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Children and Development: Rights, Globalisation and Poverty

Gareth A Jones

In 1924 the League of Nations endorsed the first *Declaration of the Rights of the Child*, which set out a series of normative claims to save and protect the "delinquent" and the "waif". Over the next 60 years development extended the promise beyond protecting children, to offer all children the benefit of improved education, health and nutrition, while recognising that investing in children would be good for everybody through increased productivity. Despite the lack of child specific data on human development, owing to a tendency to fold child welfare into family welfare (Pasztor and McFadden 2001), until the early 1980s reports such as UNICEF's *State of the World's Children* indicated some notable successes. By 1990, however, observers were far less optimistic as economic crises and Structural Adjustment threatened budget lines in education and health (White 2003). Studies showed that between 1990 and 2000 about 60 countries had cut under five mortality rates (U5MR) by one-third, but the rate of improvement had slowed in many countries and nine countries in Sub-Saharan Africa recorded increased U5MR (UNICEF 2002). Assessments judged that access to basic schooling had risen to almost 80% but 88 countries would not achieve primary education for all by 2015 and gender inequality was proving persistent (Delamonica et al 2004; UNICEF 2002). As noted by Cornia (2001) about 700 million children live on less than $1 per day, more than in 1990, and one billion children suffer from at least one of seven deprivations such as inadequate access to drinking water (Gordon et al. 2003).

Into the twenty-first century and images of semi-naked, often solitary, victim children, remain a dominant trope of campaign posters and platform speeches, functional according to Ruddick (2003), to the aim of connecting us (the viewer) to a bigger project of modernity through charity. Note the tenor of Chancellor Gordon Brown's call for a new development contract based on children given in a speech to the *United Nations General Assembly Special Session on Children* (UNGASS) n 2002:

> When we have in our hands the means to enable every child to be fed, the sophisticated medical know-how to cure many of their diseases, the means to abolish their poverty, when we well know the liberating power of education…how can we fail to act? ... Every time we lift one child above

the squalor of the slums… Every time we rescue one teenage soldier pressed into combat or one young girl pushed into prostitution or forced labour…we are making a difference. But if we can lift not just one child, but millions of children, and then all children, out of poverty and hopelessness, we will have achieved a momentous victory for the cause of social justice on a global scale and the values that shape our common humanity (Brown 2002: 1).

The appeal echoes a moral framework that development should be "for children" and makes no reference to the idea of children as the subject of rights. In this Report I reflect upon how children and development have moved from a concern with protection through welfare, to a regard for children as the bearers of rights, and latterly to a more critical appraisal of the rights framework.

From Welfare to Rights

A regard for children as the bearers of human rights began from diplomatic manoeuvres by the Polish government in 1979 to embarrass the West by proposing that the 1959 *Declaration of the Rights of the Child* be made a binding agreement. The West's riposte was to urge a wider review of human rights and children. Seizing the moment, civil society organisations (CSOs) began to step up pressure on the UN, eventually motivating the United Nations Commission for Human Rights in 1986 to draft a *Convention on the Rights of the Child* (CRC). In search of a moral compass at the end of the Cold War, according to Pupavac (2001), the CRC was quickly adopted by the UN General Assembly on November 20th 1989 and followed by the World Summit on Children in 1990 at which delegates adopted the *Declaration on the Survival, Protection and Development of Children* and a *Plan of Action* that set out seven major and 20 supporting goals to be achieved by 2000.

The relationship between children and development had been recast. Although built upon the 1959 Declaration, rights "to a standard of living adequate for the child's physical, mental, spiritual, moral and social development", to "rest and leisure, to engage in play and recreational activities appropriate to the age of the child" (Articles 27 and 31), as well as to compulsory education, health care, legal representation and freedom of speech regardless of ability, ethnicity, religion or gender, were henceforth legal obligations. The CRC also offered a closeness of fit to the mounting recognition among development agencies and CSOs that poverty should be conceptualised as a

denial of human rights, even though UN treaties do not stipulate a right to be free from poverty (see Chinkin 2001). From here it was a short step to the argument that improving human rights is axiomatic to poverty alleviation, without having to explain how treating children as a distinct social group with rights can address structural poverty or cut through family, community, ethnic, class and gender categories (White 2002a).

The CRC has been closely critiqued. Studies show an uneven record of institutional reform to mainstream child rights and few cases of increased budgets to pro-child services (Davis and Powell 2003; Gates 1999; Goetz 1996; Hammad 1999; Kawewe and Dibie 1999; Temba and de Waal 2002). White (2003) is prompted to speculate that many countries sign up to child-related agreements because they know that thereafter non-compliance brings no repercussions. Growing attention therefore has been afforded to how CSOs have translated the rights discourse to the local level. The rights framework has motivated innovative projects, especially in terms of previously hidden subject groups such as urban girls (Barker et al 2000), improving the conditions of child labour (Chowdhry and Beeman 2001), and bringing community associations and CSOs together to address youth violence (MacLure and Sotelo 2004). Woll (2001), however, suggests that the CSO record has been less impressive at the programme level and stronger in terms of policy advocacy, although Ennew (2000) expresses concern that CSOs have jumped on 'in' themes such as street children or domestic workers, leading to un-coordinated programmes and imposing opportunity costs on local partners.

Considerable debate has centred on how far to extend political rights to children, conventionally regarded as emotional and selfish until maturity. Symbolically perhaps, the CRC itself was drafted by bureaucrats and diplomats concerned with balancing interest groups rather than after consultation with children (Myers 2001: 44; also Ennew 2000). The CRC's legitimacy was not 'won' through social struggle but rested on the moral personality of young people as human beings (Langlois 2002; Pupavac 2001) and hence the importance of the post-hoc 'construction' of a child movement to back up international initiatives (Invernizzi and Mile 2002; Levine 1999). Nevertheless, the CRC has been used to deepen participation through children's councils and efforts to influence constitutional reforms (Ahnen 2001;

Bourdillon 2004; Klees and Rizzini 2000; O'Kane 2002; Reddy and Ratna 2002; Temba and de Waal 2002). Other studies, however, have revealed that CSOs and professionals that support the CRC prefer to back their own judgements about knowing the "best interests of the child" without cognisance of children's everyday informal practices or the quality of alternatives (Baker and Hinton 2001; Burr 2002; de Berry 2001; Fonseca 2002). As Aitken (2001) has argued young people's ability to assert their rights must be seen within complex and dependent relationships, and more room must be given to children's accounts of their lives (Panter-Brick 2000).

'Universal' Rights and the Global Child

In line with most other themes in the social sciences, 'children and development' is increasingly analysed through the lens of globalisation (Cornia 2001; OECD 2003; Ruddick 2003; White 2003). Child labour has been exposed through transnational consumer campaigns (Chowdhry and Beeman 2001; Liebel 2004), children are increasingly recognised as refugees, asylum seekers, or temporary cross-border escapees from armed conflict (Bruce 2001; de Berry 2001; Gates 1999; Hammad 1999), as exports 'placed' within global networks of adoption, forced trafficking or sex tourism (Bump and Duncan 2003; Fonseca 2002; Kempadoo and Ghuma 1999) or as either the 'victims' or empowered actors of cyberspace (Hick and Halpin 2001; Veber 2004).

The notion of the 'global child' as the subject of rights has provoked a critique of the CRC's claim to universalism against what many observers suggest is a hardly obscured Western-centric view of 'normal' child-adult and child-society relations that condemns 'other' styles of upbringing as 'outside' childhood (Nieuwenhuys 1998; Panter-Brick 2000; Pupavac 2001; White 2003; White 2002a). The CRC, for example, prioritises the family as the primary care-giver undermining the cultural role of community networks and responsibilities to parents that partly motivates the acceptance of child work (Burr 2002; Nieuwenhuys 1998; White 2002b). Cultural bias may explain why policy makers find it difficult to treat child-headed households positively, preferring to cling instead to assumptions of child-to-adult and education-to-work transitions despite research showing that many young peoples' transitions are frequently interrupted and relations with adults and siblings subject to renegotiation as resources and responsibilities allow (Robson 2004; Punch 2002; Young and Ansell

2003). Yet, it may not be feasible "to walk a children's rights tightrope suspended between ethnocentric cultural imperialism at one extreme and unaccountable relativism at the other" (Myers 2001: 43). As Freeman (2000) notes, relativism may be sensitive to the diversity of cultural experience but acknowledging an 'anything goes' perspective might condone female genital mutilation or child marriage. One suggestion is to de-essentialise the notion of the 'western childhood' as middle-class, white and of quite recent construction (Nieuwenhuys 1998; White 2003) or of childhood in general as socially and culturally constructed, temporally specific and geographically diverse (Aitken 2001; Panter-Brick 2000).

A different suggestion is to problematise our understanding of rights as legal discourse. In place of universalism, Langlois (2002) argues that the derivation of rights from liberal humanist thought undermines the commonality of reasonable allegiance provoking fragmentation of meaning. Taking steps toward the convergence of international and domestic law, therefore, may simply enhance the gap between domestic law and everyday practice. We might also rethink the law as an obvious ally to the extension of rights even when there is unanimity of moral concern. As Jordan (2002) shows, for example, condemnation of child prostitution has not enabled agreed definitions of "sexual exploitation" to be used in separate international agreements on prostitution or organised trafficking, partly so that governments can avoid having to reform laws on homosexuality.

A Retreat from Rights?

If the CRC marked a moment of hope that recast development agendas into the 1990s many observers of UNGASS in 2002 refer to "disappointment" (Child Rights Caucus Press Release 10 May 2002). Meetings were criticised as directionless as CSOs tried to set ambitious agendas and US conservative groups in consort with some Muslim organisations sought to prevent discussions of reproductive rights and the death penalty. Indeed, some sensed that the very notion of rights was under attack with the US Ambassador to the UN arguing that states cannot confer rights as entitlements, leading successful pressure to drop the CRC as the centre-piece of the Outcome Document. Instead, the UNICEF Plan of Action promoted the standard fare of healthy lives, quality education for all, with the addition of combating HIV-AIDS, in line with the Millennium Development Goals that ignore rights in preference to a divisible hit-

list of objectives (Marcus et al 2002). In the aftermath of UNGASS, over 90 governments failed to comply with the minimum year-one commitment to write national action plans (GMC 2002).

UNGASS also witnessed a revived interest in child labour, virtually ignored in the 1990 Plan of Action but afforded a chapter in the 2002 Outcome Document. The renewed emphasis is in line with the conceptualisation of child labour as an outcome of poverty (Grootaert & Patrinos 1999; OECD 2003) and as a predictor of poverty through the lifecourse (Marcus et al 2002). In particular, it is argued that child labour condemns participants to adult poverty by depriving them of education and skills (see Akabayashi and Psacharopoulos 1999; Heady 2003; but more sceptically Harper et al 2003). The interest also marks a step back from the prohibition stance codified as International Labour Organisation (ILO) 138 (1973) that prompted many countries either to refuse ratification or to deny the existence of child labour altogether (Gendreau 2000; Myers 2001). More recent landmark agreements such as the International Programme on the Elimination of Child Labour (IPEC) and ILO Convention 182 on Worst Forms of Child Labour (1999) concentrate on the 'worst forms' of child labour that Myers (2001) believes marks an opportunity for compromise between those who regard some types of child work as positive to immediate household needs and socialisation, and those with concerns for lifecourse poverty. Not everyone is convinced.

Some observers accuse the ILO of raising the profile of child labour by discursively conflating child labour and an abuse of rights. A recent ILO report proposes that as many as 180 million children "are now suspected to be toiling in the 'worst forms' of child labour – those activities that the global community has unanimously agreed are inexcusable under any circumstances and must be eliminated without delay". The report continues, "The persistence on such a scale of this violation of children's basic human rights casts a shadow over us all" (2002a: 1). According to Noguchi (2002) the elimination of the "worst forms" of labour as promoted by ILO 182 complements the CRC as an expression of children's right to protection from hazardous tasks and to receive education. The CRC however neither explicitly prohibits nor confirms a right to work. The strength of the argument therefore rests with a calibration of the numbers of working children that some observers believe have been revised upward. Of 351

million economically active children, ILO claims 8.4 million work in the "worst forms" of labour including prostitution and the drugs trade and 171 million in "hazardous" conditions (ILO 2002b). Despite ILO Recommendation (190) providing a relatively robust definition of "hazardous" as including work with heavy machinery, night work or exposure to noise, the term 'hazardous' has come to signify 'worst'. Discursive slippage aside, Invernizzi and Mile (2002) and Post (2001) indicate that measurement is always likely to rely on subjective impressions driven by age cut-offs and perceptions of moral well-being, and Moore (2000) and Nieuwenhuys (1998) argue that hazard is a matter of the power relations between a child, parents or employers.

The case to 'do something' about child labour has rekindled support for child issues to be understood primarily as a concern of social policy (Marcus et al 2002; O'Kane 2002). In particular, confidence is placed on the assumption that "schooling of acceptable quality displaces child labour" even though "no comprehensive research has yet been carried out analysing the economic costs and benefits of the effective elimination of child labour" (Matz 2002: 1; also Delamonica et al 2004). Indeed, studies do show that education can serve as a way out of poverty or can prevent some people getting poorer (Harper et al 2003). Research, however, also shows that school participation is influenced by inter alia household size and structure, level and stability of income, education and the work profile of parents, plus the quality of schooling (Ansell 2002; Grootaert and Patrinos 1999). The decision to work may be influenced by a fear of idleness, gender norms, a desire for self-respect and opportunities for autonomous financial management (Delap 2001; Moore 2000; Woodhead 2001). In place of the predominant either-or work-education scenarios, greater attention needs to be given to the condition of work in order to enable children to strengthen capabilities and empower them to negotiate better conditions (White 2003), or insurance programmes to reduce income variability and basic health programmes targeted to the very poorest households (Grootaert and Patrinos 1999).

Conclusion
The child rights agenda redefined normative views of development from a set of moral imperatives to a proactive set of human rights concerns in which children are understood as rights holders. Making child rights broadly comparable to those of

adults the CRC retained the notion that people realise some rights, notably political ones, with age. Nevertheless, a focus on rights also motivated public and CSOs to reform legal institutions and programmes. While an argument that poverty and inequality deny fulfilment of human rights remains rhetorically pervasive, the reversal of the rights agenda in practice must be challenged. To do so, research must demonstrate more clearly that improving rights can deliver changes to livelihood opportunities. In particular, we must explain why many children who are aware of their rights, do not work, do attend school and live within strong families will be poor in later life, while some who work, miss school and do not live within nurturing relationships manage to break out from poverty.

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