

# **Toward Balanced Child Labor: Away from the Polarizations of Slavery and Slothfulness in Latin America**

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## **Executive Summary**

*It is estimated that Latin America has 40% of the world's street children while it represents only 8% of the world's population. Latin America has stringent child labor laws, discouraging legal employment to extremes that contribute to high levels of idleness and poverty among youth. This article argues that, fueled by sensational media in developed nations, policies and praxis toward street children and child labor discourage appropriate forms of work among idle youth, preventing them from gaining a valuable work ethic and limiting opportunities for improving human capital. This perpetuates a polarization between worst forms of child labor (WFCL) and slothfulness that leads to increase in crime in the region. Embracing a moderation of labor combined with education is the solution.*

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## **Introduction**

*“All work and no play makes Jack a dull boy,  
All play and no work makes Jack a mere toy.”<sup>1</sup>*

—Maria Edgeworth

In 1989, the United Nations Children's Fund (UNICEF) estimated 100 million children were growing up on urban streets around the world. Fourteen years later UNICEF reported: “The latest estimates put the numbers of these children as high as 100 million.”<sup>2</sup> And even more recently: “The exact number of street children is impossible to quantify, but the figure almost certainly runs into tens of millions across the world. It is likely that the numbers are increasing.”<sup>3</sup> The 100 million figure is still commonly cited, but has no basis in fact.<sup>4</sup> Similarly, it is debatable whether numbers of street children are growing globally or whether it is the awareness of street children within societies that has grown. While there are understandable pressures for policies to be informed by aggregate numbers, estimates

of street child populations are often hotly disputed and can distract rather than inform policy makers.<sup>5</sup> Whatever the number, it is accepted to be in the millions, and it is estimated as well that 40% of them live in Latin America, while Latin America has only 8% percent of the world population.<sup>6</sup>

Street children are called *gamines* (urchins) in Colombia, *pajaros fruteros* (fruit birds) in Peru, *polillas* (moths) in Bolivia, *resistoleros* (little rebels) in Honduras and *disposables* in Brazil.<sup>7</sup> Some of them work in the streets selling cigarettes, wash windows, shine shoes, or prostitute themselves to eke out a living.<sup>8</sup> They are victims of hunger, exposure, violence,<sup>9</sup> kidnapping, illegal adoptions, rape,<sup>10</sup> and pornography. They are trafficked and sold for slave labor,<sup>11</sup> for sexual exploitation,<sup>12</sup> and for participation in armed conflicts.<sup>13</sup> Uneducated and restless young men are ripe for recruitment for gang crime and terrorist activities.<sup>14</sup> A significant corpus of research is available on the study of street children in Latin America, including demographics, causality, and their struggles.<sup>15</sup> Inter-governmental agencies such as UNICEF and others spend considerable resources and effort to tackle the problem systemically through advocacy, laws, and education.<sup>16</sup> Latin American countries themselves are developing nations or emerging economies and governmental social service agencies have minimal budgets spread too thin to make a dent. Thus, while countries grapple to take preventative measures, millions roam uncared for on the streets, and there is a dearth of research recommending best practices and interventions.<sup>17</sup>

Conversely, while millions of the world's youth waste countless hours in the streets, millions of other children worldwide are exploited in labor, including the worst forms of child labor (WFCL), namely, prostitution, bonded servitude, trafficking of drugs, and hazardous work.<sup>18</sup> According to new estimates from the International Labor Organization (ILO) published in 2006, there were 218 million child laborers aged 5-17 years in 2004. The number in hazardous work, which accounts for the bulk of the WFCL was 126 million in 2004. Latin America and the Caribbean accounts for approximately 5.7 million child laborers, or just 2.6% of the total. For the first time, however, the ILO was also able to note a positive trend with 20 million fewer working children in the 5-14 year core age group from 2000 to 2004. Overall, Latin America and the Caribbean saw the greatest decline in

children's work, but with the highest per capita numbers of street children.<sup>19</sup>

Thus, we have a dual global agenda of combating the disparate ills of slothfulness on the one extreme and near slavery on the other among the world's youth. With the former, the children lack a valuable work ethic along with hope and purpose to their lives, whereas in the latter case they lack the freedom to self-actualize hope for a better life. If a balance could be achieved between the two extremes, productivity would increase and juvenile street crime would drop.

### **Defending "Sweatshops"**

The media's "knee jerk" reactive approach to developing nations' labor is designed to make headlines and get children completely out of the labor force, but it lacks responsible reporting within cultural and economic contexts.<sup>20</sup> Public information and perception often fail to make the distinction between the WFCL, moderate labor, and traditional labor in family farms and trades.

Following international outcry in the 1990s over child labor in supply chains (such as Pakistani carpet production<sup>21</sup> or Kathy Lee Gifford's Honduran sweatshop), this issue is now seen as one of the biggest risks to a company's reputation, and elimination of child labor has become part of corporate social responsibility.<sup>22</sup> While some companies are proactive in their policies toward child labor,<sup>23</sup> the fear of bad press or boycotts have many withdrawing agreements, even those with appropriate work/study options.<sup>24</sup> Ultimately, however, boycotting products produced with child labor have been found to be counter-productive, since those most likely to suffer are the impoverished workers themselves.<sup>25</sup> Even as young factory or agricultural workers are exploited (by our standards), these experiences need to be, as Fiona Wilson put it, "reviewed in the light of the specific historical conditions. What was life like before [they worked]?"<sup>26</sup> Unless there are better alternatives available, "pulling out" is the least responsible course MNEs can take, because it subjects the children to greater poverty and the WFCL.

Not only are sweatshops better than current worker alternatives, they are also part of the process of development that ultimately raises living standards. It is argued that developing nations must go through the same evolution as developed nations have in

terms of industrialization and factories, including sweatshops.<sup>27</sup> The developed world has little memory from its own history, for, as Jeffrey Sachs put it, “sweatshops are the first rung on the ladder out of extreme poverty.”<sup>28</sup>

### **Shifting Too Far Away from Labor**

In addition to MNEs’ trepid reactions, some government agencies in developing nations are unrealistic in their agenda because they fear, in part, they won’t be perceived as doing enough by UNICEF, ILO, USA, international NGOs, or the media in the developed world that influences loans and other aid to their nations.<sup>29</sup> Brazil recently upped the minimum working age to 16, higher than many developed nations, yet Brazil has nearly eight million street children.<sup>30</sup> While Latin American countries permit part-time work for youth, bureaucracies make it difficult and costly to implement, especially for smaller organizations that lack the resources to endure local bureaucratic hurdles.<sup>31</sup> Extra-legal employment, then, becomes an alternative and exposes children to the WFCL. For example, in Peru, the law states that written permission must be obtained from local ministers after a formal and lengthy process.<sup>32</sup> Further, since Latin American countries lack adequate resources to enforce child labor policies, those seeking to comply are often hindered, while extra-legal child employment abuse runs rampant. In a recent visit to Quito, Ecuador, the author met resistance from Ecuadorian officials when he suggested that orphaned children in his NGO’s orphanages could work part-time to help sustain themselves, thereby relieving part of the burden of their support to allow the NGO to help more children. One Ecuadorian director insisted that the children do no work at all.<sup>33</sup> What is going on? Is it no longer tolerable in these nations to speak of moderate child labor? Mimi Jakobsen, General Secretary of Save The Children Denmark, has been a voice in seeking a balance within these realities in the developing world. A more proactive and realistic approach, she argues, is an emphasis on improving children’s lives with integrated measures. “A green light should be given if the work is combined with education,” she contends.<sup>34</sup>

Children have worked in the fields for millennia with their parents to increase the family’s security and prosperity. Today, of all child labor reported by the ILO, 69% is in agriculture, and most with their families. In a 2001 study in all general regions of Brazil,

83% of children 5-9 years of age work up to 20 hours per week and almost half of 15-17 year olds worked more than 40 hours per week. The study found, "75.9% of those 5 - 9 years, 56.0% of those 10-14 years, and 32.9% of those 15-17 years old" worked in agriculture.<sup>35</sup> Even in the United States, a recent survey on work injury among minors showed that youth on dairy farms work an average of 10.9 hours per week with "nearly half of the 9- to 11-year-olds driving tractors."<sup>36</sup>

Evidence also suggests that work ethic and cultural identity also play a part in the value of working as a family. For, despite providing higher wealth among working families, a study in Indonesia found that increased income for families did not reduce the time children spent working in the field, noting, "a striking finding is that no group of children exhibits a significant change in the incidence of child labor. The share of children attending school remains mostly unchanged as well."<sup>37</sup>

## **Conclusion**

It is not in dispute that developing nations need to increase the literacy and education of their children and to improve their general human capital, but this need not be at the expense of a traditional work ethic based in family values<sup>38</sup> and security.<sup>39</sup> No where is this more applicable than with street children who lack traditional family structure to any degree. Programs for street children that inculcate a work ethic along with forming appropriate and loving attachments with caring adults help insure these children will grow to be healthy and productive citizens.<sup>40</sup> The ILO has begun to acknowledge this. "Not all work that children undertake in agriculture is bad for them or would qualify as work to be eliminated under the ILO Minimum Age Convention, 1973 (No. 138), or the WFCL Convention, 1999 (No.182). Age-appropriate tasks that are of lower risk and do not interfere with a child's schooling and right to leisure time are not at issue here. Indeed, many types of work experience for children can be positive, providing them with practical and social skills for work as adults. Improved self-confidence, self-esteem and work skills are attributes often detected in young people engaged in some aspects of farm work."<sup>41</sup>

In praxis, however, MNEs, foreign NGOs, and government agencies may still be reluctant to embrace this publicly because "consumers in the West could not comprehend its subtlety"<sup>42</sup> given a hostile media environment.

MNEs' CSR policies should provide guidelines for child labor, research and influence the supply chain, and build partnerships. This includes being proactive in work/study implementation. Latin American governments should increase efforts into developing street children work programs as they do for juvenile criminal justice programs and anti-WFCL programs. They should encourage work projects through local municipalities, collaborating with local corporations, MNEs, NGOs,<sup>43</sup> and invest in reporting systems to ameliorate and avert abuse. The media's agenda should mature to reflect this balance, and champion efforts of developing nations' and MNEs' social policies designed to these ends.

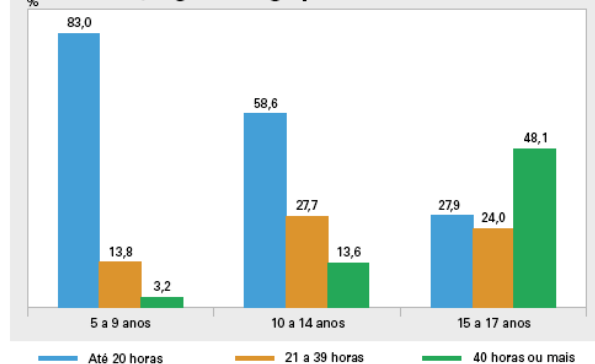
## References

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- <sup>1</sup> Quote from *Harry and Lucy Concluded* (1825) by the Irish novelist Maria Edgeworth.
- <sup>2</sup> UNICEF, (2002). *State of the World's Children 2003*. New York: UNICEF. P. 37.
- <sup>3</sup> UNICEF, (2005). *State of the World's Children 2006: Excluded and Invisible*. New York: UNICEF. pp. 40-41.
- <sup>4</sup> Ennew, J. and Milne, B., (1989) *The Next Generation: Lives of Third World Children*. London: Zed Books; Green, D., (1998) *Hidden Lives: Voices of Children in Latin America and the Caribbean*. London: Cassell; and Hecht, T., (1998) *At Home in the Street: Street Children of Northeast Brazil*. Cambridge, UK: Cambridge University Press.
- <sup>5</sup> Thomas de Benitez, Sarah (2007). *State of the World's Street Children: Violence*. Consortium for Street Children (UK). Unit 306, Bon Marche Centre, 241-251 Ferndale Road LONDON SW9 8BJ. Sent to me directly by the author.
- <sup>6</sup> UNICEF, (2005). *Part II. Literature Review of Situation of Adolescents in 8 Countries in Latin America and the Caribbean: Trends and Recommendations* (2005). Panama City, Republic of Panama: UNICEF - Regional Office for Latin America and the Caribbean.
- <sup>7</sup> Inciardi, James A. and Surratt, Hilary L. (1997). *Children In the Streets of Brazil: Drug Use, Crime, Violence, and HIV Risks*.
- <sup>8</sup> Thomas de Benitez, Sarah (2007). *State of the World's Street Children: Violence*. Consortium for Street Children (UK). Unit 306, Bon Marche Centre, 241-251 Ferndale Road LONDON SW9 8BJ. P. 21.
- <sup>9</sup> *Ibid*, p.1.
- <sup>10</sup> UNICEF, (2006). *State of the World's Children 2007*. New York: UNICEF. p. 7 and 53.
- <sup>11</sup> International Labour Organization (2007). *Eliminating Child Labour Guides for Employers: Guide One*. Geneva, p. 10.
- <sup>12</sup> Azaola, Elena & Estes, Richard J. (2003). *La Infancia Como Mercancia Sexual: Mexico, Canada, y los Estados Unidos* (The Commercial Sexual Exploitation of Children in Mexico, Canada and the United States), with Elena Azaola. Mexico City: CIEASAS & Siglo XXI Veintiuno Editores.
- <sup>13</sup> Connolly, M. (1990). *Adrift in the City: A Comparative Study of Street Children in Bogota, Colombia, and Guatemala City*, in N. Boxhill (ed.) *Homeless Children: The Watchers and the Waiters*. New York: Hawthorn Press.
- <sup>14</sup> Martyrdom and murder. *Economist*, 00130613, 1/10/2004, Vol. 370, Issue 8357. Also, the Jordanian finance minister acknowledged, "Hatred, bigotry, and violence are not caused by the lack of access to knowledge, but rather by the lack of opportunity. And education is central in allowing people to seek opportunity." Awadallah, B., Finance, M., & Jordan, H. (n.d.) *Combating Terrorism with Education*. FDCH Congressional Testimony, Retrieved March 26, 2009, from EBSCO MegaFILE database.

- <sup>15</sup> UNICEF, (2005). Part II. Literature Review of Situation of Adolescents in 8 Countries in Latin America and the Caribbean: Trends and Recommendations (2005). Panama City, Republic of Panama: UNICEF - Regional Office for Latin America and the Caribbean. See also, Connolly, M. (1990). *Adrift in the City: A Comparative Study of Street Children in Bogota, Colombia, and Guatemala City*, in N. Boxhill (ed.) *Homeless Children: The Watchers and the Waiters*. New York: Hawthorn Press; and *Economic Commission for Latin America and the Caribbean (ECLAC)* Based on the special procedures of the latest Demographic and Health Surveys in Bolivia, 1998, and Peru, 2000;
- <sup>16</sup> Bell, C., & Gersbach, H. (2009). Child Labor and the Education of a Society. *Macroeconomic Dynamics*, 13(2), 220-249. Also: UNICEF, (2005). *State of the World's Children 2006: Excluded and Invisible*. New York: UNICEF. pp. 40-41.
- <sup>17</sup> Dybicz, Phillip. (2003). Interventions for Street Children, *International Social Work*. 48(6): 763-771. Also, see: Lusk, M.W. (1989). *Street Programs in Latin America. Journal of Sociology and Social Welfare*. 16(1): 55-77.
- <sup>18</sup> A. Bequle and W. Myers, (1995). *First things first in child labour: Eliminating work detrimental to children*, ILO, Geneva.
- <sup>19</sup> F. Hagemann, Y. Diallo, A. Etienne and F. Mehran (2006, April). *Global child labour trends 2000 to 2004*, ILO. Geneva, pp. 7-17.
- <sup>20</sup> Jakobsen, Mimi. (2007, April 20). *Tracking Child Labour: What Companies Can Do*. Presentation given to the British Chamber of Commerce. Save the Children Denmark. Retrieved March 10, 2009 from [www.redbarnet.dk](http://www.redbarnet.dk).
- <sup>21</sup> Silvers, Jonathan (1996, February). Child Labor in Pakistan. *The Atlantic Monthly*; Volume 277, No. 2; pages 79-92.
- <sup>22</sup> King, Fiona and Marcus, Rachel (2000). *Big Business, Small Hands: Responsible Approaches to Child Labour*. London: The Save The Children Fund.
- <sup>23</sup> IKEA, *The IKEA Way On Preventing Child Labour*, December 2002. Downloaded from the internet at: [http://www.ikea.com/ms/en\\_US/about\\_ikea\\_new/about/read\\_our\\_materials/IWAY\\_preventing\\_child\\_labour.pdf](http://www.ikea.com/ms/en_US/about_ikea_new/about/read_our_materials/IWAY_preventing_child_labour.pdf)
- <sup>24</sup> Kabeer, Naila (2003), *Globalisation, labor standards and women's rights: dilemmas of collective action in an interdependent world*, Institute of Development Studies, Sussex, UK., no page. Also, King, Fiona and Marcus, Rachel (2000). *Big Business, Small Hands: Responsible Approaches to Child Labour*. London: The Save The Children Fund. p. 41.
- <sup>25</sup> Basu, K., & Zarghamee, H. (2009, March). Is product boycott a good idea for controlling child labor? A theoretical investigation. *Journal of Development Economics*, 88(2), 217-220. Retrieved doi:10.1016/j.jdeveco.2008.09.002
- <sup>26</sup> Wilson, Fiona, (1991). *Sweaters: gender, class, and workshop-based industry in Mexico*, p. 15, Macmillan: Basingstoke, as quoted in Kabeer, Naila (2003), *Globalisation, labor standards and women's rights: dilemmas of collective action in an interdependent world*, Institute of Development Studies, Sussex, UK., no page.
- <sup>27</sup> Powell, Benjamin. (2008, June 2). "In Defense of 'Sweatshops'". *Library of Economics and Liberty*. Retrieved March 27, 2009 from: <http://www.econlib.org/library/Columns/y2008/Powellsweatshops.html>
- <sup>28</sup> Sachs, Jeffrey D. (2005). *The End of Poverty, Economic Possibilities for Our Time*. Penguin Books, New York, NY, p. 290. Chant and McIlwaine agree with a similar sentiment, noting, "Even factory work was thought of as a 'stepping stone to positive, if gradual changes in the personal' financial circumstances. Chant, S. & McIlwaine (1994). *Women of a lesser cost. Female labour, foreign exchange and Philippine Development*. London: Pluto Press. p. 170.
- <sup>29</sup> Hirsch, S. (2007, April 20). Labor laws feared in free-trade deals. *The Washington Times*, (DC). P. C08.
- <sup>30</sup> International Labour Organization. (2007). *Eliminating Child Labour Guides for Employers: Guide One*. Geneva, p. 9. Brazil has a higher minimum age than Germany, Japan, and Switzerland.
- <sup>31</sup> Peru, Bolivia, Colombia, Ecuador, Paraguay, Argentina, Nicaragua, El Salvador, Guatemala, Panama, and Venezuela all have 14 as the minimum age to work. Uruguay, Chile, and Costa Rica minimums are 15 years of age. (Also see Government of Bolivia, Ley General de Trabajo, article 8, Government of Colombia, Código de la Infancia y la Adolescencia, article 113 ). Interestingly, Chile has one of the lowest percentage of children 5-14 in the work force at 3.5%, maintains among the highest school attendance in the region at 97.2%, yet has the least stringent child labor laws in various categories.

- US Department of Labor. (2008). Bureau of International Labor Affairs, 2007 Findings on the Worst Form of Child Labor. Washington.
- <sup>32</sup> US Department of Labor. (2008). Bureau of International Labor Affairs, 2007 Findings on the Worst Form of Child Labor. In Peru, all children must register their work with the authorities; the Ministry of Labor's Office of Labor Protection for Minors issues permits for children between 12 and 17 years to work legally. During 2007, there were 703 permits granted for children 12 to 17 years, most of which were issued for children between 16 and 17 years.
- <sup>33</sup> Visit by Van Evans and Leonidas Gavancho to Quito, Ecuador, May 2006. According to Ecuadorian law, work is allowed for persons of ages between 12 and 14 years "if and when it is accredited that they have completed the minimum of schooling demanded by that they go to night school, labourer institutes or some institution of primary education." Notwithstanding, this authorization should be given only in cases in which the need to work for subsistence is proven. In addition, the employer should obtain a written authorization from the Youth Tribunal (Art. 134). In the case of workers under the age of 18, if they have not yet finished their primary schooling, the employers should allow them two hours per day, during working time, for them to dedicate to school chores (Art. 135). See Astrid Marschatz, *National Report on the Results of the Child Labour Survey in Ecuador* (2005). International Labour Organization, San Jose, Costa Rica. pp. 3-4.
- <sup>34</sup> Jakobsen, Mimi. (2007, April 20). *Tracking Child Labour: What Companies Can Do*. Presentation given to the British Chamber of Commerce. Save the Children Denmark. Retrieve on March 10, 2009 from [www.redbarnet.dk](http://www.redbarnet.dk).
- <sup>35</sup> Trabalho infantil 2001 (2003). *Pesquisa Nacional por Amostra de Domicílios, Departamento de Emprego e Rendimento*. Ministério do Planejamento, Orçamento e Gestão, Instituto Brasileiro de Geografia e Estatística - IBGE, Av. Franklin Roosevelt, 166 - Centro - 20021-120 - Rio de Janeiro: RJ - Brasil, p. 37. Translation mine. Original Portuguese: "Este percentual ficou em 75,9% no grupo de 5 a 9 anos de idade, 56,0% no de 10 a 14 anos de idade, e 32,9% no de 15 a 17 anos de idade." Shown here in graphs:

**Gráfico 3 - Distribuição das pessoas de 5 a 17 anos de idade, ocupadas na semana de referência, por grupos de horas habitualmente trabalhadas por semana em todos os trabalhos, segundo os grupos de idade - Brasil - 2001**



Fonte: IBGE, Diretoria de Pesquisas, Departamento de Emprego e Rendimento, Pesquisa Nacional por Amostra de Domicílios 2001.

(1) Excluídas as pessoas da área rural de Rondônia, Acre, Amazonas, Roraima, Pará e Amapá.

- <sup>36</sup> Chapman, L., Taveira, A., Karsh, B., Josefsson, K., Newenhouse, A., & Meyer, R. (2009, March). Work Exposures, Injuries, and Musculoskeletal Discomfort Among Children and Adolescents in Dairy Farming. *Journal of Agromedicine*, 14(1), 9-21. Retrieved March 12, 2009, doi:10.1080/10599240802612463.
- <sup>37</sup> Yamauchi, Chikako, (2006). An Investment in Household Enterprise Advance Children's school attendance? Consequences of Poverty Alleviation Program in Indonesia, in *Bureau of International Labor Affairs Research Symposium Papers: Linking Theory and Practice to Eliminate the Worst Forms of Child Labor*, U.S. Department of Labor, November 2006, p.52.

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- <sup>38</sup> Kuznesof, E. (2005). The House, the Street, Global Society: Latin American Families and Childhood in the Twenty-First Century. *Journal of Social History*, 38(4), 859-872; Also, see: Wright, J., & Wittig, M. (1993, Summer93). Street children in North and Latin America: Preliminary data from Proyecto Alternativos in... *Studies in Comparative International Development*, 28(2), 81.
- <sup>39</sup> Pare, M. (2004, September). Educating Marginalized Children: The Challenge of the Right to Education in Brazil. *International Journal of Children's Rights*, 12(3), 217-257.
- <sup>40</sup> Levenstein, S. (1996, February). Educating street children: Innovative ideas and programmes in Brazil. *South African Journal of Education*, 16(1), 45.
- <sup>41</sup> *World of Work, The Magazine of the ILO*, Number 61, (2007, December). International Labor Office, Geneva. pp. 10-11.
- <sup>42</sup> King, Fiona and Marcus, Rachel (2000). *Big Business, Small Hands: Responsible Approaches to Child Labour*. London: The Save The Children Fund. p. 41.
- <sup>43</sup> One plan under development now by the author for Generations Humanitarian South America North Affiliate in cooperation with the governor of Tolima, Colombia, is to create a time-banking system with street children in that region. Several centers with more than 100 street children registered will begin a system where children will work after school in agriculture on local community farms. Based upon their age, children will work a minimal number of hours per week in a loving, building environment to grow their own food. For example, children under five years of age will not work. Children 5-8 must work 30 minutes per day in doing chores at the drop-in center or orphanage they live in. Children 8-12 will work one hour per day, and 12-18 will work a minimum of two hours per day. The home administrators and volunteers record the number of hours they work. In addition to the minimums, provided the students complete their school attendance and homework requirements, they may opt to work additional hours per week on the farm and "deposit" that time into the "bank." By accruing hours, they can earn clothes, treats, iPods, etc., at the NGO time-bank store, trips to the beach, or "save" for a college education. This proposal gives the children a work ethic, decreases urban indolence that leads to crime, and will increase the dignity of the child. Once operational, the media will be invited to full participation and disclosure, with a hope that a change in perception of any form of child labor will lead to a diminish polarization on the issue.