

Child Labor: A Forgotten Focus for Child Welfare

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Child labor is driven by child and family impoverishment, market forces, and political apathy concerning the rights of the child. Although a fundamental concern of the early 20th century child welfare system, today child labor is often seen as outside the scope of child welfare and child protective services. Making child labor a focus of child advocacy activity once again could do much to better the lives of children.

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According to the International Labor Organization (ILO) Convention 138 on the Minimum Age for Employment—the world's principal standard on child labor, which was passed in 1973 and has been signed by more than 60 nations—*child labor* is any economic activity performed by someone younger than 15 years of age (ILO, 2001). Approximately 250 million children, ranging in age from 5 to 14, are estimated to be laboring worldwide. Approximately 60% and 30% of these laboring children reside on the Asian and African continents, respectively; however, America shares the problem (ILO, 2001). In the United States, as many as 800,000 children under the age of 18 work as migrant and seasonal farmworkers in the state of California alone. About 25% of all deaths of working children in the United States occur in agriculture (National Consumers League, 2000).

Although child labor is an equal opportunity offender, several critical factors contribute most directly to its occurrence and growth. As reported a decade ago in a special international issue of *Child Welfare*, variables that influence the nature and extent of child labor are: economic (when multitudes of poor families have multiple children); illiteracy; rural–urban migration; and use of child labor as a means to avoid labor unrest (because children typically have no organized means to complain about low wages and unsafe working conditions) (Ahmed, 1991).

Child Labor and Child Work

Organizations such as the ILO and professionals concerned about child *labor* sharply distinguish it from child *work*. At whatever age it may begin, whether in less or more technologically advanced societies, child *work* refers to adult-guided activities that focus on the child's growth and enculturation into the families and societies of which they are a part (George, 1990). Child *work* is developmental in nature.

Conversely, child *labor* is driven by child and family impoverishment, market forces, and political apathy concerning the

rights of the child. It is synonymous with child exploitation, because the activities may be hazardous, may interfere with the child's education, and, according to the UN Convention on the Rights of the Child (CRC) (1989, p. 10), may be "harmful to the child's health or physical, mental, spiritual, moral, and social development."

Children are desirable as employees, not simply because their wages are cheap or nonexistent but also because children are powerless and docile. The latter characteristic makes them especially vulnerable to physical, emotional, and sexual abuse. According to the ILO, "The exploitation and subjugation of children, at and through work, is perhaps the single most common form of child abuse and neglect in much of the world today" (ILO, 1993, p. 4). In the United States, the public, the profession of social work in general, and the field of child welfare in particular, although highly sensitive to problems of child abuse, have shown little awareness of child labor as both a form and cause of these unconscionable abuses and, furthermore, as a form of slavery. According to the ILO's International Program on the Elimination of Child Labor:

[F]ew human rights abuses are so unanimously condemned, while being so universally practiced, as child labor. By any objective measure, this issue should be high on the global agenda, but in practice it is surrounded by a wall of silence and perpetuated by ignorance. (ILO, 1993, p. 1)

Resistance to Reform

Why does child labor continue to grow and resist reform? Five factors are critical to child labor's ability to flourish:

1. **Lack of conceptual clarity.** Opposition to child labor is diluted by the failure to distinguish child work from child labor. When the beneficial qualities of child work are identified as child labor, how can child labor be opposed? Opponents

of child labor believe it is reasonable and desirable for disadvantaged teens to participate in preemployment programs and for children to do chores at home or to work on farms in support of family values, as long as schooling is not impaired and the work is not hazardous (National Commission for Employment Policy, 1988). Child labor, however, should be prevented or ameliorated because it is, by definition, exploitative and harmful to the healthy maturation of the child.

2. **Economics.** The global plague of poverty, along with worldwide economic integration, makes it possible for manufacturing, mining, agricultural, and service sectors to find significant short-term profit in the employment of docile children at substandard wages and without the benefits normally provided to adults. At the same time, impoverished children and their families remain silent about abuses, because they fear the loss of any income that is critical to their survival. Thus, the risky employment of their children represents a trade-off for the parents. In March 2001, the international media reported that several dozen children in China were killed and injured at school while working to assemble firecrackers. The children's parents were quoted as saying that they knew the work was hazardous. Nevertheless, in a country where public education is not widely available, having their children employed while at school was the only way to assure their education.
3. **Politics and administration.** Many governments are dominated by the military and by wealthy classes for whom child labor is an immediate benefit, not a social problem, regardless of the long-range consequences to that society in terms of human resource development. The enforcement of existing child labor legislation is ignored or receives low priority. Another major problem in both developing and developed countries is that both the collection of statistics and labor inspections are greatly impeded by the employment of many

children in informal sectors of the economy, where the children become "invisible." For these reasons, official responses may vary from angry denial of the existence of the problem to grudging admission, accompanied by a brief flurry of enforcement efforts, followed by bureaucratic inertia. In many countries, political and administrative officials identify with and are easily bribed by persons with economic interests.

4. **Education.** Many developing countries have neither the legislation nor the infrastructure of personnel, facilities, and economic resources to implement a compulsory universal education system. Of greater importance are a lack of will, the financing of showcase palaces, and a repressive military and police who are well funded to maintain power. Nations such as South Korea, however, have successfully controlled child labor by establishing and adequately funding compulsory universal education and strictly enforcing their child labor laws. According to the National Consumers League (2000), 10 years after 155 countries promised to provide education for all children by the year 2000, 125 million children worldwide have not spent a single day in school. In the United States, migrant education programs for children ages 5–17 lose approximately 50% of their initial enrollments by the ninth grade; of these children, only one child in 10 completes high school. The result is a population of adult migrant farmworkers who are educationally disadvantaged and who function at a fifth grade literacy level or lower.
5. **Lack of congruence among values, laws, and economics.** Often with family support, consumer values take over and motivate children to work too long, too hard, and in hazardous occupations. Child labor is unwittingly supported and "reinforced by consumers who purchase goods from companies such as clothing or rug retailers who have a history of exploiting young people in sweatshops in South American countries and often closer to home" (UNICEF 1997, as cited in Link

et al., 1999). For example, a "sweatshop" is a workplace where the workers are subject to extreme exploitation, including the absence of a living wage or benefits, long hours, hazardous working conditions, and arbitrary discipline. The U.S. General Accounting Office has developed a working definition of a sweatshop as "an employer that violates more than one federal or state labor, industrial homework, occupational safety and health, workers' compensation, or industry registration law." California is the sweatshop capital of the United States because of its \$30 billion garment industry, with 160,000 official workers and tens of thousands more in the underground economy. How many of these undocumented workers are children is unknown, but 61% of Los Angeles garment factories violate minimum wage and overtime laws, and 75% have health and safety problems in the work place (Sacramentans for International Labor Rights, 2000).

According to the 2000 U.S. census, 1 in 25 residents is an undocumented immigrant. The AFL-CIO argues that "illegal immigrants should not be deported but given amnesty and allowed to team up with citizens in labor unions" (Zitner, 2001, p. 12). The Clinton administration's undersecretary for economic affairs at the Commerce Department observed, "And what if we didn't have them? Look at how they increased our productive potential" (Zitner, 2001, p. 12). Since the illegal employment of adults is sanctioned for economic reasons, it is not difficult to understand how child labor also could be sanctioned with similar values and by disregarding laws pertaining to child protection.

In summary, child labor exists and resists reform because of the intractability of poverty, the struggle for survival of the child and the child's family, the profits of domestic and international agricultural and business enterprises, and the short-term benefits of child labor to the economy of the country and to its officials who look the other way.

Supporters of child labor in developing countries justify it as a means of mitigating extreme poverty. At the same time, these

countries inflate their military budgets and ignore the development of both compulsory education for children and employment programs directed at adults. In the industrialized countries, child labor is often misunderstood by attributing the beneficial aspects of child work to child labor, or it is driven by consumer values that undermine the health and education of youth.

Child Labor in the United States

Despite an early history of opposition to child labor, when the issue was part of the child welfare reform movement, child labor is now largely ignored as a serious detriment to the well-being of children and to the societies of which they are a part. Contemporary child welfare and social policy texts make little or no mention of child labor; when they do, linkage to child welfare education, practice, and policy responsibilities is absent. Child welfare concerns itself with child sexual abuse but not with child prostitution; with child emotional and physical abuse, but not with workplace stress, injury, and death; and not with the educational damage done to children who work too soon, too long, and too hard.

The neglect of child labor by child welfare is in part due to the passage in 1938 of the Fair Labor Standards Act, which declared an end to "oppressive child labor." Enforcement authority was assigned to the Department of Labor and corresponding state agencies, but no mandate and funds were provided to child welfare agencies for proactive and ameliorative social services or for studies of child labor. Child labor was not identified as a form of child abuse; therefore, it never became a responsibility of child protective services—services that are already underfunded and understaffed.

The enforcement efforts of the U.S. Department of Labor have been sporadic and ineffectual. In 1997, the Associated Press conducted a five-month investigation of child labor in the United States. The investigation found that farmers and factory owners

who illegally hire underage children typically escape civil or criminal punishment. Furthermore, the report revealed that the U.S. Department of Labor:

- Fails to find the most vulnerable victims of child labor.
- Maintains a secret schedule of fines that undercuts the child labor penalty, imposed by Congress, of \$10,000 per violation.
- Fails to bring criminal cases against repeat offenders.
- Does not, as provided by law, seize goods that are the product of illegal child labor.
- Provides the least amount of protection for agricultural workers (Crenson, 1997).

As reported by the science editor for the Associated Press:

From California's Central Valley to Florida's strawberry fields, tens of thousands of children work in a sea of toxic chemicals whose long-term effects are almost completely unknown. In California's onion fields, farm workers, including children, are exposed to methyl parathion, a potent nerve toxin. Among Florida's strawberry fields, they encounter captan, a probable human carcinogen. In Midwestern cucumber patches, they face endosulfan. (Crenson, 1997)

Government standards are set for the foods Americans eat, but not for the vulnerable children who help harvest it.

The Associated Press also found an unreleased U.S. Department of Labor survey that reported that 123,000 children, ages 14 to 17, work in America's fields; some children as young as age 4 also work in fields (Crenson, 1997). Because day care is unavailable or unaffordable, many mothers carry infants into the fields, where they may suffer illness or death from heat, dehydration, or the effects of chemicals.

On the international level, a team of reporters was sent to "countries on five continents to investigate child labor" (Cox Newspapers, 1987). The report, based on a nine-month investi-

gation, graphically exposed the selling of children into prostitution in Thailand and into bonded labor in India, as well as the plight of street children of Brazil who beg and steal to survive and who are assassinated by the police as troublemakers.

Advocacy for Change

In regard to child labor legislation, either failed or successful, where are the voices of American child advocacy and social work advocacy organizations? Is child welfare a narrowly mandated child protective service or the public conscience of America when it comes to the welfare of children? As we begin the 21st century, should we resume the responsibilities we took for granted when we entered the 20th century?

Little has changed over the past decade for child laborers, as demonstrated in six annual volumes of comprehensive coverage, *By the Sweat and Toil of Children (1994–2000)*, published by the Bureau of International Labor Affairs, U.S. Department of Labor, Washington, D.C., and the accompanying symposium proceedings, *Forced Labor: The Prostitution of Children (1996)*.

On the legislative front, scant progress has been made. In 1997, three child labor bills were introduced into the U.S. Congress; each was defeated. The Trade and Development Act of 2000, however, did pass. It conditions U.S. trade benefits on a nation's progress in eliminating the worst forms of child labor.

A stronger force for change may arise from the nongovernmental sector. In 1999, the Delegate Assembly of the U.S. National Association of Social Workers (NASW) unanimously passed a groundbreaking resolution on child labor, calling on the organization to raise public and professional awareness regarding child labor and its amelioration, both in the United States and internationally (see figure 1). Unfortunately, although the NASW resolution is a policy statement for the organization, it carries no political mandate for study and implementation.

In 1999, the United States ratified the ILO's Convention 182

FIGURE 1**Child Labor Resolution of the National Association of Social Workers**

- Whereas, ...* Worldwide approximately 250 million children are engaged in child labor; and
- Whereas, ...* In the United States, about 200,000 adolescents are injured (one-third seriously enough to require treatment at an emergency room) and 70 are killed annually while employed in driving jobs, construction, traveling youth crews, and agriculture; and
- Whereas, ...* Child labor was considered a form of child abuse by the late Cesar Chavez and is currently considered such by the ILO and the Child Labor Coalition, of which NASW is a member; and
- Whereas, ...* The United Nations Convention on the Rights of the Child (1989) considers child labor to be synonymous with child exploitation because the activity may "be harmful to the child's health or physical, mental, spiritual, moral, and social development;" and
- Whereas, ...* The International Conference of the ILO is currently proposing a new standard on "extreme forms of child labor," such as all forms of slavery, bondage, child prostitution, and pornographic performances, and any activities that jeopardize the health, safety, or morals of children; and
- Whereas, ...* Social workers along with the union movement were instrumental in opposing child labor in the first half of the 20th century; and
- Whereas, ...* NASW is in a position of leadership with its state chapters as well as national and international human services organizations; therefore, be it
- Resolved, ...* That national leadership of NASW develop a formal program of activities directed at raising public and professional awareness regarding child labor and its amelioration and prevention in the United States and internationally.

Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor. Convention 182 focuses on the elimination of child prostitution and pornography, child slavery, the use of child soldiers, the employment of children for illicit activities, or any work that is harmful to the health, safety, or morals of children. With the support of 17 nongovernmental organizations—including the Child Welfare League of America (CWLA)—the National Consumers League and the Child Labor Coalition are drafting a report on the worst forms of

child labor in the United States, due at the end of 2001 (*National Consumers League Bulletin* 2000, p. 10).

Earlier this year, the California chapter of NASW convened a Task Force on Child Labor to explore how a connection between child labor and child welfare could promote position changes in policies and practices. (Because 40% of all undocumented residents of the United States live in California, the potential for child labor is great.) The Task Force began by surveying county departments of children's services, as well as undergraduate and graduate schools of social work, to identify the extent to which staff, students, and faculty are aware of the child labor problem in the state, have firsthand knowledge of the problem, and have developed interventions or research that address the problem. The study is still in the fact-finding stage, but initial results indicate that the child labor issue is not on the working agenda of county departments of social services and social work educators.

Conclusion

The involvement in the issue of child labor by CWLA, the national resolution by NASW, and the specific action taken by the California chapter of NASW are good starts, but the larger challenge is to make essential and systemic connections among the child welfare field, social work education, and child labor, along with appropriate governmental policies. In addition to effective enforcement of child labor laws, children and their families need social, educational, and health services and vocational counseling. Laboring children and commensurate preventive and ameliorative services need to be surveyed and targeted, state by state, community by community. Article 32 of the CRC states that children must be "protected from economic exploitation and from performing any work that is likely to be hazardous, to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development."

In this new millennium, the challenges for the profession of social work and the child welfare field are to confront the issue and to provide leadership in the struggle for the requisite child protective legislation and funding in the United States and in other parts of the world. It should not be work to be a child. ♦

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