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Child Work and Education, a Global Perspective

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INTRODUCTION

In the contemporary Western world, the standard view of children's rightful place is that they should be in school. Children's task as children is to learn and develop skills so they can become active contributing members in their society. This life at school does not exist for many children, however. An estimated 260 million children worldwide are out-of-school, many of them because their time is spent working (UIS 2019).

How can the idea that children have a right to an education be reconciled with the reality that almost one-fifth of the world's school-aged children currently do not go to school and many of them are engaged in economic and caring activities that conflict with their interest in getting an education?¹ This chapter provides an overview of the core issues that arise from the dyad of children's education and work. How are these concepts understood in the literature? What are the tensions between work and education? How can they be addressed? And what problems arise from current attempts to eliminate these tensions? A global perspective, relying on examples

from across the globe, will allow us to explore the common patterns of interaction between children's work and education, while also highlighting the radical variation and diversity that exists in the manifestations of child work and education globally.

First, I introduce the core concepts and the basic data on education and child work globally. Second, I present the main arguments in the literature on the morality of child labor. Third, I explain how a child's right to an education relates to the debate on child labor. Fourth, I introduce the standard approach in the literature used to address the dyad of child labor and out-of-school children (the compulsion-and-ban approach). Finally, I address four problems that arise from this approach (diversity, causality, source, and inclusivity).

CORE DEFINITIONS

Let us start by clarifying the use of the terms 'child work' and 'education' in this chapter. Since the 1990s, international organizations (particularly, the International Labor Organization; ILO) have emphasized the need to distinguish between what they term 'child work' and 'child labor' (ILO 2021). 'Child work/employment' is an umbrella category that encompasses all activities engaged in by children that produce economic benefits, be it in the market itself, or indirectly, such as by acting as caretakers, or doing household chores. Child work can be formal or informal, it can be remunerated or not, and it can happen within and outside the family. 'Child labor' is a specific manifestation of child work, defined as one that "deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development" (ILO 2021). This refers to all work that can be mentally, physically, or

emotionally harmful to the child, and all those which interfere with schooling.² ‘Child labor’ is a normative category that refers to morally problematic economic activities engaged in by children.

This categorization of certain forms of children’s work as invariably ‘wrong’ has been strongly criticized by researchers who work with child workers themselves, as it oversimplifies the variety of ways in which children themselves relate to their work, and the variable harms and benefits that children’s engagement in economic activities may entail (Bourdillon 2011; Liebel 2004: Ch.2). This chapter addresses child work, broadly understood, in order to explore its diverse relationships with education.

As with ‘child labor’, ‘education’ is defined very narrowly in the legal and policy literature, especially when applied to research on child work. It refers, in short, to education in its institutionalized form; that is, formal schooling (e.g., Brown 2012). When education is mentioned in relation to child work, it refers to children’s (lack of) access to the school system, and to the years of formal education an individual has received. This definition is problematic, as it already prefigures the scope of options available to provide children with access to an education. Informal educational settings (including the education that exists in the workplace) are, thus, excluded from the definition of ‘education’ in this literature. This chapter uses the term ‘schooling’ to refer to the institutionalized form, and ‘education’ to refer to all forms of formal or informal learning.

BASIC DATA

Global estimates indicate that around 160 million children were in child labor at the beginning of 2020. This accounts for almost 10 percent of the child population globally. Nearly half of these

are in hazardous labor, and at least 5 million are engaged in the worst forms of child labor. This data shows a rise of 8 million in comparison to 2012, and around 9 million more are expected by 2022 due to poverty caused by the COVID-19 pandemic (ILO-UNICEF 2021: 8).

As for access to education, it is estimated that 260 million children are out-of-school. The worst figures come from children aged 15-17, 35 percent of whom are out-of-school. Sixteen percent of 12-14-year-olds are out-of-school, and 8 percent of 5-11-year-olds do not go to school (UIS 2019: 2-3). Child workers account for around 20 percent of the total out-of-school population, with child workers making up almost 50 percent of the out-of-school population for the 5-11 age group (ILO-UNICEF 2021: 47-48).

WHAT IS WRONG WITH CHILD LABOR?

We tend to respond negatively to the idea of children working. But what grounds our moral impulses regarding child labor? There are various economic, consequentialist, and deontological arguments against child labor. First, children working can be considered as inefficient for the labor market (Basu and Hoang Van 1998; Ray 2015). If a population starts working full-time at a very young age and children do not develop fundamental skills at school, human capital formation will be limited, and countries will have generations of mostly unskilled workers. Moreover, enlarging the labor force would lead to lower wages and higher unemployment for the rest of the working population. But child labor is frowned upon for reasons beyond its economic impact on society. More importantly, children are subjects of moral concern, and allowing them to work may be inconsistent with protecting their fundamental interests.

Regardless of the metric used to assess what children’s fundamental interests are (be it human rights, capabilities, primary goods, resources), and regardless of the threshold used to assess what is owed to children (equality, sufficiency, priority), child labor is standardly considered a direct affront to protecting children’s fundamental interests. According to Philip Cook’s taxonomy (2018), harm, exploitation, and failure-to-benefit are the three main arguments used to show that child labor is wrong. *The Harm argument* holds that children's condition as mentally and physically developing beings makes them especially vulnerable to harms (in general). Working conditions can threaten children's short- and long-term interests; long hours, harsh conditions in the workplace, contact with hazardous materials, and use of complex machinery threaten children's well-being (Satz 2010: 159-161). All employment that can negatively affect children's well-being is a moral wrong, according to this argument.

The *Exploitation argument* appeals to the moral relevance of children's condition as “weak agents” (Satz 2010: 157-158), which makes them especially vulnerable to exploitation in the labor market. Children's assumed lack of understanding of the implications of their choices, their limited capacity to foresee the consequences of their decisions regarding work, and their limited social and economic skills puts them in a weak position vis-à-vis employers. The conclusion drawn is that this makes children wrong for the labor market, as they will always be vulnerable to exploitation due to their weak agency.

The *Fail-to-benefit argument* claims that working conditions not only harm children (in the sense of reducing their well-being as compared to not working), but also arrest their potential development. The time children spend working instead of being at school limits their opportunity to develop fundamental abilities, motivations, and skills that would allow them to reap ample benefits in the future (Pierik and Houwerzijl 2006; Jonas 2016: 390-391). Thus, all work that

conflicts with children's schooling is wrong, and should be abolished, according to this argument.

HOW DOES EDUCATION FIT INTO THE EQUATION?

Consensus exists on the fundamental role played by education in fostering human and economic development. Access to education is a structural resource for individuals to develop the skills necessary to live in our social and economic world. Its value in promoting human development is the reason why education is enshrined as a human right, and as a special right for children (UNGA 1989: Art. 28, 29). International law obliges states to ensure free and compulsory primary education for all children, and secondary and higher education accessible to all.

Various reasons are given in the philosophical literature to justify the right to education, and the duty to be educated. First, education is a structural prerequisite to securing equality of opportunity within a society (Brighouse and Swift 2006); it should establish a level playing field for individuals from different socioeconomic strata by providing equalizing (equal, adequate, or compensatory) access to the resources and skills needed to compete for positional goods and attain social mobility. Second, education is fundamental for the development of autonomy and self-government (Feinberg 1980; Brighouse 2000; Curren 2009): it provides individuals contact with and access to a variety of options and life-choices, enabling their development as autonomous individuals. Education is, moreover, a foundational factor for the development of most human capabilities required for flourishing (Nussbaum 1997; McCowan 2011). It develops

and strengthens our understanding of ourselves and others, our capacities for practical reasoning, our relationship to our sociopolitical world, and the skills required to act as economic agents.

Beyond individual benefits, education is also a fundamental resource for producing collective goods (Schouten 2018). Education can provide certain goods that are socially valuable and required for a society to function well. An education can be foundational for economic development and stability, and for promoting the virtues and values of citizenship (Gutmann 2003). A well-functioning economy requires a skilled and educated workforce to ensure economic growth and stability (Basu and Hoang Van 1998; Ray 2015). Moreover, educated democratic citizens can be necessary for the stability and sustainability of political systems (Gutmann 1999). A society's right to secure these collective goods through education may add a duty to be educated, beyond a right to be educated.

Research on education and education policy, especially that targeted towards the least advantaged children, requires studying the sources and manifestations of child work owing to the impact that children's economic activities can have on their educational interests. Children who work have less time to go to school, less energy to study in their free time, and, in many cases, no time or energy to either go to school or study. For many children, working implies not going to school at all. For others, it implies very long days working and studying, or being enrolled at school but barely going. Some children find a balance between their work and their studying, but this is not always an easy task, as most school systems are not sufficiently accommodating to the particular needs and schedules of working children (Boyden 1994).

Regardless of whether the work done by children harms them in a physical or emotional sense, child work is considered morally problematic as it is a direct threat to children's right to an education; it is a threat to a society's economic development; and it is a threat to the civic

health and political stability of a country (Hindman and Smith 1999). If states have a duty to protect children's interest in having an education, and if work conflicts with the possibility of securing this right for all children, then child work can be considered a source of harm to children that states have a duty to prevent (Jonas 2016: 397).

THE INCOMPATIBILITY VIEW

Child work and education are generally conceptualized as categorically incompatible. The modern conception of childhood that started getting traction at the end of the nineteenth century establishes the school as the primary space in which children should dwell and studying as their primary social responsibility (Fyfe 2015). Despite it deriving from WEIRD (Western, Educated, Industrialized, Rich Democracies) social and political discourses, the conception of childhood as a preparatory stage of life in which individuals are protected and separated from the adult world has become the standard through which childhood is studied, and policy and law enacted (Shapiro 1999; Wells 2015: 15-21). As child work interferes with the objective of keeping children within the sphere of the school, law and policy are required to ensure children's access to an education, and their protection from the harms of the labor market (Hindman and Smith 1999).

The International Labor Organization (ILO) is the main institution in charge of managing and determining the course of international discourses on child work. Child work is regulated by international law not only to protect children from physical and exploitative harms, but also to ensure a better fulfilment of children's right to an education. For example, the ILO Convention

138 (1976), establishes minimum ages of employment, not only relating to how certain types of work can harm children due to their developmental state (see Article 3 in relation to hazardous labor, i.e., mining, dangerous machinery, chemicals or substances, or sexual work), but also in relation to their right to an education. C138 establishes that minimum ages for working “shall not be less than the age of completion of compulsory schooling” (ILO 1976: Art.2.3). This means that, regardless of the age and developmental capacities of an individual, the right to work is directly conditioned by an individual’s duty to enroll in and complete compulsory schooling.

The tandem of legislation on the right to an education and the restriction on child labor structures this notion of a descriptive and normative incompatibility between child work and education. It claims that work inevitably interferes with the realization of children’s rights to an education (in the sense that it affects their chances of attending school, forces them to drop out, and restricts their study time). Education and work are, thus, seen as mutually exclusive activities.

There is, of course, an element of truth in this normative claim: child work interferes with children’s rights to an education by imposing obstacles to their access and progress in formal schooling. This claim tends to lead to what are termed “compulsion-and-ban policies” on child labor and education (Boyden 1994). By banning children from working, and by making schooling compulsory, these policies attempt to solve the dual moral issue posed by children working and not getting an education. Compulsion-and-ban policies aim to protect children from the harms of working and ensure access to the benefits that schooling has for their short and long-term interests. A co-dependent normative relationship is thereby established between protecting children from work and ensuring their access to schools: by banning child labor,

access to schools can be improved, and by making schooling compulsory, children are forced to leave the labor market.

ISSUES WITH COMPULSION-AND-BAN

Notwithstanding the seeming straightforwardness of a compulsion-and-ban approach to addressing the dual issues of child labor and out-of-school children, there are various problems with its operationalization. Despite the reliance of policymakers and economists on this approach, there is little proof that it can achieve its dual objective. It does not address the roots of the dual problem, and there are obstacles to legitimizing the imposition of these regulatory norms on diverse populations. Critics of compulsion-and-ban approaches argue that the relationship between school and work is extremely complex and varies depending on the sundry cultural, social, and economic circumstances of different groups of children (Boyden 1994: 3). Regulatory solutions should take this variability into account.

There are four problems, in particular, that compulsion-and-ban approaches to the abolition of child labor and the protection of the right to education encounter. First, the problem of addressing *intersectionality and diversity* when developing international norms and regulations; second, the question of *causality* between children working and not attending schools; third, the problem of not addressing the actual *source* of this dual problem (usually, poverty); finally, a concern that it is the *lack of inclusivity* of formal schooling systems which restricts working children's access to an education, rather than their work.

DIVERSITY AND INTERSECTIONALITY

Compulsion-and-ban policies depend on an assumption that the child working population is homogeneous with respect to their reasons for working, and for not going to school. They also depend on the assumption that child workers are not agents in themselves, but rather passive actors who are controlled by others, usually parents or the larger family. These two assumptions are deeply flawed, however. An intersectional analysis of children's diverse relationships with school and work shows that the homogeneity assumption is not uniformly correct. There are many factors tied to the individual child's condition, the working conditions, and the schooling conditions which affect a child's relationship to school and work. Moreover, not accounting for children's role as active agents fosters biased understandings of children's relationships to their work and education.

Research on child labor grounded in a postcolonial standpoint (e.g., Nieuwenhuys 2013; Balagopalan 2019) has put into question the validity of universalist ontologies that rely on generalized understandings of how human societies function. What is 'childhood', what is good for children, and how to ensure justice for children are questions that do not have straightforward answers (Nieuwenhuys 2013: 6). David Lancy's expansive anthropological research has shown that the conceptualization of 'childhood' as a protected and innocent life-stage when humans must be educated and pampered is mostly a modern and Western construct (Lancy 2015: Ch.2). Moreover, he shows that in most contemporary societies (not to say in earlier ones) work, and providing economic support in the household, are considered fundamental aspects of the child's development, and are not only encouraged but sometimes mandated (Lancy 2015: Ch.7).

Children in many parts of the world are not only individuals with rights, but also understood as duty-bearers with responsibilities towards their families and to give their share for their household's needs (Letuka 1998).³ The universalist appeal of compulsion-and-ban policies, to abolish child labor and force children into schools, is interpreted as an act of cultural and epistemic domination by the Global North for other regions of the world that do not endorse the Western conception of childhood or its prescriptions for how to secure justice for children.

One could argue that the postcolonial critique, while empirically accurate, is not normatively compelling. The fact of cultural variation regarding the status and role of children in diverse societies should not affect our normative assessment of what harms children and what they are owed as a matter of justice. Following the UNCRC, if getting an education and being protected from exploitative work is in the child's best interests, a child's rights should be taken as trumps over their societal traditions so those interests are protected.⁴ If endorsers of the incompatibility view can justify the claim that cultural environments that foster children's work at the expense of education are sources of oppression and domination of children, they may have a strong argument for implementing universal guidelines on how to police children's education and work (Brando 2019). However, this argument still depends on the validity of the assumption that the child working population is mostly homogenous and passive.

Of course, that is not the case. The incompatible relationship between child work and schooling is conditional on many variables, including the specific job the child has, number of hours working, gender, and access to schools in her area, among many others. Research in Lima (Peru) shows that domestic workers or children who work at their own home have higher attendance and success rates than children who have salaried work in factories or building sites (Ennew and Milne 1989). However, this is strongly affected by whether children work in rural or

urban areas. In general, rural children are less likely to attend school than children working in an urban setting. Various explanations for this have been offered: first, even if rural children have more time and flexibility than salaried urban workers, the lower accessibility of schools in rural areas makes mixing work and school more difficult (Boyden 1994: 16-18). Moreover, education is generally perceived as less valuable than work in rural environments, as children are expected to stay in agriculture when they grow up (Orrnerdt 2018: 5).

A crucial variable in the relationship between work and school is gender. Gender bias entails that, if a family has limited resources to send children to schools, they will prioritize boys over the girls in the family. As education is commonly linked to skilled productive activities rather than domestic work, and as women in many regions of the world are socially encouraged to prioritize domestic work, schooling (especially secondary education and beyond) is not a high family priority for their girls. ILO research in Andhra Pradesh (India), showed that, after schooling for basic literacy and numeracy (around 8 years-old), the gap between boys' and girls' access to school increases exponentially (Singh and Khan 2016: 9). Similar results were found in Ethiopia by the Young Lives project, where another relevant variable for girls' access to school was their marriage status (Tafere and Chuta 2016).

Variation in children's work and education experiences is not only conditioned by factors which children themselves cannot control (their location, gender, parental incentives, etc.), but, very importantly, by children's own understanding of their role in society and their choices as autonomous agents themselves. Much research on child labor and education assumes children's lack of choice over their work, and over how they combine (if they do) working and studying. It is assumed that adults are the only agents who make decisions over children's lives, and that

children, as ‘weak agents,’ are simply forced to fulfil their adult guardians’ wills (Satz 2010; Ray 2015).

However, for many children, working rather than going to school is an autonomous choice taken due to difficult circumstances, or due to the perceived benefits that economic independence gives. For many girls, for example, leaving home and finding work may be their only option to avoid early marriage and a life of child-rearing and homemaking (Liebel 2004: 167-168). Moreover, for many children, earning money, contributing to household earnings and/or saving money for themselves are valuable in themselves as status symbols of adulthood. Research in Brazil and in Jamaica highlighted changes in teenagers’ conceptions of themselves and their value when they are active economic contributors (Boyden 1994: 13). It is also stressed that child workers in these countries valued their improved status within the household, of their decision-making powers, and of their self-determination due to their working condition.

This is all to say that diversity in the why, how, and where of child work are important variables to consider when thinking about children’s relationship to their work and education. Considering any work that conflicts with schooling as necessarily wrong is an over-generalization; not considering how certain intersectionalities may affect our moral judgement, or how children’s own agency and choice may change our understanding of what is best for them can lead to regulative solutions that cause more harm than good.

CAUSALITY OF HARM

Besides its assumption of homogeneity, the compulsion-and-ban approaches depend on an empirical assumption about causality. For child work to be labelled as harmful (and thus wrong), it must cause children to have less access to schooling and less achievement in school than they would otherwise have. In terms of efficacy, for compulsion-and-ban policies to achieve their dual aim of reducing harm caused by child labor, and increasing school attendance and achievement, there must be a causal link between children working and not going to school.

While the literature generally agrees that children who work tend to have lower achievement rates at school than those who do not work (Woldehanna and Gebremedhin 2015), the wider question of whether working interferes with children's schooling, causing lower achievement, is a more difficult question to answer (Ornert 2018). On the one hand, ample evidence from studies in different regions, and of children in radically different circumstances, show scarce correlation between not attending school and working; on the other hand, while it is assumed that children do not go to school because they work, in many instances the reasons for not going to school may point in the direction of the schooling system itself. Lack of incentives and lack of supports, regardless of whether they work or not, are often the cause of large numbers of children being out-of-school.

There must be strong evidence showing that work is a significant obstacle to attending school to justify asserting causality between these variables. Although child work does have a strong negative effect on tests scores and school completion, it does not have the same effect on enrollment (Betcherman et al. 2004). A recent participatory project, *It's Time to Talk!*, led by Terre des Hommes (O'Kane et al. 2018), showed that 76% of the child workers consulted were studying (in formal and informal schooling settings). Data from different regions of the world point to similar results. In Sri Lanka, the average time spent studying by working and non-

working children is similar until the teenage years arrive (Ray 2005: 123). That is, up to the age of 13, children who work and who do not work spend similar amounts of time studying. From 13 onwards, the gap between the two groups starts to grow exponentially. This seems to show that the negative effect of work on children's study time is not exclusively tied to the fact that they work but to their life-stage. Data from Cambodia showed no radical variation between working and non-working children's ability to read and write (Ray 2005). Just as in the Sri Lankan research, no variation exists until children turn 13; after that, the gap between working and non-working is around 5 percent.

Studies in Latin America also show significant percentages of working children who also go to school. A survey conducted in Colombia showed literacy rates of almost 100 percent in child workers between 12 and 14-years-old, with many not only completing primary school, but also attending secondary school while working (Boyden 1994: 6). A further large-scale study with almost 400.000 children, between 7-14-year-old, in Bogotá (Colombia) showed that out of this ample sample of the city's child population, 87 percent worked in some way or another (either in the formal or informal sector) (Boyden 1994: 7). This means that a very large section of the student population in this city belonged to the working population as well. If work is a core cause for not attending school, how can one account for such high percentages of child workers in the school system?

Combining work with schooling seems to be a standard practice for child workers all around the world. Compulsion-and-ban policies may be a relevant reason why child workers go to school, but it does little to deter their engagement in the labor market. The choice in child workers hands does not seem to be between school or work, "but rather how much time and effort should be given to each activity" (Boyden et al 2016: 11). This is because children (and

their families) have little incentive to stop working, regardless of whether it is against the law. For many children, it is their work which allows them (or their siblings) to have an education (to pay for fees, books, through earn-and-learn schemes) (Bourdillon et al. 2010: Ch.6); not only is their work not incompatible with the schooling, in many cases it is the reason why they are able to go to school.

Moreover, research shows that a core cause of children not going to school is not that work conflicts with them attending, but that schools themselves are inaccessible (either due to distance or cost) or, very importantly, the quality of accessible schools is so low that parents (or children themselves) do not have an incentive to lose time going to a school that cannot ensure any economic returns (either short- or long-term) (Betcherman et al. 2004). The Young Lives project in Ethiopia, India, Peru, and Vietnam found that poor quality education in schools was in most cases a stronger determinant of the interruption of a child's schooling than children's work (Morrow and Boyden 2018; Boyden et al. 2016). Development agencies' narrow focus on increasing access to education in the developing world while disregarding the quality of the education provided has proven to be a well-intentioned but futile attempt to improve children's access to school (Banerjee and Duflo 2011: 56-74).

School systems function, primarily, as institutions for the creation of human capital. If parents and children see meagre potential returns from the time spent in school, there is little incentive for households to lose out on the extra income provided by the child just so they can go to school. Incentives are a fundamental phenomenon that compulsion-and-ban policies cannot fully address (Betcherman et al 2004: 3). Forcing children to go to school and restricting their access to the labor market merely through coercion is insufficient for improving their quality of life. As long as the education provided in school does not ensure sufficient returns, and as long

as the family (and the child) require the child's time for other economic activities, there is little that coercion alone can do to force them to change. Creating incentives for families and children is, thus, a structural matter that policies on child work and education should address (Boyden et al. 2016). Earn-and-learn schemes in Zimbabwe have proven extremely effective in moving the child working population into schools (Bourdillon et al. 2010: 109-111), while cash transfers to parents (mothers usually) conditioned on children's enrolment and attendance in schools have had positive effects in countries like Mexico, Brazil, and Bangladesh (Betcherman et al. 2004: 23-24; Baird et al. 2014). If the source of child labor is need for a child's time and work, then it is need we should focus on in order to provide better regulative proposals.

WORK AND NEED

Although many children do manage to combine work and schooling, many others do not. Yet, banning child labor has not worked as a solution to these children being out-of-school. The reason for this is simple: most children who work and do not go to school do so because they need to. They do not have an alternative. Even in households where getting an education is valued, if a child's income is required to maintain subsistence, if their time is needed to care for others or to take on responsibilities at home, both parents and children may have to forgo the long-term benefits that an education can provide, to ensure their short-term subsistence (Betcherman et al. 2004: 15; Jonas 2016).

Banning children from working, when children and their families need a child's income and time to survive, not only does not protect children from the potential harms of labor, it can

force them to work in even more exploitative conditions, with fewer protections, and for lower economic returns. Economic deprivation and need lead children to work and not go to school because the relative value of a child's education is conditioned by hers and her family's needs and requirements. Scarcity and deprivation imply that any choice on how one uses one's time has high opportunity costs, and household decisions on making children work rather than study can be rational, in fact (Betcherman et al. 2004: 14-15). It is not irresponsibility that leads parents to encourage (or compel) their children to take on economic activities; it is a tragic choice that must be made to secure the short-term well-being of the family unit (Wolff 2019).

The relative value of a child's formal education is conditioned by the perceived value of a child's time for income-generating activities, and by the relative value of the household income for other needs. A deprived household's income is highly limited, and the costs of schooling (even if not high) may not be a priority when other perceived needs are considered more urgent. Moreover, a child's time may be perceived as more valuable if she obtains her own income, supports the family trade, provides domestic work, or performs caring duties, so that other members of the household can have more time to earn an income.

Not surprisingly, the top two reasons given for working by children interviewed in the *It's Time to Talk!* project were to help and support their family, and to meet urgent basic needs associated with poverty (O'Kane et al. 2018: 11). This shows children's awareness of their role and responsibilities to sustain and support of their family members. Even households that value a child's education may not be able to afford sending them to school, as there are more urgent issues to address. It does not matter how stringent compulsion-and-ban policies are; when in need, there is no incentive for a child to go to school if her time and income can be put to better use. Families dodge infringing compulsion-and-ban legislation by registering children in school

but rarely allowing them to go (dodging compulsion) and making use of their time by either working at the margins of the legal market, or by carrying out work at home, such as caring for other family members. If a family is in need, and can barely achieve subsistence, there are no incentives to having a mouth to feed that does not generate an economic benefit. Compulsion-and-ban policies are, in this sense, insufficient to address the actual root of the problem that affects many children who work and do not go to school: poverty.

Awareness of the reality in which children live implies exploring solutions that account for their situated selves (Liebel 2004). This requires going in two different directions: first, focusing on redistribution of resources, on providing safety nets, cash transfers, increasing minimum wages, and in the state and businesses taking a more engaged and responsibility-based role in the welfare of children. Moreover, as has been noted, for many children the school system is actually a significant reason why they work. Some need to work to pay for their tuition fees, textbooks, materials, while others start working because they are disappointed by the school system. Waiving fees, providing resources, and improving the quality of schools can provide valuable incentives for children to enroll.

FORMAL SCHOOLING AND INCLUSIVITY

Compulsion-and-ban policies consider that the education that is owed to children is the one provided by formal schools. It implies that a child's development process is benefited by a child's space and time being restricted to formal schools and to studying. But as Cook argues: "it is unclear that development is a benefit and, second, it is unclear that schooling is a benefit"

(Cook 2018: 298). Liberationist theorists of childhood have argued that this binding of the child's life to the institution of schools and to a "developing" understanding of childhood is a coercive, oppressive, and unjust practice (Illich 1970; Firestone 1970; Farson 1974).

On the one hand, the concept of 'development' in itself can be considered a problematic notion, one that promotes a specific understanding of who 'children' are, by reifying them as passive, incapable and vulnerable actors, without agency or will of their own (Burman 1994; Nieuwenhuys 2013:5). It has been argued that this 'becoming' understanding of childhood (Uprichard 2008; Gheaus 2015) is harmful as it does not count children as beings in the present who have particular interests, and who may participate as active social and economic agents. Critical theorists have argued that formal schooling is the institution through which this harmful understanding of children as 'developing beings' is operationalized (Illich 1970: Ch.2; Firestone 1970: Ch.4), by limiting children's potential societal contributions and coercing them to behaving as developing beings, rather than as full human beings.

The problem of the institutionalization of children as 'developing beings' can be exemplified by how compulsion-and-ban approaches restrict the definition of 'education' to that provided by the formal schooling system. In this scenario, an important issue must be raised: just because 'education' is beneficial and a fundamental interest of children, does this mean that 'schooling' is necessarily beneficial and fundamental for children as well? (Cook 2018: 299). Schooling is a specific institution through which a formal and organized form of education is provided to children; children are expected to adapt their selves and their time to what the organized system of a school requires from them. This compulsion need not be harmful or an unjust imposition on children (Schouten 2018: 351-352); in fact, a homogenous curriculum with predetermined timeframes and requirements may be necessary and beneficial to protect the

interest of many children (Purdy 1992: Ch.5). The question is, however, are working children benefited, and are their interests protected and promoted, by being forced to go to compulsory formal schools?

While compulsion-and-ban policies claim that children's work conflicts with their education; advocates of child workers, and child workers themselves, claim that it is the rigidity and lack of inclusivity of the current school system which conflicts with both their education and their work (Liebel 2004: Ch.10; O'Kane et al. 2018). As mentioned above, a primary reason why children work is because they need to do so. It does not matter how accessible schools are; if children need to make use of their time to support theirs and their family's subsistence, work is still going to be a part of their life. Forcing them to attend a rigid system of schooling, which conflicts with their working or care obligations, will require them to prioritise some facets of their lives over others, potentially affecting all of them.

For many children, the work environment is an invaluable source of education. However, an understanding of 'education' as 'formal schooling' omits the possibility of accepting the fact that children are often being educated and socialized at work (Ornert 2018: 9-10). Children in rural areas, who work in farms, reap the greatest educative benefits from practicing the trade on which their household depends (Bourdillon et al. 2010). Of course, for children's work experience to be educative requires them working on something that supports their development of skills, aptitudes, and general flourishing. Banning children from work has the consequence of marginalising the work of children into illegal, non-formative, and potentially exploitative labour. Protecting their rights as workers can have a highly positive impact on the kind of work they do, the wage they receive, and the hours they work, which means they can better control and balance their schooling and working responsibilities.

To expand working children's access to an education, the current restrictive, understanding of education as 'formal schooling' may have to be either abolished, as some have suggested (Illich 1970; Cook 2018: 299), or at least, radically revised for it to accommodate and adapt to the needs and interests of the child working population (Boyden et al 2016; Morrow and Boyden 2018). Flexible schedules, part-time schools, and adapted curriculums are some of the best practices that are considered effective in promoting child workers' access to an education.

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¹ I follow the standard definition of the Convention on the Rights of the Child (UNCRC) which defines a 'child' as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier" (UNGA 1989: Art.1).

² Child labour is further divided into three sub-categories: child labour, hazardous labour, and worst forms of child labour.

³ This, in fact, is enshrined in Article 31 of the African Charter on the Rights and Welfare of the Child. Article 31 claims that children have a duty “to work for the cohesion of the family, to respect his parents, superiors and elders at all times and to assist them in case of need” (OAU 1990: Art. 31a).

⁴ The UNCRC (UNGA 1989), ratified by every country but the United States, claims that all children have a right to free primary education (Art. 28), a right against economic exploitation (Art. 32), and to have their best interest taken as primary consideration on any action that affects them (Art. 3.1)