up, and the reality that a "workless" childhood, without responsibilities, is not good preparation for adult life in any environment."

The authors themselves have provided a description of their work and this is reproduced below:

¹ Rutgers University Press,
http://rutgerspress.rutgers.edu/acatalog/Rights_and_Wrongs_of_Childrens_Work.html

What the book does

Our study pursues a children-centered approach that regards children holistically, views their work in social and economic context, takes their observations and opinions seriously, and assesses policies and interventions according to their outcomes on children's well-being, development and human rights. This approach is quickly becoming the norm for studies informed by children's rights. Our work also follows up on a precursor book (*What Works for Working Children*, by Boyden, Ling and Myers) published over a decade ago by Save the Children Sweden and the UNICEF Innocenti Research Center. What we contribute new is information from a flood of more recent research and a general line of argument that is now emerging from the confluence of new social science understanding of childhood with growing attention to children's human rights.

Although all four of us authors are recognized "child labor" specialists with long experience and many publications, we have come to believe, as have others, that the "child labor" view has become too narrow, subjective, and idiosyncratic to incorporate some issues essential for understanding children's work. It occludes or excludes too much information valuable for making and implementing enlightened policy. Therefore, following the UNCRC, we define our topic liberally and neutrally as "children's work", broadly defined to cover activities from home chores to wage work and self-employment, and free of prior value judgments about their purpose and value. This more comprehensive approach to the topic not only encompasses a wider range of activities, factors and outcomes, but also draws on more diverse sources of information. This wider perspective on children and their work led us to the following two international policy issues we now raise below.

Assessing the risks and benefits of work

Evidence from various social sciences clearly indicates that work plays a foundational role in human learning and development, starting in early childhood. While this might surprise a Western public accustomed to "child labor" stereotypes, it is in most cultures a recognized fact of life. The literature as a whole offers a balanced view of children's work that fully recognizes both the positive contributions and the potential risks of work to children's well-being and development. Legitimate concern about potential harm from work retains its validity, but the contributions of work to children merit equally conscientious attention. We find no empirical justification for routinely concentrating on the negative aspects of work while neglecting the positive. We show that ignoring children's dependence on the benefits of their work can lead to child labor interventions that leave them worse rather than better off. Accountability to children's best interests requires a more balanced approach.

It seems to us that a more balanced view in line with evidence about what helps

children would try to make children's work safe and appropriate before resorting to its prohibition. Such a strategy is consistent with the UNCRC and ILO Convention 182, and we think it would reinforce these international standards by expanding the creative options available for implementing them. While weighing two factors is more challenging than is concentrating on just one, international standards must accommodate such complexity if they are to serve children's best interests. The book presents for consideration a conceptual framework to help decision makers assess both risks and benefits in governing children's work.

Assessing the appropriateness of standards

The second international standards issue we wish to call attention to is more difficult and disturbing. We find overwhelming evidence from well documented sources that generally banning children below a legal minimum age from work harms at least some children and may be problematic for many others. That evidence calls into question the appropriateness of ILO Convention 138 as an international standard. Even with its exceptions and flexibilities, it may not be safe for children. This finding is not completely unexpected; the wisdom of universalized minimum age policies has been widely questioned and discussed by researchers, practitioner specialists, child advocates and even working children's organizations for some years, including informally inside the ILO and UNICEF. We authors have ourselves participated in such discussions. But because expression of these doubts has to now been relatively scattered and inchoate, fear of the dire institutional implications of forcing a decision has acted as a strong incentive to keep the issue open and subject to further study. We have taken a look at the updated evidence, and believe the time has come to face the issue squarely. Here are a few of the particulars that concern us.

When we surveyed our collected material on the impact of minimum age laws, we were especially surprised by two facts. First, it appears that international minimum age standards apparently have never been evaluated to determine whether they actually protect children. The ILO first internationalized minimum age policy shortly after its founding in 1919, but we have found no study by it or any other agency from then to now that investigates the impact of this important social policy on children as a group. Second, anecdotal case evidence is markedly one-sided. At least in recent decades, the cases in which minimum age rules and associated public attitudes are claimed to have harmed children are not balanced by countervailing empirical accounts of the positive effects of separating children from work. But absence of evidence is not necessarily evidence of absence, and it is possible that information revealing the positive impact of minimum age policy on children simply awaits research properly designed to discover it. However, a credible study of that type would require sophisticated field work, interdisciplinary cooperation, and a highly qualified research institution (or consortium of institutions) independent of agencies having a vested interest in the outcome, all of which would be an expensive major research project. However, we do not expect such a study would be likely to turn

up previously invisible benefits. That is because the crux of the problem with ILO Convention 138 is not misguided interpretation and implementation of an otherwise acceptable standard, but rather a fatal flaw intrinsic to the standard itself.

The flaw is that Convention 138 assumes generalized incompatibility between children's work and education, which is why its key provision calls for reconciling the age of legal entry to work with the age to which education is compulsory. It further assumes that if school aged children are not allowed to work they will be more likely to attend school. Our review of the evidence did not find either of these assumptions to be consistent with the facts. While work does keep some children from school, and studies in some places argue that it is a significant obstacle to education, our analysis of the wide-ranging multi-disciplinary evidence revealed no general trend of work-education incompatibility that would merit a universal policy. Our impression based on the evidence as a whole is that most working children of school age probably combine work and school successfully, and for some work actually supports their schooling. We found little indication that banning school-age children from work keeps them in school; education system failures and a variety of factors other than work often better explain lack of school attendance or achievement. The weight of evidence clearly suggests that the best way to attract children to education is to provide accessible, affordable, schools that teach and do not mistreat them. Prohibiting work adds little.

If banning children from work does not channel them to school, Convention 138 becomes redundant. Its formerly significant provisions to limit children's involvement in dangerous work have been effectively supplanted by Convention 182. It appears to us that the residual effect of Convention 138 is now mostly to exclude children from work that is safe. Is that a worthy objective? Given the convention's counterproductive proclivity and the fact it impinges on the liberty of children it fails to protect, we suggest the time has come to withdraw Convention 138 from service and vest ILO Convention 182 and UNCRC Article 32 as the main international standards directly governing children's work. Perhaps that could be accomplished by declaring that Convention 138 has now outlived its purpose and retiring it honorably. When it was first adopted, enticing children into school and their parents into surrendering the value of their labor was widely considered the major challenge. But today that problem is vastly reduced as the value of education is widely understood and popular demand for decent schools outstrips the capacity of many governments to provide them.