

Child Labour and the Tectonics of Other Worlds

Making Space for Earth's Most Exploited Citizens



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Ajay R. Parasram, May 2007

Political Economy 5501F: "*Other Worlds, Other Globalisations*"
Carleton University
Student Number: 100721583
Email: aparasra@connect.carleton.ca

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apasra@connect.carleton.ca

This paper is dedicated to Sero, Hanif and the heroic children of the world.

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List of Useful Acronyms

FDI – *Foreign Direct Investment*

GDP – *Gross Domestic Product*

GMACL – *Global March Against Child Labour*

ICI – *International Cocoa Initiative*

IGIDR – *Indira Gandhi Institute of Development Research*

ILO – *International Labour Organization*

IMF – *International Monetary Fund*

NIP – *New Investment Policy (India)*

SACCS – *South Asian Coalition Against Child Servitude*

SAP – *Structural Adjustment Programs*

SPARC – *Society for Promotion of Area Resource Centres*

UN – *United Nations*

UNDP – *United Nations Development Program*

UNHCHR – *United Nations High Commission For Human Rights*

UNRCC – *United Nation Rights of the Child Convention*

WB – *World Bank*

Introduction

The day I began this defence of child labour, I met a young Asian boy on my way home. The boy was no older than nine years and like many his age, was full of energy. With his schoolbag strapped to his back and his laces untied, the child pretended to be an airplane as he meandered along the sidewalk. He stopped suddenly –a ping-pong ball lay abandoned in the street gutter! He claimed his prize, shyly noticing that I was watching him. He paused to look at me. Smiling, he bounced his ball and chased it down to the street. Walking away, I remembered another small child I met this summer. Her name is Aarti and I met her near Mani Bhavan, a museum in Mumbai that housed Mohandas K. Gandhi during the 1930s. Aarti was like this young master of the ping-pong ball. She was brimming with energy and quite taken by my wife's digital camera. She demanded that we take pictures of her and put on a show. After demonstrating how to drink water appropriately, she introduced us to her grandmother and infant brother. Although her family sat in the hot sun with a small plate to collect rupees, Grandma did not ask anything of me besides some water for the children. She would not look me in the eye. Aarti, however, could not have cared less about the money we offered her and her grandmother. She had an audience, and for that day she was an Indian movie star! For my part, I had made a friend who I would never forget.

I have no doubt that the boy with the ping pong ball in Ottawa will finish school, probably attend post secondary education and quite possibly employ me in the future. The potential for this child seems boundless. Is it the same for Aarti? Although their ancestry comes from the same geographical region, both children are of other *worlds*, where geography ceases to delineate borders. I am absolutely convinced that they *ought* to have the same opportunities. However, I am also sure

that defining this concept of “opportunities” is most difficult. Should they have the same schooling opportunities? Should they have the same opportunity to love their families and to be a part of the family? For that matter, what does it mean to be a part of a family in Canada compared to in India? China? Sierra Leon? Trinidad & Tobago? How might family constructions differ among the different peoples of these geographical delineations? National borders cannot delineate the shared experiences and differences between these children of other worlds. This paper seeks to address some of the problems associated with a clash of intellectual activism that seeks to better the lot of child workers. Doing so requires that one re-imagines the relationship between economic and human rights approaches to eliminating child labour and the exploitation of the world's most vulnerable citizens.

On October 3, 2006, India introduced a ban on Child Labour that was trumpeted as a great success for exploited children throughout the subcontinent.² This paper was largely motivated by this event, and seeks to challenge the proposition that banning child labour will actually benefit children. For many however, it seems there is no debate. Child labour, identified by the United Nations (UN) and the International Labour Organisation (ILO) as well as countless non-governmental organisations (NGOs), is a heinous evil that must be legislated away. This paper explores approaches to eliminating child labour, but with the immediate as well as the long-term interest of the child and her family. At the core of the examination lie the pressures of globalisation on the “incivil” people who send their children to work. The majority of child workers are concentrated in South and South East Asia³, so this work will place some emphasis on this region. The arguments and findings, however, are intended to illuminate that activists and economists alike are representative of a

² The Canadian Press, “India's young workers worried by new law banning child labour” [CBC.ca](http://www.cbc.ca/cp/world/061010/w101090.html) accessed on October 10, 2006 at <<http://www.cbc.ca/cp/world/061010/w101090.html>>

global civil society, whose prescriptions for curing the condition of child labour silence the voice of the incivil, working family.

To this end, this paper will proceed in four case studies designed to discuss two main theoretical schools of thought that address the problem of child labour: the economics school and the rights based school. The first section seeks to examine the current discourse on child labour and policy recommendations from an economic perspective. This section reviews economic literature and recommendations for how to address the problem of child labour. It explores the contention that within this economic “school” there is a tendency to remove morality from the analysis. Still, economists like Dessy and Pallage, Chaudhri, Edmonds and Pavcnik, as well as Basu, Easterly, Bhagwati, and Swaminathan provide an excellent foundation of rich literature from which one might investigate the quantitative side of child labour research. The economics school is not united in assessing the problem, nor are they united in their prescriptions for bringing an end to child labour.

The second section reviews the approach and recommendations of the International Labour Organisation (ILO) as well as some NGOs and activists working in the field of children's rights. Within this “rights movement” school, there is a greater level of agreement with respects to the causes and solutions associated with child labour. Where the economics school lacks in moral assertions, the rights based school does not. It is within this school that much of the survey data and international norms used to categorise and study labouring children is conducted, specifically with the ILO's various publications on the issue. While engaging the moral discourse, the rights based movement suffers from exporting their own vision of families. The idea of rights and responsibilities to children as being somehow separate from the rest of

³ “Child Labour” [Human Rights Watch](http://hrw.org/children/labor.htm) available online at <<http://hrw.org/children/labor.htm>>

their families is a clear indication of the friction between other worlds. The rights movement school seeks to isolate the child in the sense of child labour which grafts an individuality to the child that is not universally appropriate. Family structures are different in different parts of the world, and it is more appropriate to consider the child as part of the collective family unit. A main proposition to this work is that there are different types of child labour, and therefore, different types of exploitation. As a result, broad legislation alone cannot prevent children from working, nor can sound economic policy. The rights based school differ in many nuanced ways from the economists school in their approach and reading of the utility of education and social programs, which will be explored by way of case study.

The views of these two schools on this issue are not inseparable and thus there will be some spill over discussion between rights based and economic analysis. The concluding section of this paper seeks to re-imagine the nexus of north vs. south as a struggle between civility and incivility, situating the economists and activists in the same category of civil society, trying to impose conditions on the incivil. These labourers have, in many important ways, defined the way we measure value and costs of production around the world. International markets are saturated with products that have been made, in part, by children. From the rice we eat to fabrics we wear, to the barrels in our washing machines, children have had a hand in shaping the evolution of globalisation. Both the economist school and the rights based school fail to address this point; this lack of co-ordination between these two valuable schools has rumbling effects for the global poor. These two approaches can be understood as tectonic plates in motion, and the friction that is building as a result of a lack of coordination and dialogue between them has the potential to rupture the ground beneath the feet of the working children of the world. It is the hope of this work to make space for a

collaborative discourse of initiatives that holds, at its core, an appreciation of those who are not part of civil society, the *incivil*⁴, in its own terms, values and aspirations. Only with this conceptual shift towards understanding the problems of children in the context of children can solutions arise. Despite the prevailing literature, these children are not statistical phenomena. Rendering them to factor inputs or variables in growth equations or subjects of state neglect shrouds the fact that our very perception of them is a result of our intimate relationship with them; this relationship is global. We have, in traditional western-centric senses of globalisation, imagined child workers as an “other” such that they can be co-opted into our own imaginations of world order as a problem with a solution. In fact, they are not. Working children ought to be imagined for what they are, not what we feel they ought to be. It is feasible for children in North America not to work. Although many do, the thought tends to horrify us. When we export our horror to other parts of the globe that do not share our privileges, our best actions have the potential to nurture poverty and squalor.

Section One: Exploring the Economics of Child Labour

Box 1: Sero's Story⁵

There was a light drizzle as Sero and her mother walked home from their jobs at the dinner mint factory. Sero had rushed to the factory after school to join her mother at work. She was careful not to step on any rocks as her perfectly polished shoes had no soles left in them. She had spent her lunch break copying the pages from a friend's textbook so that she could do some reading after work. When they arrived at their home, a galvanized shed with mud floors and a flambeau (empty bottle with a kerosene soaked rag as a wick), her mother prepared some soup on the chulha (or mud stove) she had made with mud, grass and dung. There was a corner on the stove that Sero could rest some paper on as the flickering light of the flambeau cast shadows over the notes she had scrawled down hurriedly at school. Sero's mother dished out some soup for her daughter, much more than she kept for herself, and tried hard to hide the tears welling up in her eyes as her daughter dutifully handed her the money she had made over the last week – her daughter had made 4 times what she herself had been able to make. Sero worked so that her brother Sastri and her younger sister Syree could go to school. There was a little more money to go around now, because her youngest sister, Annie had recently died from a tumour the doctors were unwilling to remove because the family could not raise enough money to pay for it. Sero stayed up as long as the flambeau would burn because she had a mathematics exam the next morning.

⁴ Meaning those individuals who are not part of “civil society”

⁵ Parasram, Sero. Interview conducted on her personal experience as a child labourer (Ottawa, Ontario: October 14, 2006.)

The South Asian Coalition Against Child Servitude (SACCS) presents a chilling and compelling story about a six year old boy named Ashraf who's parents were promised he would attend school and be guaranteed a government job in exchange for helping a government bureaucrat attend to his younger children. The child was locked away when the family was out and punished for not completing chores by being deprived of food. One day he drank some leftover milk his master's child had not finished. As punishment, the master and his wife dragged the six year old to the kitchen, burned his hands, held him down and branded his face while he screamed for his mother and God to help him.⁶ There is no Hell hot enough for villains like this, but the power of such stories can overshoot its usefulness in helping the working children of the world. To be fair, this rhetoric must be matched with rhetoric of other children, like Sero above and Hanif who will be introduced later. The story of Ashraf, and many others identified by the Global March Against Child Labour (GMACL) or SACCS have a tendency to sway public opinion beyond what may be the overall welfare of children.

On the other hand, Sero's sacrifice is the only reason why her family was able to survive – her mother had suffered severe physical and psychological abuse at the fists of her husband and could not produce well enough at the candy factory to provide for her children. While facing many challenges and much ignorance in her time as a child labourer, Sero never had to endure the burns and torment that young Ashraf has. Confronted with Ashraf's story, it would be most difficult to imagine a case where child labour ought to be allowed to persist. This in part might explain the rationale behind the tendency in the economist school to separate their studies from the moral.

⁶ Satyarthi, Kailash. "Presentation to the International Conference on Children, torture and other forms of violence" Global March International Secretariat November 21, 2002. Accessed online at

Within the economist school, there is a strong recognition of the fact that children who work around the globe do so in a way that intertwines them with the economic and social welfare of their families. As Kaushik Basu identifies, the twentieth century has allowed for much more developed problematising of child labour. Basu argues that child labour in the past century has risen in developing countries compared to what it was during earlier centuries and attributes much of the blame to “globalization.”⁷ Basu goes on to identify that this awareness has called academics and activists to the table. He also brought to that same table “individuals who are genuinely concerned about the plight of children in poor countries, and those who comprise the forces of protectionism in developed countries.”⁸ The two forces of academics and activists, and the compassionate civil society consumers, have come together within the World Trade Organization (WTO) and the International Labour Organization (ILO) to embark on missions that range from labelling goods to banning goods that have been produced with an input of child labour. Both would, in theory, limit the consumption of materials produced in part by child labour. Basu asserts that

Any such intervention is likely to have not just an impact on the well-being of children, but also spill over effects on others. It is imperative, therefore, that policy in this area be based on careful analysis and research, and not just emotion or impulse.⁹

It has been the case in much economic development literature that an ideal solution would be to alleviate poverty more generally and child labour would cease to be an issue.¹⁰ This is a problematic argument however, because it places all emphasis on studying the supply side of child labour. Within labour markets, there may well be a preference for child workers; as the employers argue it on the demand side of the labour market, they are better suited to doing certain

<<http://www.globalmarch.org/cpcolumn/presentation.php>>.

⁷ Basu, Kaushik. “Child Labor: Cause, Consequence, and Cure, with Remarks on International Labor Standards” *Journal of Economic Literature* (Vol.37, September 1999, pp. 1083-1119) pp 1083.

⁸ Ibid.

⁹ Ibid., 1084.

¹⁰ See: Bhagwati, Jagdish. *In Defense of Globalization*. (New York, N.Y.: Oxford University Press, 2004) pp 69-72; Easterly, William. *The Elusive Quest For Growth* (Cambridge, M.A.: M.I.T. Press, 2001)

tasks.¹¹ Madhura Swaminathan of the Indira Gandhi Institute of Development Research (IGIDR) based in Mumbai identifies that the diamond cutting and ship breaking industries in southern Gujarat thrive on the basis of eluding international labour standards, particularly with respects to health, safety and children.¹² What is most troubling for the growth based argument (see box 2) in Swaminathan's findings is that Gujarat was second only to Maharashtra in foreign direct investment flows and is the fourth largest growing state economy in all of India.¹³ This is problematic for the foundation of the economic argument that higher wages will bring about a decline in child labour. As Gujarat was one of India's most successful economic regions since the 1990s, yet child labour has persisted, one might deduce that increasing aggregate income is insufficient for targeting poverty alleviation across all social classes.Box 2: GDP per Capita Growth and the India's New Industrial Policy 1991

Before 1991, India had been one of the most protected states in the world from the point of view of international trade and finance. There were huge bureaucratic impediments to foreign firms' investment into the country as well as extensive regulations surrounding the practices of multinational firms. India's New Industrial Policy (NIP) of 1991 dramatically altered its regime governing industrial investment. Companies in all but fourteen sectors are no longer subject to prior government approval for entry into the economy which mitigates many of the administrative barriers to investment.¹⁴ This boost in efficiency yields substantial business benefits, which is crucial in attracting foreign direct investment (FDI). To potential investors, this sends a clear message that India is "open for business." At the same time however, it limits greatly India's ability to monitor the labour abuses of foreign companies within its borders. Whether the NIP is a good thing in and of itself is debatable, as the freeing of trade rules can be understood on the one hand as creating the necessary conditions for economic growth, and on the other hand, creating the conditions for labour exploitation. In the context of child labour, Jagdish Bhagwati notes that many NGOs and anti child labour activists tend to merge liberal trade policies and labour violations into a "symbiotic relationship."¹⁵ Bhagwati, using case studies in East Asia, argues

Yet there is little evidence of this perverse and malevolent relationship.(between labour abuses and trade liberalisation) The truth is that globalization –wherever it translates into greater general and prosperity and reduced poverty – only accelerates the reduction of child labour and enhances primary school enrolment and hence, literacy.¹⁶

India's economic growth has been 7 – 10 % per annum and is forecasted as becoming even higher in the coming years.¹⁷ Based on this growth percentage, the average Indian will double his or her income in just over ten years.¹⁸ GDP per capita growth is a good indicator for the health of an economy, particularly when positive and stable trends are observed. Since 1991, rates have steadily increased. Prior to this, the rate of growth in India was not consistent. On the contrary, Indian growth rates were

¹¹ Swaminathan, Madhura. "Economic Growth and the Persistence of Child Labor: Evidence from an Indian City." *World Development* (Vol.26, No.8 pp 1513-1528) pp 1517.

¹² *Ibid.*, pp 1515.

¹³ *Ibid.*

¹⁴ Shrestha, Gyanu Raja. "Nepal-India Bilateral Trade Relations: Problems and Prospects" *Research and Information System Discussion Paper # 54, 2003*. (New Delhi, India: Research and Information System. 2003.) pp 8

¹⁵ Bhagwati, 69.

¹⁶ *Ibid.*

¹⁷ "Indian Economic Summit 2006," *World Economic Forum* accessed online on November 15, 2006 at <<http://www.weforum.org/en/events/india/index.htm>>

¹⁸ Approximated by the "Rule of 72" for compound growth for numerators < 10. (72/7%≈10.29 years)

often negative and always low throughout the period between 1950-1991 with a few exceptions in the 70s and 80s.¹⁹ Still, this type of macroeconomic analysis begs the question, *who* is benefiting from this growth. Swaminathan below offers that it is in fact not children who benefit, at least in Bhavnagar.

Case Study One: Child Labour in Bhavnagar, Gujarat

Swaminathan's research into southern Gujarat argues that economic prosperity is not enough to eliminate child labour because children concentrated in the types of work that allow them to reap the benefits of economic growth.²⁰

Swaminathan uses a set of data that identifies the industries in which children work, within southern Bhavnagar. This data was collected as part of a major statistical research initiative by Society for Promotion of Area Resource Centres (SPARC) and Shaisav, an organisation that works with children based in Bhavnagar. The data identifies that nearly one out of every five working children²¹ cleans used cement bags while over 20% of them work in small shops serving tea, cleaning, and performing other domestic tasks.²² This sort of work is extremely low paying, relative to the average adult wage, arduous, and does not truly share in the economic benefits of growth. Having an aggregate GDP growth rate, pushing 8.5% per annum in recent years²³, is truly an economic miracle. However, one must break down the sector specific growth for these national statistics to resonate in a development sense. While India has one of the largest middle class populations in the world, they also have one of the largest impoverished; testimony to the asymmetric relationship between neo-liberal growth and development. One could, however, make the case that even children cleaning cement bags and serving tea would experience an increase in their

¹⁹ Macro-Economic Aggregates & Incidence of Poverty, Indian Planning Experience: A Statistical Profile. Accessed online on November 6, 2006 at <http://planningcommission.nic.in/plans/planrel/plsec1.pdf>> pp 3-4

²⁰ Swaminathan, 1526.

²¹ Swaminathan's article was published prior to the ILO Convention C182: Worst Forms of Child Labour, 1999 that defines a child as any person under the age of 18. Swaminathan uses the definition of any person below the age of 15 for her study.

²² Swaminathan, 1514.

²³ "Indian Economy" CIA World Fact Book available online at <https://www.cia.gov/library/publications/the-world-factbook/print/in.html>>

overall welfare because as the industries around them prosper, there is a greater likelihood that they will consume more cement bags and more tea. Economic growth then, must be interpreted through a lens that analyses sector specific studies.

Given the demographic concentration of children into these particular sectors, the economic theory of growth first, social programs second, begins to erode. Children are simply not working in the industries that can benefit from increased growth and prosperity. In short, the benefits of growth are not shared with working children²⁴ or their parents unless their parents happen to work in the industries that directly benefit from the influx of foreign direct investment. Indeed, the findings of Swaminathan's research seem to indicate that economic growth combined with deregulation in the labour market is associated with an increase in child labour!²⁵

Swaminathan's work is not unchallenged. Bhagwati addresses the fact that blaming parents for sending their children to work reflects a learned cultural preference based on the experience of the relatively affluent west.²⁶ Despite the popularity of this culturally based theory, there are few empirical reasons to believe that this is accurate, as will be discussed in the case study on Vietnamese trade liberalisation. He instead poses the question, "...child labour is known to decline as economic growth occurs. But what can we do to accelerate its removal?"²⁷ Swaminathan's case study places an important constraint on the utility of Bhagwati and others' broad strokes with respects to child labour. She makes the case that child labour does not really benefit total household income in a meaningful way. This argument is used extensively by NGOs that make the case that child labour ought to be banned, however it is a proposition that does not hold up to a rigorous

²⁴ Ibid.,1526.

²⁵ Ibid.

²⁶ Bhagwati, Jagdish. In Defense of Globalization. (New York, N.Y.: Oxford University Press, 2004)

²⁷ Bhagwati

deconstruction in the case of Bhavnagar. Her empirical findings assert that only 2% of children make enough money at work to comprise between 50-85% of total household income.²⁸ What is not given due respect however, is that the same data sets identifies the fact that 40 per cent of children who work contribute between 10-20 per cent of total family income. Yet another 20 per cent of children's earning contributes 20 – 30 per cent of total household income.²⁹ Swaminathan concludes

In short, for most households, the meagre earnings contributed by child workers could not have raised household incomes significantly. Looking at it another way, planners attempting to abolish child labour and send all children to school have to take account of the opportunity cost of child labour but these data suggest that this cost is not likely to be large.³⁰

How Swaminathan arrives at the conclusion that over 1/5 of total family income is statistically insignificant is baffling. Her suggestion that planners ought not to be concerned about this “meagre” contribution when banning children from the workplace (criminalising them, as the Indian government has recently done³¹) is deeply concerning. Although Swaminathan finds that the average income for all child labourers was 438 rupees a month (with over a quarter of them earning between 500-1000 rupees per month, although over a third earning only up to 250 rupees a month) and that the poverty line in her region of study was 352 rupees per month (adjusted for 1995 figures) she still fails to see the contribution of child labour to be financially significant.³² This point requires investigation.

The mean income for boys was 480 rupees per month while the mean income for girls was 384 rupees per month.³³ To extrapolate the significance, if the average

²⁸ Ibid., 1521.

²⁹ Ibid.

³⁰ Ibid.

³¹ The Canadian Press, “India's young workers worried by new law banning child labour” [CBC.ca](http://www.cbc.ca/cp/world/061010/w101090.html) accessed on October 10, 2006 at <<http://www.cbc.ca/cp/world/061010/w101090.html>>

³² Swaminathan, 1519.

³³ Ibid.

boy contributed 480 rupees to his family's income and that income comprised 25 per cent of the family's total income, then the family's income is roughly 1920 rupees. Given the per-capita poverty line of 352 rupees, it is difficult to conceive of a per capita contribution of between 384-480 rupees (depending on gender) that could possibly be considered "meagre." Put into the terms of the child workers, the average worker could support his or her mother or younger sibling every month. One might protest that they would hardly have enough money to support themselves, much less their mothers, but this illustrates a conceptual dimension that is important to understanding the world of a child worker. Although logic dictates they would have to take care of their own needs first, this logic does not necessarily construct the way a child views the world. Sero, from box one, did not keep any money for herself. While that money was likely used to support her in some ways, to her, it was a contribution to her family and not being able to work would have stopped that contribution.³⁴ That is a powerful motivation.

In 1997 (2 years after the data set used in Swaminathan's research) the state of Gujarat's average birth rate was approximately 3.5, compared to the national statistic of 4.³⁵ That would mean that a child that brings home 480 rupees (which, according to Swaminathan's research comprises roughly 25 per cent of family income) to contribute to the family of roughly 5 people does not make a meagre contribution to the family income. Indeed, the contribution is of vital importance because this shows that the only reason the family might not be below the poverty line is *because* of the

³⁴ Both Sero and Hanif reported that they did not see their contribution to family income independently, rather, as a contribution to the family collective.

³⁵ Adlakha, Arjun. "International Brief: Population Trends in India" US Department of Commerce: Economics and Statistics Administration, Bureau of Census accessed online at <<http://www.census.gov/ipc/prod/ib-9701.pdf>> November 12, 2006.

labouring son.³⁶ If the labouring daughter receives less than the average amount made by an Indian son, is this justification to call her contribution to her family's welfare meagre? Simply because there is a gendered wage differential does not mitigate the monetary importance of female contribution, rather it speaks to a broader problem of the gendered construction of wages. That a woman or girl has to work even longer hours to make the same income as a man or boy only increases the need for child labour within the desperately poor.

The law of diminishing returns identifies that as you have more of commodity X, one more increment of that commodity will not make you as well off as the one before it did.³⁷ In essence, a bagel to Bill Gates might be tasty but for the homeless teenager outside his office it is a delicious meal that dulls the pain in her stomach. This is, of course, an over simplification of a complex economic proposition, but it is a useful way to illustrate that a "meagre" contribution to a poorer family makes a bigger difference in the welfare of that family.³⁸ Far from seeming statistically insignificant, this seems to be a matter of life and death. To put the Indian poverty line in perspective, 352 rupees is about fifty rupees short of enough money to purchase Amartya Sen's new book in India. It can, however, buy 58 glasses of lemonade at a roadside stop or a beer at nice restaurant.³⁹

Case Study Two: Trade Sanctioning and Liberalisation in Vietnam

One trumpeted method for reducing the incidence of child labour is the use of trade sanctioning as a way of "punishing" countries or firms that allow children to work. This method betrays a very elementary understanding of trade sanctioning,

³⁶ 352 rupees X 5 people = 1760 rupees. Average family income is 1920 rupees which means without added child labour of 480 rupees a month, net family income = 1440 rupees per month.

³⁷ See any introductory economics textbook for a full analysis of the law of diminishing returns.

³⁸ For a more rigorous exploration of diminishing returns and utility theory, refer to the economic literature of Ricardo, Malthus, Jevons, Gossen, Menger and Walrus. These individuals have shaped the

particularly with respect to who is most affected when sanctions are in place.

Sanctioning is a preferred policy in many international organisations to provoke policy changes and there are instances, such as the Anti-Apartheid movement in South Africa, where they have helped bring change.⁴⁰ Sanctions worked in South Africa even though Northern Rhodesia (modern Zimbabwe) acted as a buffer zone for South African commodities. To view the collapse of apartheid as a triumph of economic sanctions however, is to ignore the wide-spread historic movement beginning in the 19th century, the complexity of organisations, the importance of the women's movement, and a myriad of other domestic and international pressures that played important parts in the successful dismantling of the Apartheid regime.

When partial sanctions are in place, or when they are not accompanied with appropriate policies to address the root causes of poverty, the most disadvantaged tend to be the ones who are worse off. The Oil for Food program in Iraq speaks to the fact that sanctioning in fact provoked greater hardship for the Iraqi poor than it ever did for the Hussein regime.

Saqib Jafarey and Sajal Lahiri identify that trade liberalisation and economic globalisation have in fact decreased the percentage of children who are working.

They identify, using statistics from the ILO, that

Over the last forty-five years or so, the participation rates among children aged 10-14 have come down from about 27% to 13%. The figure for Asia, where most of child labour originates, has come down even more steeply from 36% in 1950 to about 13% in 1995.⁴¹

Jafarey and Lahiri find that although empirical evidence suggests that trade sanctioning and barriers can in fact perpetuate and increase the incidence of child

way in which people think about economics and build a link between natural science and politics in their explorations of political economy during the 19th century.

³⁹ Based on personal experiences in Mumbai, 2006.

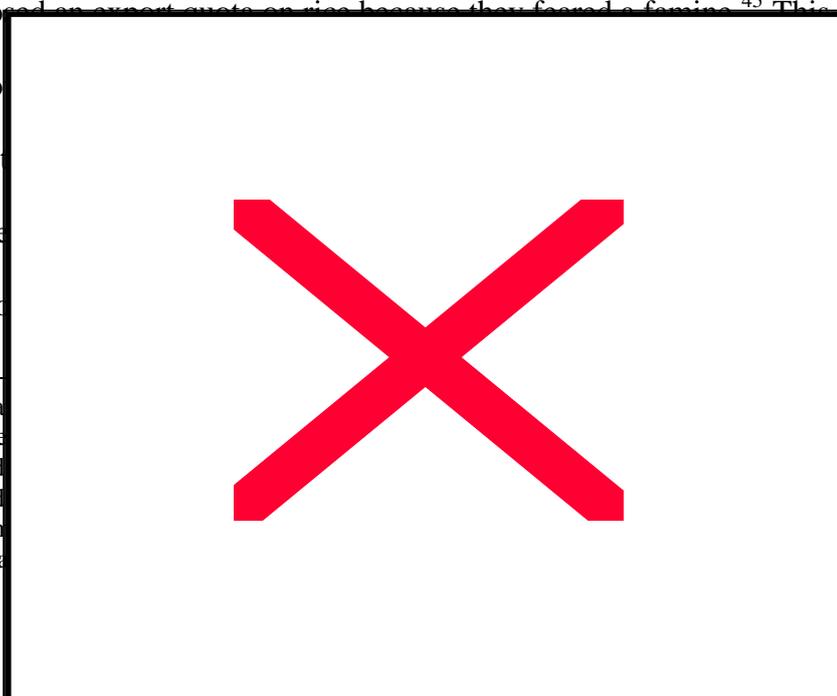
⁴⁰ Bhagwati, 242.

labour, many NGOs and states, notably the United States and Great Britain, continue to use and promote trade sanctioning and product boycotts as a way to “name and shame” stores that sell products made with the labour of children.⁴² In their final analysis, they conclude that when parents in developing countries have access to credit such that they can afford to borrow money to cover their needs and put their children in schools, they do so.⁴³ In this light, the “bad parent” thesis loses much ground as it becomes more clear that poverty, not ignorance, is the primary motivator for putting children to work. The implication of this is that economic conditions must also be favourable, such that credit can be attained and repaid. This links Jafarey and Lahiri’s work to that of Dessy in that **multilevel approaches are needed that empower, rather than criminalise, the working poor.**

Vietnam is a good case study because it is a poor Asian country with a large percentage of child workers. Besides this, 70 % of the working sector (1993 census) is involved in agriculture. Of all children aged 6-15, 26% of them work. Of this 26%, more than 97% of them work in agriculture.⁴⁴ Eric Edmonds and Nina Pavcnik conducted a study of the Vietnamese rice industry through a gradual period of trade liberalisation using cross-country survey data. In 1989, the Vietnamese government imposed an export quota on rice because they feared a famine.⁴⁵ This quota was

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reaches the people who need it.) It has the effect of driving up the price for rice in international markets if the country in question controls a large enough share of the international market. (the move from point 1 to point 3) If rice were a scarce product internationally, the theoretical selling price should be at the P3. In the case of rice, this is unlikely to drive up the price since it is not a substitute-free industry and Vietnam does not control the majority of the international rice market. What is important for Vietnam however, is that this voluntary trade barrier depresses the price Vietnamese farmers receive for their rice from point 1, to point 2. Without a substantial control over the international market, decreasing quantity supplied to the international market would not increase the price of rice. Instead, blocking access to international markets to Vietnamese farmers would likely decrease the price they receive for their product from price P1 to price P2. With trade liberalisation, the market returns to equilibrium and the wages of farmers increases. In their empirical study of the Vietnamese rice industry, Edmonds and Pavcnik have found that a 30% increase in the price of a kilogram of rice was associated with a 9 % decrease in child labour.⁴⁶ Furthermore, they found that as rural income increased (likely associated with the rising price of rice) households took their children out of the fields and put them in schools *even though* they could have increased their earnings because of the increased cost of rice. In Vietnam, this particularly benefited female children, as they simultaneously had the largest increases in school enrolment and decreases in child labour. This cripples the belief shared by some of the “civil” institutions of society that cultural reasons explain the persistence of child labour.⁴⁷

⁴⁵ Ibid., pp 1-2.

⁴⁶ Ibid.

⁴⁷ see “From Stitching to School” International Labour Organization accessed online at <http://www.ilo.org/public/english/standards/ipec/publ/download/2004_soccerball_en.pdf> and Kane, June. “Combating Child Labour in Asia and the Pacific: Progress and Challenges” International Labour Organization accessed online at <<http://www.ilo.org/public/english/standards/ipec/index.htm>> pp 4.

Section II: Rights Based Approaches to Ending Child Labour

Box 3: Hanif's Story⁴⁸

Hanif awoke with a start. Looking frantically around him, he realised that he had been dozing on the sofa with the late afternoon sun coming in through the apartment window. He had been dreaming of the time he spent as a child worker in Pakistan. His uncle had gathered him and his younger brother Karim after their father had passed away in an accident, and had told them that their youngest brother and mother had also been killed. They were taken from their home in Uganda and brought to Pakistan to work long days in manual labour. Rushing to put on his shoes, Hanif tripped over his schoolbag as he hurried out the door to the gas station where he worked 6pm-12am before heading to his second job that ran from 1 am until 7 or 8, depending on the workload. He normally had enough time to come home for a quick shower before heading off to school. Hanif and Karim worked and attended school while their mother, Noorbanu, worked multiple jobs to try to make ends meet. As it turns out, Noorbanu had come to Canada after claiming refugee status in the wake of Idi Amin's rise to terror in Uganda. In her broken English, she had pleaded her case with the Canadian government and explained what had happened to Hanif and Karim. After two years, the family was reunited. In Canada, Hanif and Karim worked as hard as their mother. They worked so that their family could be strong and prosperous so far from home, and because they had high hopes for their youngest brother, Alnoor.

Hanif, like Sero, tells a compelling story about the simple need to work in order to survive. The two stories of Hanif and Sero contrast with heinous tales of exploitation and slavery embodied in Ashraf. These stories motivate action in people who view the world in different ways because of their experience with the impact of different globalisations.⁴⁹ While the GMACL was able to help Ashraf, or the musically inclined Pradeep⁵⁰, and the many other children, these souls exist because of the NGOs. Their actions benefit children who are confronted with the most heinous of situations and their efforts are invaluable. Ashraf, Pradeep and the others represent the worst forms of child exploitation – I would not classify their stories as child labour at all. But for every Ashraf, there is a Sero. For every Pradeep, there is a Hanif. These children also deserve our respect and our help. When the rights based movement pushes for legislation like trade sanctioning mentioned in our discussion of Vietnam, or in the lobby to ban child labour in India, this does not help Sero. It

⁴⁸ Jiwa, Hanif. Interview conducted on his childhood as a Refugee in Canada (conducted on April 14, 2004. Surrey, British Columbia.)

⁴⁹ As this investigation continues, it is the hope of the author that it is becoming clear that Sero, Ashraf and Hanif are all children who were being “exploited,” but that they were in this position due to external forces that are not correctable with legislation that criminalises them or forces them out of the work force.

⁵⁰ whose village thought that his birth brought an evil spirit to curse them and took an axe to his head, leaving him to die in a gutter

cannot help Hanif. People like Kailash Satyarthi, whose devotion to the GMACL and the tens of thousands he has saved, are heroes. Their service to humanity is immeasurable, but even heroes are not infallible. A child beaten into submission by his slave driving owners, or left for dead by his village *is not the same* as a child like Hanif or Sero. There must be different approaches to dealing with these problems, and to group them all into the blanket term of “child labour” is to betray the nuances of case specific facts that require particular policy responses.

Case Study III: Education and the impact of International Civility

The modern rights based school finds much of its legitimacy in the UN and the ILO. Although international accords on child labour has extended back to the beginning of the 20th century, for the purpose of this work, we will begin with the 1989 UN Rights of the Child Convention (UNRCC). This and the ILO Convention 182 (1999) are the two most cited legal pieces of literature from which NGOs and activists root their moral authority.

Within these texts is evidence of viewing the problem from a world that does not include the needs or the conditions of the working children of the world. When organisations like the UN or the ILO essentially control a moral monopoly internationally, problems arise as their legislation tends to speak to the values and understandings of the world as their architects see it. Aarti and her grandmother did not have a hand in constructing ILO convention 182. Certainly it was not the intent of the ILO to exclude their interests. However, the targets and “rights” outlined in both the ILO and UN documents speak to the difference between the worlds of the civil and the incivil. Article 28.a of the UNRCC covers the right of the child to education. In this article, the UN asserts that primary education must be compulsory and free for

all.⁵¹ Making education compulsory and free implies many assumptions, but for our brief purposes, we will consider two:

- 1.) *States have the ability to fund free education, irrespective of other requirements imposed on them by neo-liberal "civil" institutions.*
- 2.) *There is an intrinsic and universally accepted norm that education is the ticket out of poverty and child labour. If only parents and communities would realise that education is important, they would prioritize it for their children.*

States are influenced in their policy decisions by more than domestic political concerns. The neo-liberal hegemony of the international economic order has historically made it very difficult for poor countries to receive loans or financial assistance without making key economic reforms. These reforms are often seen in Structural Adjustment Programs (SAP) that were popular through the 1980s which demanded states cut back on education, health and social programs. Drucilla Barker and Susan Feiner identify,

As public servicing was reduced, families had to provide the services for themselves or go without them altogether. Costs were shifted from the monetized to the non-monetized household sector. Policy makers assumed there was an unlimited supply of women's labour available to compensate for the reduction in public sector social services. Since the value of household labour is not officially counted, these costs were hidden.⁵²

SAPs placed the burden of social services on the household, particularly on women and policy makers in the World Bank (WB) were blind to see how this would play out on the poor. This was not malice or evil doing by the devoted development economists in the WB, rather another symptom of looking "down" to another world rather than across to a parallel one. Beyond just the SAPs, policy confusion comes from fundamental differences within the long run development goals of WB and the

⁵¹ Office of the High Commissioner for Human Rights, "Convention on the Rights of the Child, 1989" accessed online at < <http://www.unhchr.ch/html/menu3/b/k2crc.htm> >

⁵² Barker, Drucilla K. and Feiner, Susan F. Liberating Economics: Feminist Perspectives on Families, Work and Globalization (Ann Arbor, Michigan: University of Michigan Press, 2004) pp 107.

short run stabilization measures of the International Monetary Fund (IMF). While these two institutions have different mandates, they are comprised of “civil” people who impose contrasting ideas on developing countries. One must consider the disproportionate influence the west has in global financial and political institutions. North America and Western Europe evolved in a way that was fundamentally different from Asia. The relationship between Asia and the west for the past few hundred years has been as colonialists and the colonised, and this subordination has extended into global financial institutions. Race, culture, and wealth have thus become more important drivers for influence in global financial architecture than population, and one need not look further than the Seattle WTO conference of 1999 to see the exclusion of the global south. This exclusion is compounded however, by the fact that within the global south, there are considerable differences between the privileged and the disadvantaged. This makes representation a complex problem, as activists and economists alike have the potential and tendency to impose policy prescriptions on the poor that cannot represent the extremely marginalised. One side is not more right than the other, but communication rather than friction would likely result in a more honest and nuanced approach to fighting the conditions that give rise to child labour. Bhagwati, a leading champion of free trade and liberalisation, is among the most vicious in his attacks against anti-globalisation protestors, yet many of his policy objectives are similar to that of human rights activists.⁵³ This confusion may seem excusable, but the outcome on the developing country is often dire. Social programs like health care or education get sidelined in exchange for building a better investment climate. However one sits on this issue, it is difficult to deny that the conflicting advice builds confusion in the policy objectives of the developing world

⁵³ Bhagwati, Jagdish. In Defense of Globalization. (New York, N.Y.: Oxford University Press, 2004) pp 69-72

and this confusion plays out most detrimentally for the most disadvantaged in those communities.

With respects to implementing article 28 of the UNRCC, article 29 outlines that states party to the agreement ought to ensure that education follows values like respect for the environment and some noteworthy traits:

- c. The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.
- d. The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups, and persons of indigenous origin.⁵⁴

The second part of article 29 speaks to the fact that no part of article 28 or 29 can interfere with the

liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the state.⁵⁵

Box 4: Article 28 and Canada

The educational standards identified in the UNRCC have not been attained in Canada, a country widely considered to be among the best places to live in the world. It would be most difficult to imagine how article 28.c would be enforced in the disputed territory of Palestine/Israel or even for that matter, any Canadian city. Canada continues to prioritize Christian holidays and values. Within this author's upbringing as a student from the age of 5 – 18 in the Nova Scotian education system, there was hardly any recognition of national values of Canada's own indigenous peoples! What chance was there of exploring the national values of Trinidad, India, China, Korea, the Ukraine or any of the other rich cultures that make Canada the country it is today when nationalism has consistently been imagined in Canada to mean Irish/Scottish/English ancestry with a little French tossed in for flavour? Many indigenous youth in Happy Valley Goosebay, Labrador, who do not speak English are taught by imported teachers who cannot communicate with them.⁵⁶ Such is the extent of exclusion of the incivil even within the case of the "developed" world.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Sirotic, Rae. Constable for the Royal Canadian Mounted Police "Conversation regarding first nations people in Labrador." Conducted on January 13, 2004 from Halifax, Nova Scotia.

With respects to article 28.d, the values of sexual equality may very well seem to be virtuous to the consumer in the non-Islamic world, but could easily be seen as cultural imperialism elsewhere. Pakistan, for example, is still in the process changing its laws such that a woman who has been raped has the right to use circumstantial and forensic evidence to argue her case in court. The law as it stood late in 2006 still required a woman to provide 4 Muslim males who could testify that they in fact witnessed the rape in order for the woman to not be stoned or flogged to death for pre-marital or extra-marital sex. This bill also removes death by stoning for the crime of adultery and as it is being heard by the Pakistani senate, it is being decried by opposition leaders within the parliament as “an attempt to create a free-sex zone in our country.”⁵⁷

The overwhelming significance of education at the UN High Commission for Human Rights (UNHCHR) is echoed by the ILO, by the World Bank, by United Nations Development Program (UNDP) and the GMACL. The arguments of these international bodies vary to some degree, but at the core they are united in the belief that education will bring about an end to child labour and poverty. The GMACL and their 2000 affiliated partners⁵⁸ are explicitly clear about this in their “Global Campaign For Education” campaign. They assert that

the fundamental right to education is denied to millions, despite the fact that having a fully educated society will end economic exploitation of children and break the cycle of poverty.⁵⁹

⁵⁷ CBC online staff. “Pakistan moves to amend controversial rape laws.” [CBC.ca](http://www.cbc.ca) accessed online on November 15, 2006 at < <http://www.cbc.ca/world/story/2006/11/15/pakistan-rape.html> >

⁵⁸ Satyarthi, Kailish. “Presentation to the International Conference on Children, torture and other forms of violence” [Global March International Secretariat](http://www.globalmarch.org) November 21, 2002. Accessed online at <<http://www.globalmarch.org/cpcolumn/presentation.php>>

⁵⁹ “Education Campaign” [Global March Against Child Labour](http://www.globalmarch.org) accessed online at < <http://www.globalmarch.org/campaigns/educationcampaign/index.php> >

Education may be part of one's ability to escape poverty, but despite wide-sweeping international efforts towards education campaigns in impoverished countries, many have failed to escape the vicious cycle. William Easterly maintains that education, although it grieves us to admit this, is a tested and failed panacea for growth and the poverty and child labour reduction that comes with it.⁶⁰ Easterly argues that the world has become much more literate over the past four decades, yet the problems associated with poverty and child labour persist. He cites the fact that Nepal had primary school enrolment of only 10% of the population in 1960 and had increased that figure to 80% by 1990. While the median rate of secondary school enrolment in 1960 was only 13%, that percentage "exploded" in thirty years with the median increasing to 45%.⁶¹ Despite these "education miracles" as Easterly calls them, growth and prosperity has not always followed. Easterly provocatively investigates this phenomena in a chapter entitled, "Educated for What?" The point, according to Easterly, is that in order for education to translate into jobs, the type of work in the area must *require* education. This is difficult for many to follow, particularly within academic circles where most people reading this essay have likely attained 14 – 25 years of education. It is easy to confuse the educational desires of the educated with the tangible benefits it can and cannot offer to the poor. Education without the supply of jobs that demand an educated workforce will be in vain. Instead of an illiterate workforce, you will have a literate workforce that will likely be more discontent because they feel as though education ought to have brought growth and opportunities to them. This is a particularly important consideration because this conundrum could be viewed as a chicken and egg scenario. To attract jobs, one requires an educated workforce. But to invest heavily in education, there ought to be a promise of job

⁶⁰ Easterly, 72.

⁶¹ Easterly, 73.

supply that warrants education. While education has worked well in some cases, notably South Korea in the post World War II era, it has also *not* worked in many cases internationally.⁶²

This does not mean education is not important, it means that there are confounding variables that influence the utility of education and identifying this fact as the route to escape poverty may in fact be self congratulatory rather than effective. With limited funds being allocated for poverty reduction and child labour prevention, prioritising a failed panacea may not be the most efficient project. Most success stories involving education, stories such as Ashraf or Pradeep are successful because they exist in the womb of the NGOs that nurture them.⁶³ This is in no way meant to discredit the goal of incredible NGOs like the GMACL and their affiliates, but this is to draw close attention to the fact that they are representing a policy ambition that is in conflict with the policy initiatives of neoliberalism. The economists are not all in agreement on the need for GDP per capita growth as our earlier discussion displayed, however it does not change the fact that there are two divergent and strong influences pulling on either side of the debate on methods of eliminating child labour. The implications of this tension will be addressed in the final section of this article.

The UNRCC in general does a great service for children because it addresses the fact that children require certain rights and protection. It is from this first basis that we might begin to question the existence of children as something more than the private property of their parents. Alastair Nicholson makes the point that the UNRCC actually sets the precedent for signatory states to develop a Bill of Rights for children

⁶² Sen, Amartya. Identity and Violence: The Illusion of Destiny (London, U.K.: Penguin Group, 2006) 106-109.

⁶³ Satyarthi

that would enshrine their rights constitutionally and perhaps internationally.⁶⁴

Children, Nicholson maintains, represent a vote-less part of society whose rights are most likely to be trampled. Nicholson's article reveals the tip of the iceberg with respects to children's rights because it identifies the fact that they are the most vulnerable. His paper focuses on the need for a Bill of Rights for children in Australia, using countries like the United Kingdom, the United States and Canada as case examples. While he is right to suggest that children are excluded, he underestimates the difficulty associated with constructing rights for a child without infringing on the very liberty that he seeks to protect. Our discussion of UN sponsored "rights" reflects the fact that the civility guides the perception of what a child's rights ought to be, and further, what liberties ought and ought not to be extended to children. A Bill of Rights, however conceived, would likely be modelled in a similar fashion to the prevailing neo-liberal discourse that regards individuals and their rights. Treating a child in isolation from the rest of her family leads to prescriptive litigation, such as the right *to not be allowed to work* which is another way of reading the right/obligation to attend school. In this way, the altruistic endeavours of civility can be seen to miss the dire condition of working children and it is unclear that downloading responsibility to national governments will make the situation for children much better as the governing classes tend to be members of civil society, not of the poor. One noteworthy exception to this situation may be Eva Morales's Bolivia. Morales actually *is* representative of incivil society and what he is capable of doing with Bolivia could serve as a model for incivil engagement with civil society institutions.

Case Study Four: Rhetoric and the Tectonics of Other Worlds

⁶⁴ Nicholson, Alastair. "The United Nations Convention on the Rights of the Child and the Need for its Incorporation into a Bill of Rights" Family Court Review (Vol. 44, Iss.1: January, 2006. pp 5-31) pp

Rhetoric has been a powerful ally of the rights based school. The story of Ashraf for example, is heinous and evil. It has been used by the GMACL as a launch pad from which the “Worst Forms of Child Labour” has been redefined to cover nearly all forms of work for children in India. This is being trumpeted as a great victory, but it victimises children like Sero and Hanif as there has been little plans on what to do with the masses of criminalised young workers besides “urging” them to attend schools.⁶⁵ As seen earlier in this paper, schools require infrastructure, like school buses, parents’ incomes need to be adjusted so that their families do not starve.

These types of policy initiatives ought to come before such bold moves as bans on child labour. The push for the “Ban” on child labour in India for example is not in fact a ban. It is a redefining of the terms “Worst Forms of Child Labour” that is in congruence with the ILO Convention 182. Article 3 of the ILO Convention 182 provides a definition. Section a, b, and c are not clauses that can, or ought to be challenged. They outline things like slavery, child prostitution, sexual exploitation and the production and sale of drugs.⁶⁶ Section d however, in conjunction with article 4 become most problematic for children like Hanif and Sero. Section 3.d. states:

(preamble reads: for the purposes of this Convention, the term *the worst forms of child labour* comprises:) (d) work which, by its nature of the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.⁶⁷

This clause is deeply troubling. At first glance, there appears to be nothing wrong with it. Rhetorically, it is sound. Politically, it has the possibility to be destructive and constructive depending on how you view the incidence of child labour.

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⁶⁵ The Canadian Press, “India’s young workers worried by new law banning child labour” [CBC.ca](http://www.cbc.ca/cp/world/061010/w101090.html) accessed on October 10, 2006 at <<http://www.cbc.ca/cp/world/061010/w101090.html>>

⁶⁶ Although debate over the industry of drug production may be more complex in Latin America where the production of the cocoa leaf can be mistaken as supporting the production of cocaine. The leaf is an important cultural and indigenous staple throughout the Andean region

Embedding “morals” asks the question, who defines the morals of a child? Is it their parents? The state? An NGO? Morality, as discussed earlier in this work, is the province of NGOs. The processes of organised interest quicken the process of co-option of defining morals by interested NGOs who have constructed their arguments with morality at its core. The pressure being exerted on states like India does not come from domestic organised interest alone; international organizations like the UN and the ILO play a role in exerting pressure from “above” in conjunction with the pressure from “within” from organizations like the **GMACL**. The road for domestic and international NGOs to influence the definition of morality and plant their own vision of what children ought and ought not to do is paved in article 4 of the ILO convention 182:

1. The types of work referred to under Article 3 (d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 2 and 4 of the Worst Forms of Child Labour Recommendation, 1999.⁶⁸

This essentially gives the authority to define what constitutes the “worst” forms of child labour to national governments. In this way, India and other countries that have an abundance of working children have avoided the real moral question of what is to be done with children who are displaced by law because they have not banned child labour, rather only re-defined the dimensions of the worst forms of it. NGOs have an enormous hand to play in shaping public opinion and lending moral legitimacy to governments in doing this, and because of the specific policy goals of organised interest, the collateral damage is “swept under the rug” of public attention. This rug works to smother the liberty of children who are not exploited in the same way as

⁶⁷ “Text of Convention 182.” [International Labour Organization](http://www.ilo.org/public/english/standards/ipecc/ratification/convention/text.htm) accessed at <<http://www.ilo.org/public/english/standards/ipecc/ratification/convention/text.htm>>

⁶⁸ Ibid.

Ashraf. What of the working children, who live at home, have kind and loving families and who's only crime in this world was being born poor? What of Sero's younger sister, or Hanif and Karim's younger brother? How does not including these children into the calculus of international politics inhibit their right and liberty to ensure that their family succeeds? That they survive? The emphasis on children alone and not their families presupposes the fact that a child will be willing to be "helped" and essentially leave their family if given an opportunity. Sero was not asked by her mother to go to work. She saw how her ailing mother was struggling, the constant abuse she endured for leaving her alcoholic husband who would beat her and her children regularly while drinking away their chance for an education - or even a meal. Sero worked out of love for her family.⁶⁹ Hanif worked out of love for his family. Their motives are left out of the discourse and co-opted by national statistics that lend credibility to the rights-based movement. As the Canadian Broadcasting Corporation (CBC) illustrates, they are not the ones excited about the prospect of "liberation."

At one roadside tea shop, the Harish Dhaba, talk among the child workers focused on the hardships of the new ban. "As long as I can remember, I've worked in a restaurant, washing dishes, cutting vegetables, throwing out the garbage," said Rama Chandran, a frail-looking 13-year-old as he cleared dishes from grimy wooden tables in the tiny, smoke-filled eatery. He has been working in New Delhi for nearly four years and said the money he sends home to his widowed mother and three younger siblings in southern India is crucial to their survival." If I didn't send money home, they would starve," Chandran said.⁷⁰

This article is one of few that actually ask working children what they think of the ban on child labour. The Indian case is seen by many as a great moral victory, despite the

⁶⁹ Parasram, Sero. Interview conducted on her personal experience as a child labourer (Ottawa, Ontario: October 14, 2006.)

⁷⁰ The Canadian Press, "India's young workers worried by new law banning child labour" CBC.ca accessed on October 10, 2006 at <<http://www.cbc.ca/cp/world/061010/w101090.html>>

fact that in many cases working children are the sole breadwinners in families.⁷¹ This should not come as a substantial shock if one considers the fact that healthcare, social expenditure and labour requirements are the first of many cuts governments go through in the “liberalising” processes. It is ironic that the liberalising process, like the NIP in India that displaces people in the short run is also in part responsible for things like the ban on child labour. Pressure from the “civil” has forced cuts to the welfare states, and more pressure from different parts “civility” has criticised what the displaced “others” are forced to do in order to survive. Economics creates winners and losers and the purpose of government is to lessen the impact on losers. While child labour is not unique to the developing world, it is most rampant in South and Southeast Asia. It seems difficult to fathom the fact that on the one hand, these countries are asked to cut their social security net, and on the other hand, punish the people who are hurt in the process. The moral victory of India will likely help Ashraf, but it offers no support for Rama and his family because it does not address the instance of poverty. This is a co-ordination failure that illustrates the rupture between rights based schools of thought and economic based schools of thought; the gap between the civil and the incivil propagates the effects.

The nature of this discourse and the manner in which its terms and implementation are handled internationally and then domestically does not allow for a dialogue with the people who are hit most severely. The GMACL and its 2000 partners are well organised, established and control a great deal of moral and public authority. But as chairperson Kailash Satyarthi identifies in a speech representing the SACC to the UN General Assembly's special session on Children, his children and

⁷¹ Ibid.

the children of the General Assembly are not the ones who are affected by this sort of problem and legislation.⁷²

The story of Abdullah, from the International Cocoa Initiative (ICI) illustrates the power and the bias of rhetoric. Abdullah went to work for a cocoa farmer from his village because his parents could not afford to provide for him. They sent him there so he could earn money to continue his schooling and have his meals provided. The ICI describe his situation as one of “abandonment” by his parents and identity that children who have to work to survive should do so as long as it does not interfere with their schooling.⁷³ The powerful language and the preference for schooling above survival are an indication of a neo-civilising movement from the civil towards the incivil; a pressure coming from the globalisation of morality. The language has changed, but the relationship has not. Creating villains out of Abdullah's parents, Hanif's mother, Sero's mother, Rama's family, does little more than close space and block any opportunity for an open discourse where policy alternatives may cross worlds and provoke a better life for the working poor. I sincerely doubt that Abdullah or Ashraf harbour ill feelings towards their parents for them going to work. In the case of Sero and Hanif, their labour meant the success or collapse of their families. The economist school is guilty of rhetoric as well, however it is not as compelling as the rhetoric of the rights based school. Many of them have their own dogmas, that of free trade, stylised facts and an unwillingness to engage the morality of their work. The rights based school however, seems to have the moral upper hand. People listen to them more readily than the economists, and unfortunately, they rarely listen to each other.

⁷² Satyarthi, Kailish. “Statement on Behalf of the South Asian Coalition Against Child Servitude” United Nations General Assembly, Special Session on Children (New York, N.Y.: May 10, 2002) accessed online at < <http://www.un.org/ga/children/southasianE.htm>>

Amidst all this, one is forced to ask who is listening to the children? Not just listening to Ashraf's story or Sero's story, but constructing space for their voices to be heard and their interests protected. Kailash Satyarthi and those like him are heroes, but Hanif and Sero are heroes as well. Their heroic sacrifices have paved the way for generations of success to follow and those like *them* deserve not to be *abandoned* by civil society. With neoliberalising pressure coming from one side, calls for trade sanctioning, legislative changes, civil imposition of rights from one world to another, children are the casualties. These clashing movements are like the tectonic plates beneath us and the lack of coordination between those who would fight for a resolution to the child labour problem are widening the fault-line in which the incivil children will fall.

A final example of the power of rhetoric can be found in the ILO report on child labour in the pacific region. The language and values identified are portrayed as universal, but it is abundantly clear that the author(s) are understanding child labour in a very stylised and civil manner.

It (child labour) also arises when children's rights to childhood are neglected or denied to them, including their right to learn, play...a child is sent into work prematurely when because the value of education is not recognized by families and communities...Putting a child to work is also sometimes the result when unscrupulous people – employers or even people with a child's family or social circle of acquaintances – seek to make a profit by exploiting children...⁷⁴

This language presupposes the fact that *if only* parents and communities could understand the obvious utility of education and how backwards it is to make children work, they would simply pull up their sleeves and work a little harder to send their children to school. Rights, in this framework, are clearly the rights of affluent

⁷³ "Stories from the Field" [International Cocoa Initiative](http://www.cocoainitiative.org/pages/default.asp?idm1=62&idm2=71&pageid=71) accessed online at
<<http://www.cocoainitiative.org/pages/default.asp?idm1=62&idm2=71&pageid=71>>

northern architects of the “civil” members of society. These civil people can come from the North or the South.

Re-Imagining the North-South-East-West Nexus: Conclusions, Further Research and the Utility of Other Worlds, Other Globalisation

Child labour is a problem. Economists, activists, NGOs and international bodies have all addressed the fact that it is a problem and although each have claimed some degree of victory in addressing the problem, the fact remains that children are still labouring. True, they are labouring in proportions smaller than what they once did, but the absolute number of children working is still nearly a quarter billion.⁷⁵

The economists may argue that this problem is associated with countries not creating the macroeconomic opportunities for GDP per capita growth to take place. NGOs and international organisations may argue that the requirements of the neo-liberal model for growth creates the opportunity for labour exploitation and asymmetric growth opportunities, further disadvantaging the poor. Activists may argue that despite either of these debates, action is needed now to save children today. They are all correct. All interested parties have some excellent ideas, and some not so excellent ideas about the way in which to remedy this problem.

Prioritising economic growth is of critical importance. Development economist William Easterly passionately identifies the moral necessity of this at the onset of his book, The Elusive Quest For Growth.

As I pursue my career as a self-anointed expert on poor countries, the differences in the lives of the poor and the rich supply motivation. We experts don't care about the rising gross domestic product for its own sake. We care because it better the lot of the poor and reduces the proportion of people who

⁷⁴ Kane, June. “Combating Child Labour in Asia and the Pacific: Progress and Challenges” International Labour Organization accessed online at <http://www.ilo.org/public/english/standards/ipec/index.htm>.

⁷⁵ Director General, ILO. “The End of Child Labour Within Reach: International Labour Conference 95th session, Report 1B” International Labour Organization (Geneva, Switzerland: 2006) accessed online at http://www.ilo.org/public/english/standards/ipec/about/globalreport/2006/download/2006_globalreport_en.pdf, pp 6.

are poor. We care because richer people can eat more and buy more medicines for their babies. In this part, I review the evidence on growth and relief from poverty.⁷⁶

Easterly stands out within the economics school precisely because he seeks to simplify economic language and engage the morality of economic prescriptions. At the same time, the evil types of labour children do must be stopped, *today*. As the ILO identified in ILO Convention 182, prostitution and labour involving the risk of death must be stopped. The GMACL, ICC and others identify that in some parts of the world, children are treated as disposable commodities and this is not right. Ashraf and Pradeep must not be left to their fate and this is precisely why the rights based movement is absolutely critical to stopping the great evils of the world.

In final analysis, it seems that these two schools of thought are addressing very different types of child labour. While the ILO has lumped them together in Convention 182, this forced amalgamation demonstrates the problem of legislation coming from the “civil” for the “incivil.” As identified above, ILO Convention 182 identifies that hazardous work ought to be banned for children, and what constitutes hazardous work is left open to definition by states or “competent authorities.” This provides an excellent avenue for interest groups to lay claim to these definitions and exert tremendous pressure on governments, as has been the case in at least India. It is not surprising that organisations like the GMACL has taken such a strong stance towards abolishing child labour, given the types of labour they encounter in their work. One might only read a speech given by chairperson Kailash Satyarthi to see the passion erupting from his words. This work is important, but it has the ability to overshadow its utility and damage the survival of children and their families. It is difficult, but necessary, to measure activism and organised interest affect the

⁷⁶ Easterly, William. *The Elusive Quest For Growth: Economists' Adventures and Misadventures in*

development of public policy. The Indian legislation recently passed in October, 2006, redefines the nature of “hazardous work” and offers draconian punishments for employers who continue to allow children to serve tea, cut vegetables and work as domestic servants – to name a few. How does this criminalisation help the plight of working children? It will not put food in their bellies, nor will it buy medicines for their families – the social programs enjoyed in the “civilised” world are not universal. It is repugnant to us, the civil, to conceive of our children, like the master of the Ping-Pong ball in Ottawa, bearing this level of responsibility. Our children, teenagers and young adults do not carry such burdens but simply believing that it *ought not to be* does nothing. On the contrary, it is more harmful.

Children work because they must. In so doing, they have characterised the way we think about the production and consumption of goods internationally. Past conceptions of thinking about the world as developing vs. developed; core vs. periphery; first vs. third are not useful in examining child labour because globalisation is not something that *happened* to poor people. Civility vs. incivility is a more useful nexus as it shows how elements of civility permeate the entire globe, and within civility, the incivil remain – frayed and excluded. It is too easy to believe that the economists and the activists of the world must be at odds with each other. There must be open space for each school to hear the valuable contributions of the other and to respond to them constructively. All the while, it is imperative that we fundamentally change the way we see the world and realise that there are in fact many worlds residing within the globe. Aarti's world is nothing like mine, but for a brief quarter of an hour our world's intersected and she opened a window for me to peer through. I am still learning how to understand what this child taught me. There is a tendency for

us in civil society to peer through such windows and never truly see. Many of us would look through the window and see justification for our preconceived conclusions as to what the problems of the world are. My first thought was GDP per capita growth. Someone else would have thought of schooling, or housing. The fact remains, however, that Aarti is of a world that I cannot understand because of my particular experience as an East Indian North American from Trinidad. If I try to force onto her what I believe are “opportunities” for her and her family, I am no different from the well intentioned missionaries of old who ravaged the world in pursuit of civilisation – preaching the gospel of education and macro economy.

Possible avenues for co-ordination could be in constructing incentive based public policy. NGOs could play a large role here in providing on site and take home schooling within the work environment, while economists and academics put pressure on governments to create legislation that would require this sort of activity. Evidence does not suggest that multinational firms are the primary users of child labour, so domestic legislation may be the best way to mediate the debate. Perhaps NGOs, supported by governments could attempt to fill the wage gap on a short-term basis in co-ordination with domestic governments so as to reduce the need for child labour while promoting education. Pressuring firms to adopt voluntary measures to allow children caught in the cycle of poverty to lead better lives could be advanced by way of governmental tax or grant incentives.

More research is needed into the field of civility vs. incivility if we are to understand the relationships between people of the worlds within our globe. Huntington spoke of a clash of civilisations, but his vision was essentially of religions. Civility and incivility have been clashing throughout human history both within and outside of the civilised world. This paper begs the question, how does

policy recommendations from economists, from activists, from NGOs and international organisations make life better or worse for working children around the world? How much of our policy design comes from our inherent belief that children have key rights (determined by civil society in the UN) that must be protected at all costs vs. an understanding of the challenges facing children today. I am unconvinced that past research engages the children of the working poor. In all the research conducted for this paper, only the CBC actually interviewed children. Swaminathan drew on data collected through surveying children, however their opinions were not solicited, only their age and their area of labour. Satyarthi had many stories about children, but his were constructed to project his own vision, shared by most, that children ought to go to school and be protected from the brutalities of the world.⁷⁷

Those interested in bringing children out of labour must address issues pertaining to the utilisation of children's time in relation to their families and fight the urge to simply categorise poverty as a symptom of economic globalisation. In many ways, economic globalisation has alleviated poverty. In many ways, it has increased the gap between the rich and the poor. Globalisation (s) run parallel to one another. Parallel to economic globalisation, one can see how the incivil is exerting influence on the way the civil society understands their relative affluence. While we resist sweatshops, child workers and exploitative export processing zones in principle within civil society, without these things our lives would be fundamentally different and when push comes to shove, most people do not boycott and many complain when prices rise. Indeed, the exploited others from other worlds within this globe have interwoven their exploitation into our own world and now it is unclear whether legislating rights into their worlds will make their lives better or worse. We cannot

⁷⁷ I have told Sero's and Hanif's story – both of which also tell a compelling story. The point of this was to illustrate that the framing of a story has powerful rhetorical importance.

allow our dogmas of how to lead a better life deny them a chance to live as best they can.

Further research ought to prioritise the effect of restructuring economies and its implications for the incivil, the ability of multinational corporations to willingly or unwillingly affect public policy choices due to the significance of foreign direct investment, the gender dimensions of child labour and plans to eradicate child labour as well as the co-option of human rights by international organisations to define norms and practices which ought to be universal without representation or consideration of its immediate effect on the incivil of the world. There is no linear process, rather a nexus of criss-crossing, intersecting worlds within the globe. The cleavages of these worlds form when the powerful do not hear one another and forget to think about the incivil *in the terms of* the incivil. This does not mean that legislation cannot help the process, only that legislation that does not represent the interests of the excluded members of society will not likely help them to lead a better life. I do not presume to know the solution to child labour, but I feel confident that the process of poverty alleviation complimented with the activism of NGOs like the GMACL and an international regime on child workers that would address their problems in their own terms in an open, discursive space is the best chance for an equitable and free future. As we continue our efforts to save and “civilise” the world, it is imperative to remember that the incivil have as much to offer the civil as the other way around.

While we may study globalisation as an economic phenomena that has created different conditions around the world, failure to include children as participants that exercise agency, who have values and wants, who view the world in another way from us, undermines the fact that they have fundamentally shaped the way we think about international production. Globalisation is not a *thing* that has happened to

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aparasra@connect.carleton.ca

children in India, Ghana, Vietnam or Canada. Children and the exploited workers of the world have in fact shaped the processes of globalisation(s) and we are only now awakening to the idea that the fabric of our very existence is deeply interwoven with *the other* that has been, continues to be, and will forever remain present at the fringes of our own imaginations of the world.

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