

## **CHAPTER 1**

### **Introduction**

#### **1.1 Background**

Child labour is an important aspect of social and economic reality that surrounds us, even though it is sometimes overlooked. Many people, organisations and economies all over the world are concerned about child labour. The main concern is basically the kind of work children are doing, some of which is dangerous, and may cause physical or psychological damage or may even threaten the child's life. Most affected are often the rural areas, where there is little success in the enforcement of minimum age requirements for schooling and working. Children are engaged in child labour for a variety of reasons, among which are poverty, lack of education and cultural or traditional beliefs.

According to Siddiqi and Patrinos (2002:2) 'Africa and Asia put together account for over 90 percent of the total child employment. Though there are more child workers in Asia than anywhere else, a higher percentage of African children participate in the labour force'. Researchers and child welfare activists are interested in being able to compare child labour statistics, both in time and space.

International conventions and recommendations upon which different definitions of child labour are based have long been put in place, and many countries have in fact ratified them. These standards on child labour provide a normative system, which will help us to distinguish between child labour, which must be targeted for elimination, and acceptable work activities for children. (ILO, 2004:17)

According to the International Labour Organisation (ILO, 2004:272-286) international conventions on child labour include:

- The Minimum age convention (No.138) of 1973
- The Minimum age recommendation (No.146) of 1973
- The Worst forms of child labour convention (No. 182) of 1999
- The Worst forms of child labour recommendation (No.190) of 1999
- The UN convention on the rights of the child of 1990

Ideally, all ratifying countries need to apply these conventions and recommendations as part of their respective national laws, so as to define and deal with child labour.

However, according to Siddiqi and Patrinos (2000:1) countries not only have different minimum age work restrictions, but also have varying regulations based on the type of labour; and this makes the limits of child labour very ambiguous. Thus, the two authors continue to argue that, whereas most would agree that a six year old is too young to work, it is debatable whether the same can be said of a twelve year old.

According to Nkurlu (2000:1) the United Nations defines child labour as ‘all forms of economic exploitation of a child or, any work that is likely to be hazardous or interfere with the child’s physical, mental, spiritual, moral and social development’.

Countries of the world are at different stages of socio-economic development. The various international conventions and recommendations regarding child employment and children’s rights make different provisions to enable countries define child labour according to their own domestic circumstances. This may well be one of the major impediments to international comparison of child labour statistics.

However, in the recent decade, the focus of the study and elimination of child labour has shifted towards the hazardous and unconditional worst forms of child labour (O'Donnell, Van Doorslaer and Rosati, 2002:3).

In its most recent global estimates of child labour, the ILO (2002:32) defines child labour as consisting of 'all children under 15 years of age who are economically active excluding (i) those who are under 5 years old and (ii) those between 12-14 years old who spend less than 14 hours a week on their jobs, unless their activities or occupations are hazardous by nature or circumstance. Added to this are 15-17 year old children in the worst forms of child labour'.

Children do a variety of work in widely divergent conditions, and this work takes place along a continuum. The continuum is characterised by two opposing ends. At the one end of the continuum, children are engaged in work that is beneficial to their mental, physical, spiritual, moral and social development, without interfering with their schooling, recreation and rest.

At the other end of the continuum, children are engaged in work which is exploitative and perhaps life threatening. While most definitions of child labour aim at distinguishing between beneficial and intolerable work, it is important to realise that much child labour falls into the grey area between these two extremes. (UNICEF, 1997:24).

Education plays a very important role in the intellectual development of a child, and under normal circumstances, a school and not a work place is exactly where a child should be. However, quite often one might find children of school going age engaged in work, and sometimes the type of work is dangerous or the circumstances under which they are working could be dangerous.

If there is a link between child labour and education, the question that might be asked is: will the successful implementation of the policy of free compulsory education be enough to eliminate child labour?

In The State of the World's Children 1999 it was reported that there were about 130 million primary school age children in developing countries who did not attend school, out of a total of about 625 million children of this age group in these countries (UNICEF, 1998:8). Almost two thirds of the children being denied their right to education were girls.

According to UNICEF (1998:48-49), the majority of out-of-school children are likely to be working. Work prevents many children from gaining or benefiting from education. But equally to blame is the state of the education systems, which fail to take into account the special circumstances of working children. Although most working children want to go to school, attracting out-of-school working children back to school, retaining all the children at school to an appropriate age and level of learning, and to reintegrate children who have dropped out, education must be structured to fit the specific needs of working children, their families and communities.

## **1.2 Need for research**

Research has been carried out in different areas of the world around the subject of education and how it is related to child labour. Findings have been made and these need to be tested against South African data to see whether the various phenomena previously identified hold in this country. More has been said about how education itself affects child labour and how and whether child labour affects education. Education is a major tool used to fight child labour as it offers an alternative to the child. It is always important to know whether access to education or absence of such access is related to the incidence of child labour, and to determine how specific government policies of education can be relevant to the abolition of child labour in South Africa.

It is important to note that if children do not go to school, it may be very difficult, to prevent them from participating in child labour, as there are very few alternatives. Countries, which have made strides in their efforts to eliminate child labour, have put sound and responsive education systems in place.

### **1.3 Problem statement**

According to Statistics SA (2000:5), out of an estimated population of 13,4 million children aged 5 to 17 years who were living in South Africa during July 1999, about 36% (4,84 million) of them were engaged in child labour. Statistics SA was using a contested definition, namely: ‘the higher risk definition’, in which a child was counted as engaged in child labour if and only if they spent at least 3 hours per week on an economic activity, or 7 hours or more per week on household chores, or at least 5 hours per week on school labour.

Such a definition did not take into account the different age categories of children, their life circumstances and the hazardous nature of some of the activities in which children were engaged. Furthermore, some of the recent regulations governing working conditions of children in different sectors of the economy could not have been integrated in the definition at the time.

The problem therefore is that the estimated extent of child labour and its existence in South Africa remains as contested as the definition on which the estimates were based.

Given the socio-economic conditions of the South African population, the political and cultural history, and given the domestic and international laws and conventions regarding the rights of children and how these are applied in South Africa, it remains important to agree on a definition of child labour that is transparent, informed by recent research on the subject, based on consultation with stakeholders.

In addressing issues of child labour, a government needs to know how this phenomenon affects schooling, including school achievement and progression through the system. In South Africa we do not know whether there is a link between the child labour and academic progression, and if indeed a link exists, what the characteristics are of such a relationship.

It would be important to establish whether there is a relationship between such a link and other factors such as: gender, type of area of residence, access to services, access to appropriate education system and the education status of the parents.

In spite of the limitations of the SAYP research, which will be discussed in Chapter 6 of this dissertation, the questions about child labour and education in South Africa similar to those raised above could be answered through the analysis of the 1999 SAYP data set.

## **1.4 Sub-problems and research questions**

The following aspects will be studied:

- What would be the best, appropriate, and non-controversial definition of child labour in South Africa?
- Is there a relationship between child labour and educational progression?
- How does gender and population group affect the relationship between child labour and educational progression?
- How is child labour related to some demographic variables such as gender and population group?
- Is there a relationship between child labour and school attendance?
- Is there a relationship between the incidence of child labour in a home, and the level of education of the parents?

Planners in government and other agencies would be better able to address the issues of child labour if they had answers to the above questions.

## **1.5 Outline of the dissertation**

In Chapter 1 (this chapter) of the dissertation a general background on the problem of child labour and the need to research the phenomenon of child labour especially in relation to education will be given. The importance of education in the efforts made to eliminate child labour will be stressed.

Chapter 2 deals with the review of the relevant literature as given by various researchers and writers on the subject. Problems associated with the definition of child work and child labour, are discussed here. A distinction is made between child work in general and child labour in particular and the unconditional worst forms of child labour, which should be targeted for elimination. The status of South African children regarding education is discussed and the link between child labour and education in general, and education progression in particular is explored. Lastly, but not least, both domestic and international laws and conventions, which provide the legal and conceptual framework for defining and measuring child labour, are discussed.

Chapter 3 deals with the methodology used in this study. It gives the description of the research methodology and discusses the limitations of the various approaches considered and used, and the strengths and weaknesses of the approach adopted.

Chapters 4 and 5 deal with the nature of the research findings and discuss the findings in relation to the literature reviewed in Chapter 2 and the research problem as outlined in Chapter 1.

In Chapter 6, the limitations of the Survey of Activities of Young People (SAYP) data set with specific reference to the flaws in the methodological approach of SAYP will be discussed. Alternative approaches, which would have made the data more useful are proposed and discussed.

An overview of the research and its findings is presented in Chapter 7 and some recommendations are made.

## CHAPTER 2

### Literature review

#### 2.1 Introduction

This chapter deals with the literature review pertaining to the topic. Issues relating to child labour legislation, both international and domestic; the concepts of economic activity, unpaid domestic work, minimum working age and how all these concepts and tools are used in the definition of child labour will be discussed.

During the literature review, an attempt will be made to explore other work, which has been done in the area of child labour, both in South Africa and internationally. The literature will focus on the definition of child labour, the educational circumstances of working children, and study how child labour has been linked to education elsewhere. The arguments presented in this chapter will be used in the discussion and interpretation of the findings for South Africa, which are presented in chapter 5 of this dissertation.

Child labour takes place when children are involved in the kind of work that makes it impossible for them to develop and get on with their lives freely. Whereas it is generally believed that child labour is always associated with poverty, its incidence is not necessarily restricted to poor, third world countries (UNICEF, 1999). Child labour is practised in many countries of the world, both developed and underdeveloped. The main focus of this study will be South Africa in particular, but some specific reference will be made to situations as they exist in some of the countries within the Southern African region.

Since the early nineties, there has been a lot of interest in international forums in the problems posed by child labour. According to the International Programme on

the Elimination of Child Labour (IPEC), there are three main reasons for this (IPEC, 1995,1).

Firstly, there is a realisation that the exploitation of working children has become more serious in several parts of the world and may continue to do so as economic conditions deteriorate and hamper social development, especially in the areas of employment and education. Secondly, there is a growing concern that by employing children at an age and in conditions that do not conform to the universally accepted standards, some countries stand to gain a comparative advantage in international trade over those that are stricter about applying such standards. And lastly, there has been a stronger commitment of public opinion than in the past to the cause of human rights and of the rights of children in particular (IPEC, 1995,1).

Because of this renewed interest in the status of working children, the common question in the ILO has been: 'what is the number and proportion of working children throughout the world'. Another question focuses on whether the situation is better or worse than 10, 20 or 30 years ago. A global estimate of the number and proportion of economically active children would need fairly reliable and comparable statistics for every country. Such statistics call for internationally agreed and comparable definitions. Unfortunately, there is no international agreement defining child labour. Countries not only have different minimum age work restrictions, but also have varying regulations based different types of labour. Such a situation makes the limits of child labour very ambiguous. (Siddiqi & Patrinos, 2000:1).

Compounding the problem even further is the fact that, in a number of countries, legislation required to enforce labour restrictions is often inconsistent. In countries such as Costa Rica, Thailand and Sri Lanka for example, the minimum working age is lower than the age of compulsory education, giving the children access to employment before they have even completed the minimum amount of schooling. (Siddiqi and Patrinos, 2000:3)

Until there is a global agreement, which can isolate cases of child labour, there will be little hope that it can be abolished.

## **2.2 Why children work**

Various researchers have identified factors that lead children into work and they have also attempted to identify the barriers that prevent children who are already in work, to leave work and get into school. The United States Department of Labour (U.S. DoL) divides the factors into three major categories, namely: poverty of resources, poverty of opportunities and the availability of work. (U.S. DoL, 2000:17).

Overall, poverty is the most commonly recognised cause of child labour in agriculture and fishing. According to the U.S. DoL (1995:26-27) children most commonly work in poor rural agricultural regions in which families believe that the employment of their children will increase total family income. While employment of children may supplement family income, it may also contribute to keeping children in perpetual poverty, as there may be a lack of affordable opportunities for further education and skills training, which limits prospect for upward or outward mobility.

### **2.2.1 Poverty of resources**

Regarding poverty of resources, the U.S. DoL (2000:17) defines it as those instances when child labour is thought to result from low adult wages, low family income, or lack of financial assets. The department says that the logic of linking child labour to poverty is clear. Many children work because they or their families could not survive without the income, goods or services generated by the work of children. It is further argued that lower income families spend a higher percentage of their income on basic essentials, such as food and shelter, and in many cases may depend on the earnings of children to provide these basic needs. In such families, the case of children who are not working is a luxury they simply cannot afford.

There is abundant evidence to show that child labour is linked to poverty, both at the country and at the household level. In general, the poorer the country the higher is the incidence of child labour.

At country level, according to U.S. DoL (2000:18) countries with a per capita GDP of \$500 or less, will have a labour force participation rate of 10-14 year old children ranging between 30 and 60 percent; while for countries with a per capita GDP in the range of \$500 and \$1000 will have an equivalent labour force participation rate ranging between 10 and 30 percent.

The fact that the incidence of child labour declines less rapidly in countries with per capital GDP above \$1000 may have something to do with income inequality. U.S DoL (2000:18) says that in such countries, 'a positive relationship may be seen between the incidence of child labour and income inequality: the more unequal the distribution of income in a country, the higher the incidence of child labour.

According to DoL (2000:18), this evidence suggests that even in countries that are not extremely poor by measures of average household or individual income, there may be households that subsisting far below the average. In such households, child labour may still be a reality.

Therefore, there may be an inverse relationship between incidence of child labour and average GDP per capita, although incidence of child labour declines less rapidly in countries with per capita GDP above \$1000 (U.S. DoL, 2000:18).

At a household level, the likelihood that a child works depends on other sources of income available to the family and the number of people for whom those income sources must provide. Higher parental income reduces household pressure to send children to work and makes schooling a viable alternative. On the other hand, when parental income declines due to adult wages falling or reduced hours, the children in that household are at a greater risk of early employment. (U.S. DoL, 2000:18)

In such cases children are forced to forego schooling in order to supplement adult income in a household.

Where a society is characterised by poverty and inequality the incidence of child labour is likely to increase, as does the risk that it is exploitative. According to UNICEF (1997: 27), the small contribution of a child's income or assistance at home for poor families, that allows the parents to work can make a difference between hunger and a bare sufficiency. For poor households to be able to maintain their economic level, children's work is usually essential.

Similarly, it has been argued that child labour will be particularly important in households where a parent is absent or deceased. According to U.S DoL (2000:18) loss of a mother has been found to have a greater impact on children leaving school prematurely than the loss of a father. Moreover, says DoL, 'the loss of a mother tends to have a particularly negative effect on girls who are frequently called upon to assume domestic responsibilities previously carried out by their mother'.

According to U.S DoL (2000:19) family size is another factor that influences the working circumstances of children. In households with large numbers of children, if income is insufficient to meet basic needs there will be pressure to send at least some children to work in order to supplement overall income. In very poor households, there is little or no choice about whether or not children work. Children must work to survive.

Some children have to work to meet the costs of schooling. According to the United States Department of Labour (2000:20) some children in Zimbabwe work in exchange for the opportunity to attend school; they are required to complete a minimum amount of work or risk being withdrawn from school.

According to World Confederation of Labour (WCL, 2001:4) it is sometimes difficult to establish whether children do not go to school because they have to

work, or whether they work because they do not go to school. Going to school costs money (transport, uniforms, books) that the parents normally do not have. Children must not cost them money; on the contrary, they must bring in money.

With respect to education, working children usually drop out of school at different stages of their schooling. In a study conducted in the Palestinian West bank and Gaza strip it was reported that about 56% of the working children dropped out of school at the preparatory stages, while 31% dropped out at the elementary stages (UNICEF, 2001:11).

The U.S. DoL (2000:47) affirms that while financial poverty creates barriers to educating of working children, children may also work because they lack alternatives. The department says that, for the effective combating of child labour we do not only need to withdraw children from work but we also need to ensure that alternatives to work exist and are accessible to these children. There must therefore be national policies and decisions aimed at broadening opportunities available for the children and their families.

Child labour in some communities is seen as family insurance. The U.S DoL (2000:21) says, 'Loss of income because of a poor harvest or the loss of work of a family member because of dismissal, injury, or sickness is a significant threat to families whose ability to provide basic necessities is marginal. This vulnerability to risk makes the short-term returns of child labour more attractive to lower income households, as long as the interruption of one family member's income can be somewhat offset by the others'.

It has also been argued that there is a cycle of poverty that perpetuates itself through child labour. It is clear that children who do not attend school earn less as adults than children who do. Thus, according to U.S DoL (2000:22) the effect of not educating one generation of children also tends to have a costly effect on the incidence of poverty and child labour in the next.

### **2.2.2 Poverty of opportunities**

There are four main issues all related to poverty of opportunities that affect many working children and their families. These are: lack of appropriate schooling, discrimination, cultural attitudes, and restricted access to credit.

The U.S DoL (2000:23) points out that 'whether available schooling is appropriate depends on its accessibility, quality and relevance'. Schooling is not an option for a child if it is not accessible. And if available schools are too far from where the children live, parents are not likely to consider school attendance as a feasible use of the children's time.

Quality of schools is also an important aspect of education. Where schools are available but education provided is of poor quality, children also face a lack of real opportunity because their education is unlikely to give them the skills and competencies needed to command higher wages in the labour market. Poor quality of education presents itself among other things, in the form of untrained teachers, poor facilities and classrooms and over-crowding in classrooms.

U.S DoL (2000:24) affirms that schooling must be relevant if it is to be seen as a real opportunity for children. And further that, 'Families will want to send their children to school if they see a potential for education to result into higher earnings later in life. Parents are therefore unlikely to see the value of investing in formal education if better paying jobs that require the skills derived from education are few'.

Discrimination on the basis of gender, ethnicity and social class, and restricted access to credit are all other factor that directly or indirectly force children to work. U.S DoL (2000:29) states, 'If credit is not available, families cannot borrow to finance activities such as a small business. Such enterprises once established are potential sources of future income for families that would allow them both to support themselves without sending their children to work, and to pay the out-of-pocket expenses of schooling'.

In India where society is classified according to castes, children of low caste are denied education due to the fear that if they are allowed to go to school then nobody will go to the field. According to Sinha (1996:6) the formal education system has been criticized on the basis of creating a mass of educated illiterates who are neither willing nor able to perform the traditional family occupations.

Other forms of discrimination that create barriers for children leaving work to pursue schooling may be based on either ethnicity or social class. Targeted projects can be aimed at expanding and enhancing educational opportunities for children (U.S DoL, 2000:53).

According to the U.S DoL (2000:25) girls are often viewed as essential to the running of households. When mothers work outside the home, girls are frequently asked to take responsibility for domestic work. Girls are also asked to assume household responsibilities in the case of an ill or deceased mother.

### **2.2.3 Availability of work**

Most of the arguments given above regarding why children work have focused on why children are made available for work. For children to be able to work, someone must provide the work in the first place. We need therefore to spend some time to consider the different factors that create work for children.

According to U.S DoL (2000:31-32) children are said to be easier to handle than adult workers for a number of reasons. They are usually paid lower wages for producing the same quantity and quality of work as adults and, they are said to be more compliant with employers' instructions. Because they are under-age and often employed illegally, child employees are not able to join organised labour to advocate for improved working conditions. These circumstances create a demand for child workers who see this as a sure way of cutting costs and maximizing profits.

According to the U.S. DoL (1995:25) the use of child labour is usually the result of a need for intensive labour, coupled with a readily available supply of labour

that is cheap and easily controllable. Employers like to employ children because they are available in large numbers and because in the view of some employers, child workers are preferred to adults.

Apart from being driven by the profits motive, employers hire children because; children are considered to be more suited for some jobs. This may be particularly true for jobs that require physical attributes such as size or some degree of agility. Children are considered to be more desirable than adults for the work of weaving high quality carpets because their nimble fingers make it possible for them to tie smaller, tighter knots.

UNICEF points out that, children are usually employed because they are easier to exploit. This is why when most employers are challenged they are quick to plead their own relative poverty and their need to make ends meet through low wages so as to be competitive.(UNICEF, 1997:27).

According to UNICEF, the vast majority of working children has been forced into work by three factors, namely: the exploitation of poverty, the absence of education and the restrictions of tradition (UNICEF, 1999:27).

UNICEF (1997:27) has stated that for poor families the small contribution of a child's income or assistance at home that allows the parents to work can make the difference between hunger and a bare sufficiency.

While reporting on a study carried out in the KwaZulu Natal province of South Africa under the ILO-IPEC framework, the ILO cites poverty, parent survival status and family relations as factors associated with child labour in that region. Under poverty some of the reasons mentioned are: supplementing family income, self-support/caring for siblings, mother and father passed away, need to provide for own/siblings schooling. Other reasons were: escaping abuse at home and deception/encouragement from peers. (ILO, 2004:105-109).

According to ILO one hypothesis tested in the study suggests that an increase in the number of AIDS orphans in KwaZulu Natal has led to more child labour. Using the accounts given by orphaned children interviewed about the illness suffered by their parents prior to death, researchers were able to say with some degree of probability whether a given death was AIDS related (ILO, 2004:108).

While it remains desirable that children should grow up in an environment that provides the best possible conditions of physical and mental growth, many factors compel children to enter the workforce. As a result, a large supply of children is often available to meet the demand for child labour (U.S. DoL, 1995:25).

### ***2.3 The child, child work and child labour***

According to article 2 of the ILO Worst Forms of Child Labour Convention No. 182 of 1999 (ILO 2004:279), a child is defined as a person who is under the age of 18 years. However, although it is commonly accepted that children under the age of five do various kinds of work in their homes, for the purpose of this study and for the sake of international comparison, only the child population of ages 5-17 years will be considered.

Work is defined in terms of economic activity according to the System of National Accounts (SNA) 1993, and corresponds to the international definition of economic activity as adopted by the 13th International Conference of Labour Statisticians in 1982 (ILO 2000:2). All economic activity, whether paid or unpaid, whether for market or non-market purposes, including production of goods for own use, is regarded as work. If for example a child is engaged in unpaid activities in a market-oriented establishment operated by a relative living in the same household, the child is considered to be working in an economic activity. Even children working as domestic servants in someone's home are considered as economically active.

Children engaged in domestic chores at home are not usually regarded as economically active, although in cases where they are not living with their parents or grandparents, these children may be involved in real child labour (ILO, 2002:29).

According to ILO, economic activity is measured in relation to a specific reference period, usually a week during a school year. A longer reference period like a year introduces analytical problems such as double or under counting that could have been otherwise avoided by sticking to a week.

## **2.4 Definition of child labour**

The concept child labour has been defined by a number of international and national conventions, laws and regulations that govern issues around the rights of children. Ideally to define child labour one has to define a number of concepts upon which, and in terms of the relevant conventions, laws and regulations, the definition of child labour is based. These concepts are: a child, age, minimum working age, child work, child labour, hazardous work and unconditional worst forms of child labour.

A child is defined as an individual under the age of 18 years based on the 1989 United Nations Convention on the Rights of the Child and the ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182) (ILO: 2002,29).

According to the UNICEF (1999:24) child labour is exploitative if it involves any of the following:

- full-time work at too early an age;
- too many hours spent working;
- work that exerts undue physical, social or psychological stress;
- work and life on the streets in bad conditions;
- inadequate pay;
- too much responsibility;
- work that hampers access to education;

- work that undermines children's dignity and self-esteem, such as slavery or bonded labour and sexual exploitation;
- work that is detrimental to full social and psychological development;

It is the impact of work on a child's development that is key to determining which end of the child labour continuum such work falls, namely if the work is beneficial or harmful. Work that is harmless to an adult can be extremely harmful to a child.

According to the UNICEF (1997:24) various aspects of a child's development can be endangered by work and these include:

- physical development- including overall health, co-ordination, strength, vision and hearing;
- cognitive development- including literacy, numeracy and the acquisition of knowledge necessary to normal life;
- emotional development- including adequate self-esteem, family attachment, feelings of love and acceptance;
- social and moral development- including a sense of group identity, the ability to co-operate with others and the capacity to distinguish right from wrong.

It is clear that of all the detrimental conditions of child labour physical harm is the easiest to observe. According to the UNICEF (1997:25) hard physical labour over a period of years can stunt the child's physical stature by up to 30% of his/her biological potential. This is because stores of stamina that is supposed to last the child into adulthood is expended during early hard physical labour..

Perhaps the most common and yet the most frequently disagreed upon yardstick of child labour is the age at which the child should start working. According to the UNICEF (1997:25) all cultures and communities agree that the younger the children, the more vulnerable they are physically and psychologically and the less they are able to fend for themselves. Age limits are a true reflection of society's judgement about the evolution of children's responsibilities and capabilities. Almost in all spheres of life age limits are used to regulate children's activities. But age limits differ from activity to activity and from country to country.

According to the UNICEF (1997:25) the legal minimum age for all work is for example 12 years in Egypt, 14 in the Philippines, and 15 in Hong Kong. In Peru different standards are adopted for different sectors, namely 14 in agriculture, 15 in industry, 16 in deep-sea fishing, and 18 for work in ports and seafaring.

In a child labour survey carried out in the Philippines in 1995 child labour was defined as the illegal employment of children below the age of 15 years or of those below 18 years of age working in hazardous and deleterious conditions. Employment was defined as labour for persons other than parents or guardians (Philippines National Statistics Office, 1997:4).

According to Nkurlu (2000:1) the United Nations (UN) defines child labour as 'all forms of economic exploitation, any work that is likely to be hazardous or interfere with the child's physical, mental, spiritual, moral or social development'.

The ILO definition of child labour, highlighted by Nkurlu (2000:1), is broader. It defines child labour as 'remunerated or unremunerated work by a young person under a certain age, the work of which impairs the young's personal development, health, safety, well being physically, mentally and psychologically, impairment of which is in violation of national or international law'. The ILO definitions focuses on forms of child labour which are exploitative.

In 1973 the ILO Minimum Age Convention No.138 (Nkurlu, 2000:3) was adopted covering all sectors of economic activity. The convention sets a number of minimum age levels for different types of work, thus defining the thin line between what should be considered child labour and work that can be allowed for children. The Minimum Age Recommendation accompanies the Convention.

In the U.S. DoL (2002:7) report to the U.S Senate and House of Representatives about its 2001 findings on the worst forms of child labour in 124 countries around the world, the department recognises that 'the international definition of child

labour is derived from ILO Convention 138, which states that child labour is any economic activity performed by a person under the age of 15’.

However, the U.S. Department of Labour also recognises the economic necessity in many countries for children to contribute to their family income, and that not all work is considered harmful to or exploitative of children; it is simply child work (Union-Network, 2000:2).

According to this definition child labour does not usually refer to performing light work after school or legitimate apprentice opportunities. Rather child labour of concern is generally ‘employment that prevents effective school attendance, and which is performed under conditions which are hazardous to the physical and mental health of the child.’ (Union-Network, 2000:2).

The U.S DoL (2002:7) points out that child work can include “light work” after school, household chores or work through legitimate apprenticeship opportunities. So for the purpose of the report, child labour was defined as work that prevents children from attending and participating effectively in school or is performed by children under hazardous conditions that place their healthy, physical, intellectual or moral development at risk.

O’Donnell, van Doorslaer and Rosati (2002:3) point out that if a legal ban on child work was to happen, it is likely to have limited effectiveness given the difficulty of regulating the informal labour markets in which many children work and, furthermore, if a ban were effective, it might not be in the best interest of the children from poor families reliant upon their children’s productive contribution to maintain a subsistence existence.

## 2.5 Different forms of child work

Children perform different kinds of work for reasons already discussed, and according to their circumstances. Some work is considered to be healthy and offers no compromise to the children's health, development or capacity to learn. Because children doing particular kinds of work often have similar lifestyles and problems, child labour is often divided into categories such as children working in various types of agriculture, in urban environments, in manufacturing, in fishing, construction, domestic service, and so on (ILO, 2004:22).

ILO (2004:22) points out that it is important to note that even when children are not listed as 'working' in any household-based research, they might nonetheless often be involved in work. They help take care of the household by cooking, cleaning, taking care of the family livestock, watch over their younger siblings and assume many other tasks.

According to the ILO (2004:23) working children everywhere, especially those in developing countries are concentrated in the informal sector of the economy. Their activities are not "official" and as such, there is no government employment agency or tax authority that knows the children are working because they are not officially employed.

The ILO (2004:23) points out that children work for people that are normally unregistered as employers. For some work the children receive no payment but only some food and a place to sleep. The children in the informal sector have no job security, receive no payment if they are injured or become ill, and can seek no protection if their employers maltreat them. Very often they are working illegally since their country's laws prohibit them from doing so. (ILO, 2004:23).

There has recently, been a paradigm shift, especially in developed countries, whereby many researchers who studied and wrote about child labour tended to refer mainly to child labour in the formal or modern sector of the economy, where there are "real" jobs and recognized employers. According to ILO (2004:24), one of the reasons for this has been that, it is in the formal part of many weaker

economies that goods that are usually exported are produced, and activists against child labour in the rich countries focus mainly on goods coming into their own countries that may have been made by children. So, says ILO ‘when the activists look at the sources of these goods, they focus on the formal sector of the countries concerned’.

Available evidence points to the fact that in most countries of the developing world the formal sector of the economy is not the largest part as most working children are concentrated in the informal sector. The ILO (2004:24) concludes that international organizations and others concerned with child labour have now turned their attention to the informal economy. The term “informal economy” includes agriculture, domestic service, a host of informal manufacturing activities, mining, street vending, and a large number of other occupations, some of which will be described below.

According to the ILO (2004:24) child labour is rampant among children living in large cities and towns in developing countries, and also in many in the industrialized world. It is said ‘One of the factors responsible for this is the swelling of urban populations as people migrate to the towns and cities from rural areas. This results into frequent urban poverty, and many of these working children live in unhealthy slum areas and work in poor surroundings’. Included in this category are children:

- working as domestics inside the homes of others;
- working in restaurants, hotels and shops;
- working in different kinds of small workshops;
- working with their families in home work; and
- working as child minders (normally girls) for younger siblings (which is necessary so that their parents can engage in income generating work, either at home or outside the home.

Of the children who work outdoors, the ILO (2004:25) says, ‘they are often vendors of a vast assortment of small goods. Others perform services such as shinning shoes. Some cater to tourist needs, or work in the markets as porters or

carriers. Some children earn money by combing through garbage dumps for saleable objects, as do many adults, or they work in construction or brick making'. These children do not usually keep their earning for themselves, unless they are on their own, and the money they bring home can be essential to their family's survival.

Far more children work in rural than in urban areas according to the ILO (2004:27) and thus making activities in the field and on farms the most common among working children. Their activities can include caring for animals and livestock and doing many other tasks. Many of these children work with their families and live at home. Others work away from home, and for employers far from their homes and families; sometimes under arrangements that are neither legal nor beneficial to the child. Some of such arrangements may constitute bonded labour, which is one of the worst forms of child labour, targeted for elimination.

According to the ILO (2004:28), many thousands of children work in manufacturing enterprises, especially in the developing countries. The ILO points out that some of these production units can be large, but most are quite small and labour-intensive, meaning that most operations are done by hand rather than machines. Children usually work indoors under surveillance. Some of these factory jobs are sometimes contracted out to families on a piecework basis to be performed in their households.

## 2.6 Child domestic workers

Child domestic work is common almost in all cultures. It is important to distinguish between domestic work performed by children in their own homes, and domestic work performed by children in employment outside their own home.

Children are expected to perform various tasks in their own homes. Such work performed by children in the home environment is essential for their development. The household chores give children the necessary life skills that they will need to survive.

However, children working in a home can be vulnerable to abused by their parents or adults living in the same household. Such abuse can be in form of: working for long hours, skipping school to attend to household chores or attending to a member of the household who is ill. Children who are very young may be unreasonably asked by adults or older siblings to perform tasks in a home, which are not suitable for their age. All these circumstances, either individually or in combination will result in hazardous working conditions for the child, which will either impede their development or interfere with their schooling. When this happens, child labour exists.

Children engaged in domestic work outside their homes do so illegally. By definition, such children are engaged in child labour. Children working in such conditions do so under various circumstances. They may be working for a wage, but because they are under the minimum working age, they are working illegally. In South Africa, the minimum age allowed for a child to start employment is 15 years.

The ILO (2004:20) say, ‘ since domestic work is usually unregulated, this type of work is often hidden from the public eye. Children, particularly girls are often exposed to cruel treatment, forced to work excessive hours, and prohibited from attending school. Sometimes they are trafficked into the situation’.

Child domestic workers are sometimes referred to as the “invisible” child workforce –invisible because, unlike children working on the street or in a factory, each child domestic worker is separately employed and works in the seclusion of a private house (UNICEF, 1999:3). According to UNICEF, these child domestic workers do not exist as a group and are difficult to reach and to count.

In South Africa for example, questions on employment, which are asked of household members during the March and September rounds of the Labour Force Survey are put to people aged 15 years and above. The work status of the majority of children living in these households remains unknown.

According to UNICEF the invisibility of domestic workers also stems from the fact that the majority are girls. UNICEF continues ‘Doing domestic work in a household other than their own is seen as merely an extension of their duties, and the concept of employment is missing’. In many value systems the girls’ and women’s work is still economically disregarded, simply because it is done by girls and women.

It is not uncommon for the presence of a child domestic worker not to show up in census or household survey data, since the status of a girl living in a household may be blurred with that of the family. As such, prevalence of under-age domestic work in any setting is especially difficult to assess.

For children who are engaged in domestic work outside their own home, UNICEF (1999:4) has outlined features, which distinguish child domestic work from other forms of child labour; and they are:

- *Domestic work is among the lowest status, least regulated, and poorest remunerated of all occupations, whether performed by adults or children;*
- *Most child domestics live in, and are under the exclusive, round the clock control of the employer (normally the female head of household); they have little freedom or free time;*

- *About 90% of child domestics are girls; their powerlessness within the household renders them especially vulnerable to sexual abuse;*
- *Since it is possible for very young children to undertake light household tasks, the age of entry can be as young as five;*
- *Many child domestics do not handle their earnings; some are unpaid; the earnings of others are commonly given to parents or people often referred to as ‘auntie’, but who in reality are unrelated recruitment agents;*
- *The live-in child domestic is cut off from her/his own family, has little opportunity to make friends, and almost no social exchange with peers.*

Domestic employment of children on the other hand, may be permitted within the framework of the minimum age for admission to employment under Convention No. 138 (ILO 2004:272-273). This could be done by regulating the conditions, including allowing children to go to school, providing them with a good place to sleep and nourishing meals, some free time to do schoolwork and play with others, the freedom to visit family, and so on.

The ILO (2004:60) says ‘Of course, it will also be necessary to protect those children from certain hazardous tasks undesirable for a child, and make sure that it is not a way of hiding a worst form behind a closed door’.

Child domestic employment takes away almost all the rights of the child as spelt out in the Convention on the Rights of the Child (ILO 2004:284:286). UNICEF (1999:6) notes that ‘Although the convention does not have any article that specifically proscribes child domestic employment as definitively as the 1956 Supplementary Convention on slavery, Article 32 clearly states the right to protection from any work that is harmful to the child’s health or physical, mental, spiritual, moral or social development’.

In developing countries like South Africa, children are expected to participate fully in unpaid domestic work of the households in which they live. Many children work long hours on chores that mean no more than enabling a meal for the household. Fetching of water and firewood is part of routine for survival as most of the

households where these working children are found are located in rural or non-urban areas where they do not have access to tap water and electricity for domestic use (Statistics SA, 2000:5)

In their analysis Budlender and Bosch (2002:49) look at the concept of long hours performed by children in unpaid domestic work. Budlender et al impose cutoffs for potentially harmful work performed by children in unpaid domestic work. The authors report that higher cutoffs are imposed for the younger age groups because 'most families expect children to contribute in some way to this work, and that such work is not regarded as illegal even for the youngest children unless it amounts to abuse in terms of the Child Care Act'. The authors chose cutoffs of 14 hours per week for children aged 5 to 9 years, 21 hours per week for children aged 10 to 14 years and 45 hours per week for children aged 15 to 17 years.

Statistics SA (2000:6) shows that fetching of firewood and water for domestic use was the most common economic activity in which children participated. Altogether, approximately 4,5 million of the 13,4 million children aged 5 to 17 years (33%) spent one hour or more per week fetching wood and/or water.

It would be very difficult if not impossible to impose low cutoff limits for such activities around which the livelihoods of most poor rural households depend. However, it does not seem logical to classify the fetching of wood and water as an economic activity, unless of course there is evidence that this was being done in employment or for some kind of pay, profit or family gain.

## **2.7 Child labour targeted for elimination**

The child labour targeted for elimination is what is known as the 'worst forms' of child labour. There are two types of 'worst forms' of child labour namely: the conditional type, which is also known as hazardous child work, and the Unconditional Worst Forms of Child Labour, which mainly includes exploitation of children by involving them in illegal activities.

The Worst Forms of Child Labour Convention No.182 of 1999 (ILO 2004:279), together with the accompanying recommendation No.190 point out the activities that are considered to be worst forms of child labour. According to the ILO (2004:46), these are:

- *Slavery or similar practices, such as the sale and trafficking of children, debt bondage, and forced or compulsory labour (including the forced recruitment of children for use in armed conflict);*
- *Using or offering a child for prostitution or for pornography;*
- *Using or offering a child for illicit activities, such as for the production and trafficking of drugs;*
- *Work, which by its nature or because of the circumstances in which it is carried out is likely to harm the health, safety or morals of the child, i.e. hazardous work.*

All those activities whose status as worst forms cannot be altered no matter what is done to improve the working conditions. As aptly put by the ILO (2004:46) ‘No changes that one can imagine, for example, could improve working conditions sufficiently to make the commercial sexual exploitation of children or the use of children in pornography an acceptable occupation for a child’.

So, the worst forms of child labour mentioned in the first three bullets above are actually worst forms “by definition”. There is no room for any country to adjust the definition; no matter what differences may exist between countries. This kind, is sometimes referred to as “intolerable worst forms of child labour”.

On the other hand, the list of what should be prohibited under bullet four above needs to be determined by each country individually. Such a list forms a set of conditions, which qualify or disqualify child labour as being or not being of the worst form. Thus, this type of child labour is of the worst form simply by “condition”, such as age, hours worked, working conditions, wages paid, effect to child health etc. It is also known as hazardous work.

Examples of some of the worst forms of child labour by condition are hazardous manufacturing operations, mining, quarrying, deep sea diving, working at heights in construction, scavenging or rag picking, or carrying heavy loads. According to the ILO (2004:47), even work that does not leave physical scars but is likely to damage the psychological health of a child or stunt his or her social or intellectual development is included here. Under-age children made to carry heavy loads will most probably be stunted in their physical growth.

Child labour activities differ in terms of inherent safety hazards and risks, type of health effects, and also in terms of the psychological and moral consequences for the child. Different regulations for various kinds of activities are required for each country.

## **2.8 Child trafficking**

Another phenomenon usually associated with child labour is child trafficking. Child trafficking is recognized as one of the worst forms of child labour targeted for elimination. The following literature suggests that in Africa, poverty is the main reason behind this kind of child labour.

In 2001, the ILO compiled a report based on studies conducted in Benin, Burkina Faso, Cameroon, and Cote d'Ivoire, Gabon, Ghana, Mali, Nigeria and Togo; countries where child trafficking was on the increase. The report discussed among other things, the characteristics defining the backgrounds of the families of the children being trafficked. The most prominent characteristics of those families were: poor peasants, large families, rivalry between spouses, death of a parent, low education levels of parents and the child has no say. (ILO: 2001:13-15).

In the ILO report it is stated that children being trafficked come from poor families living in rural areas, with the majority of parents engaged in agriculture. As for the size of the families, it is argued that children are more at risk when they are members of a family with 5 or more children. Children being trafficked come from

both monogamous and polygamous families. In Mali, one of the reasons given as a possible explanation of polygamy as a push factor is spouse rivalry. The report says that rivalry between spouses can encourage mothers to believe that placement of a child through trafficking is in the interest of the child, and are willing to send away their own children. The rival spouse would say 'if the son of a co-spouse has left, it is better that my own son leaves as well' (ILO: 2001:13-14).

The ILO report continues to state that in the Cameroon study 60% of the 329 children belonged to single parent families in which one parent had died. As for the low education levels of parents, the report says that according to the children interviewed in Benin, 66% of their parents did not have any education at all and according to the parents, this was 80%. It is reported that in Benin, 18(90%) of the 20 parents interviewed answered that it was their own child that they had given away to an intermediary. (ILO: 2001:15).

According to UNICEF trafficking in Africa is driven by a demand that is multifaceted and in most cases not thoroughly analysed. UNICEF IRC (2003:7) states 'With regard to the pull factors, which instigate trafficking in women and children, five distinct areas of concern deserve our particular attention: sexual exploitation, other forms of economic exploitation, traditional practices, adoption and post-conflict scenarios'.

The table below, which has been adopted from a recent publication of the ILO (2002:33), will help to conceptualize the division of the different kinds of child work into conditional and unconditional worst forms of child labour targeted for elimination and acceptable child work, taking into account the nature and circumstances of the work, the number of hours worked, and the age restrictions as laid down by the relevant international conventions and the domestic laws and regulations pertaining to the protection of children and their rights. The shaded areas represent child labour, which requires immediate elimination. The conditional worst form of child labour is by definition child labour because of certain conditions that have to be met. These have to do with the stipulated minimum age of a working child and the average number of hours worked in a week.

**Figure 2.1. Classification of child work into different forms of child labour**

Age group	Forms of work			
	<b>Non-hazardous work</b> In non-hazardous industries and occupations and for less than 43 hour per week		<b>Worst forms of child labour</b>	
	<b>Light work</b> Less than 14 hours per week	<b>Regular work</b> From 14 to less than 43 hours per week	<b>Hazardous work</b> In specified hazardous industries and occupations plus 43 or more hours per week in other industries and occupations-)	<b>Unconditional worst forms</b> Trafficked children; children in forced and bonded labour, armed conflict, prostitution and pornography, and illicit activities)
5-11				
12-14				
15-17				

Source: Adopted from ILO (2002:33)

## 2.9 Gender and child labour

In many societies, boys and girls are assigned different societal roles and therefore experience different perspectives of life as a result of their being male or female. For a better understanding of child labour, differences in the work done by girls and boys need to be documented. The issue of gender is now regarded as a vital component in addressing child labour (ILO, 2004:142).

A modern approach to researching child labour therefore calls for the analysis of data to be done according to sex and age group so as to better understand the impact of child labour. Although in previous decades research on child labour focused on boys' work, recent studies, which have been more gender-sensitive, have shown that girls are working in almost every sector, beginning at very early ages.

According to the ILO (2004:143) gender can be crucial in determining whether a boy or a girl is employed and the type of labour activity in which they are engaged. Gender sensitivity in all child labour action programmes means that boys and girls would enjoy equal rights, opportunities and responsibilities. Any programme that ignores gender, therefore risks failure. The use of a "gender lens" helps to filter out misleading assumptions about who does what, why and when, and is vital in preventing and solving child labour problems.

There are certain types of child labour in which girls are more disproportionately found or especially affected due to their gender. Much of this child labour is of the unconditional worst form, and it includes trafficking, commercial sexual exploitation, commercial agricultural work and domestic work – which is often unpaid. ILO (2004:143).

Regarding child trafficking, the ILO (2004:144) says that, 'while most children continue to be trafficked into commercial sexual exploitation, a number of recent studies indicate that children are also trafficked into domestic work, armed conflict, service industries, agricultural and factory work'.

More predominantly, girls are increasingly used for sexual services, prostitution and the entertainment industry; while boys are targeted for armed conflict, illicit trade and agricultural work.

The ILO (2004:155) concludes that ‘There is no denying the fact that both girls and boys engage in the worst forms of child labour. However, it is important to realise that due to some societal expectations, duties and responsibilities placed on girls, they are often more vulnerable to exploitation. Thus, the different expectations that society places on girls, as well as the differences in their situations and conditions must be taken into account before taking protective action’. It is absolutely essential to understand the culture and environment in which child labour occurs in order to address its root causes, such as gender bias.

Government policies on issues of gender equality in education also have a bearing on the difference in child labour participation rates for boys and girls. But perhaps the most glaring effect of this gender inequality is found in the methodological approaches used in the estimation of child labour.

The most controversial aspect of the definition of child work in most countries may be that it excludes housework, but includes unpaid work in a family farm or enterprise as well as paid work. According to Heady (2000:13) this follows the ILO definition, which is based on the concept of “economic activity”, but clearly has important gender implications as girls are more likely to undertake substantial housework duties than boys and these are just as likely to interfere with schooling as part-time work on a family farm. Heady gave this as a possible explanation as to why in Ghana, there was a high proportion of girls who were reported as being neither in work nor in school.

## **2.10 South African legislation on education and child work**

Generally, national education policies can play an important role in making primary schooling a viable option for children. Laws and policies that establish

primary education as universal and free, promote schooling as they provide alternatives for children withdrawn from work. It is argued in fact, that efforts to eliminate child labour in a country can only succeed if primary education has been made mandatory (U.S DoL, 2000:48).

There also needs to be consistency between national laws that establish schooling requirements and laws that limit the working ages of children since discrepancies can create loopholes, which may actually encourage children to work, rather than stay in school. For example, if children in a given country are required to stay in school through the age of 15 but can legally begin full time work at age 14, they may be encouraged to join the workforce early. The result would be to neglect their studies or drop out of school altogether. (U.S DoL, 2000:48).

The South African constitution provides broad protections for children while specific laws regulate the conditions under which children are allowed to work. A child is defined as a person less than 18 years of age, while the minimum age for employment in South Africa is 15. Section 43 of the Basic Conditions of Employment Act (BCEA) prohibits the employment of children who are under 15 years of age, or who are still subject to compulsory schooling. (S.A Government, 1997:20).

Section 31(1) of the South African Schools Act, 1996 (Act No.84 of 1996) (S.A DoE 1996) requires that every parent cause every learner for whom he or she is responsible to attend school until the last school day of the year in which the learner reaches the age of 15 or the ninth grade, whichever is the first.

The BCEA also provides for the adoption of additional regulations prohibiting or placing conditions on the employment of children over the age of 15. The act places the powers of its administration of the hands of the Minister for the South African Department of Labour. The Minister is responsible for tabling any proposals of changes to labour legislation to parliament and for the promulgation passed acts into laws.

Chapter 6 of the BCEA (S.A Government, 1997:20-21) specifically deals with employment of children. The Act prohibits the employment of children under the age of 15. It states, 'No person may employ a child – who is under 15 years of age; or who is under the minimum school-leaving age in terms of any law, if this is 15 or older. No person may employ a child in employment that is inappropriate for a person of that age; that places at risk the child's well-being, education, physical or mental health, or spiritual, or moral or social development'.

The Act makes it clear that contravention of this section of the Act constitutes an offence.

Section 44 of Chapter 6 of the same Act (S.A Government, 1997:20) empowers the Minister, on the advice of the Commission for Conciliation, Mediation and Arbitration (CCMA), to make regulations to prohibit or place conditions on the employment of children who are 15 years or older and are no longer subject to the compulsory schooling in terms of any law.

The Act makes it an offence to assist an employer to employ a child in contravention of the Act or to discriminate against a person who refuses to permit a child to be employed in contravention of the Act.

Forced labour of all forms is prohibited in terms of the provisions of Section 13 of the South African constitution (SA Govt, 1996:8), which says 'No one may be subjected to slavery, servitude or forced labour'. Section 48(2) of the BCEA prohibits any person to cause, demand or impose forced labour, for his or her own benefit or for the benefit of someone else, in contravention of the provisions of the constitution.

In terms of the powers vested in the Minister of Labour by the BCEA, the Minister, after consultation with the Council for Conciliation, Mediation and Arbitration (CCMA), has made Sectoral Determinations, which govern the employment of children above the age of 15 for a specific sector or area.

Currently these Sectoral Determinations provide the basic guidance to child labour and how it can be assessed in a specific sector or area of employment. They provide a guide to employers on the expected standard of employment conditions for children. For example, according to (SA DoL, 2004:1) the Basic Guide to Child Labour for farm workers, published on the Internet, children aged 15-18 years, working on a farm, may not be employed to do any work inappropriate for their age, or work that places them at risk, and in any case, they may not required or permitted to work for more than 35 hours a week.

Employers can also apply to the Minister in terms of a specific Sectoral Determination for a permit to allow them to employ children under the age of 15. An employer that has not been granted such a permit would be breaking the law in terms of Section 43 of the BCEA if he or she employs under-age children. Sectoral Determination. 10 has been made specifically to cover children that are engaged in performance of advertising, artistic and cultural activities.

## **2.11 Education and child labour**

The ILO (2004:112) points out, 'while education in and of itself is clearly significant for the development of an individual and for the well being of society, it may be less obvious why education is important in the context of child labour'.

According to the ILO (2004:112-134), education policy deals with important issues such as whether or not child education is free and/or compulsory, whether it is accessible, of good quality. Education policies on curriculum development ensure that education is relevant by changing approaches to teaching, improving learning materials, redesigning educational programmes, and better still, making sure that education is affordable

It has been argued that compulsory and universal education for all children would effectively eliminate child labour. Says the ILO (2004:112) 'Proponents of this view claim that the link between child labour and education was established in the 19<sup>th</sup> century when child labour laws in industrialized countries made it

compulsory for children to complete basic education up to a specified age and established it as a requirement for employment’.

According to Weiner (1999), the universal extension of state-funded education in Europe, North America and Japan has been the most powerful instrument for the abolition of child labour. Weiner says, ‘No country has successfully ended child labour without first making education compulsory. As long as children need not attend school, they will enter the labour force’. ‘Policy makers in most countries, says Weiner, believe that mandatory education is a prerequisite for the eventual abolition of all forms of child labour’.

‘Those who hold this view, says the ILO (2004:113), reason that where compulsory education is effectively implemented, children will be less available for full-time work at least during school hours, parents will be encouraged to keep their children in school and employers will be dissuaded from hiring children’.

According to UNESCO (2002:181) though, multilateral aid to education declined towards the end of the 1990s. While there appears to have been a slight increase in shares allocated to basic education, they too declined in real terms over the same period. The estimated external funding requirements necessary to achieve universal primary education suggest that the current funding levels are too low to meet the set goals.

UNESCO (2002:181) continues to say, ‘Achieving universal primary education alone will require a greater concentration on sub-Saharan Africa. Additional external funding for education, and particularly for universal primary education, was announced during 2002, but it is unclear whether this will lead to the very significant increases required’.

According to the ILO (2004:113) many experts argue that compulsory education is a necessary but not sufficient condition for the elimination of child labour. ‘Compulsory schooling alone cannot overcome all the social and economic

obstacles that combine to keep children out of school and in the labour force’, says the ILO.

‘In the absence of effective measures to enforce compulsory education, says the ILO (2004:113), the decision to enrol a child into school is the result of a household’s evaluation of the costs and benefits associated with schooling. The expected returns to education are therefore an important factor in the parents’ consideration’. The ILO continues to say, ‘Even if parents are aware that the returns to education could be significant, the costs of schooling can be so high that children are removed from school and pushed into work’.

For millions of families around the world even the state sponsored schools are out of reach. According to ILO (2004:113-114), these so-called free schools have hidden costs, which make them unaffordable for many people. Even though there is no charge for tuition itself, there are often charges for school supplies and materials, uniforms, transportation and extra-curricular activities. Many families have to survive on less than US\$1 per day, and these costs are simply beyond their means.

In a comparative study of child labour and schooling in Africa, Canagarajah and Nielsen (1999) found out that one way to reduce child labour and increase incentives to keep the children in the educational system is to improve access to credit, which the family can pay back later. Alternatively, the government can put in place ‘income transfer programmes’ in order to stimulate demand. Through such programmes, money is given to poor families to compensate for cost of sending their children to school rather than work. According to the ILO (2004:115), this is actually happening in Brazil, Mexico and Bangladesh, for example.

According to the ILO (2004:116), when children work full-time and study at the same time, school dropout and grade repetition rates tend to increase, with the result that older children find themselves in the same classrooms with younger

ones. Such children are less motivated to do good schoolwork, and school failure is often the result.

However, according to a Statistics SA (2000:6) report, child labour did not seem to prevent South African children from attending school. The report notes nevertheless, 'children engaged in these activities for 36 hours or more per week were less likely to attend school than those engaged in them 35 hours or fewer per week'.

Christopher Heady (2000:19) carried out a study in Ghana, where he attached a module on child work to the Ghana Living Standards Study (GLSS2). In half the sample clusters of the GLSS2, individuals between the age of 9 and 55 were asked to take educational tests. The study included administering 2 tests of varying difficulty, both in Reading and in Mathematics. Only the children who had achieved an above average score of 4 out of 8 in the easy test were allowed to write the corresponding advanced test in either subject.

The research was basically for the sole purpose of analysing the effects of child labour on school achievement. From his analysis, Heady (2000:32) concluded 'work has a substantial effect on learning achievement in the key areas of reading and mathematics'.

Heady (200:33) continues to say that 'the direct link between work and learning achievement, holding education constant, could be because of exhaustion or because of a diversion of interest away from academic concerns. However, it could also be caused by those children who work being innately less interested in academic achievement'.

UNICEF (1999:25) maintains that children can suffer devastating psychological damage from being in an environment in which they are demeaned or oppressed. Such an environment is detrimental to the child's self-esteem that is crucial for the child's mental and social development.

According to UNICEF (1999:25), education is one of the keys that can unlock the prison cell of hazardous labour, in which so many children are confined, cannot be over-emphasised. UNICEF points out that whereas education helps the child to develop cognitively, socially and emotionally, it is an area that is usually gravely jeopardised by child labour.

UNICEF (1999:25) says that, interference with education on account of work can be in the following ways:

- When work absorbs so much time of the child's time that school attendance becomes impossible.
- When work leaves the child so exhausted that he/she lacks the energy to attend school or cannot study effectively when in class.
- When in some occupations, especially seasonal agricultural work, causing children to miss school for too many days even though they are enrolled in school.
- When the social environment of the work undermines the value a child places on education, something to which street children are particularly vulnerable.
- When children are mistreated in the work place and are so traumatized to the extent that they cannot concentrate on schoolwork or are rejected by teachers as disruptive.

The other aspect of the child work definition, which is highlighted by Heady (2000:14), is whether you define the child as working if they worked in the last week or if they worked in the last year. He says that although child labour surveys usually ask questions for both definitions, it is clear that the second definition will count more children as working, including those that worked only during school holidays, and for whom there is little conflict between work and school time.

On the other hand, Heady (2000:14) says that limiting the analysis to those who worked last week will not count some children who have worked earlier in the year, possibly at a time that has seriously affected their schooling. There are

therefore disadvantages with both methods of measurement and any choice will involve making a compromise. It is always important to be clear about the definition and understand its implications.

It is also important that there is consistency in the national laws that establish compulsory education and those that stipulate the minimum working age requirement. If children in a given country can legally begin employment at an age below the stipulated maximum age of compulsory education, children may be encouraged to take up employment early and neglect their studies or drop out altogether (U.S DoL 2000:48)

The key factors therefore that ensure that education can contribute towards the elimination of child labour include access to education, quality issues, education that takes place outside a formal school education system and helps children make a transition back to school, and vocational education that is geared towards learning practical, work-related skills (ILO, 2004:120).

According to the ILO (2004:128) combining vocational training with basic education has always been a popular idea, especially in the context of educating disadvantaged children who are unlikely to pursue further education. Unfortunately, this use of vocational training leads to a view of technical education as being “second class”. Appropriate intervention policies can however ensure that a sound and efficient vocational education system is introduced.

Policies designed to encourage and promote women’s education have a direct impact on child labour. Bhalotra (2003:29) says ‘The direct effect of mother’s education on child labour and schooling is typically positive even after controlling for father’s education, which also takes a positive coefficient. The actual welfare impact is likely to be even larger in the long run, once the fertility-reducing effects of education are taken into account’.

According to Bhalotra (2003:29) another question that is commonly asked is: ‘How large an effect does child labour have on education, or conversely, if

increased enrolment in school is induced, what is the associated decrease in child labour?’ Although most data sets describe an inverse correlation between child labour and education at the micro level, one is not the exact inverse of the other. As Bhalotra points out, it is possible that a policy intervention that results into an increase in school enrolment draws children out of “inactivity” with no corresponding reduction in child labour.

Using data from rural Pakistan Bhalotra (2003:24) has found a significant negative relationship between child labour and educational attainment at household level, whether for the working child or for his/her siblings.

Many countries grapple with policy decisions regarding allocation of resources for education. According to Bhalotra (2000:22) low student enrolment and high dropout are endemic and a range of school-related factors (such as the costs and location of schools and rigid timetables), as well as external factors (such as poverty, attitudes about gender, conflict, and ill health) combine to reduce access to learning. The policy question is whether the marginal unit of expenditure should be allocated to improving the quantity and quality of schooling (the supply), or should it be allocated to encouraging demand for schooling, by for example, giving income transfers to parents or lowering school fees.

## **2.12 Conclusion**

The link between child labour and education will always be determined by the kind of education policies that are adopted by any country. It will depend on the legislation governing years for compulsory schooling, the quality and quantity of education supplied, how accessible, affordable and relevant the education system is.

A large amount of research has been done of child labour, and in the process its definition continues to be refined, and research methodologies are continually developed and improved with time. The relationship between education and child labour has been the subject of many researchers the world over, and there seems to be agreement on the major relationships that exist between the two

concepts. It is not known however, what kind of link exists between child labour and academic progression. Further more, it is still unclear how the strength in the link, if it exists, changes with the various proximate variables determining child labour, such as gender, age, and socio-economic circumstances.

The development of a model based on wider consultation and research done subsequent to SAYP is likely to yield better and defensible estimates. Success in the meaningful estimation of child labour can only come after wider consultation with the stakeholders. Everyone, including government, business and labour have got to play a part in defining what child labour is in South Africa. The recommendations of various Sectoral determinations, as arrived at through the consultation process between government, labour and business can only help to level the playing ground, so that estimates can be based on sound assumptions.

The fight against child labour will need a lot of buy-in, education and mobilisation on the part of the community. On the other hand, government has to continue to legislate, implement legislation and provide meaningful alternatives to the child who is left with no choice, but to engage in child labour even when they are supposed to be at school.

The age of the child, the number of hours worked, the nature of industry and occupation within which this work is performed, the circumstances in which the work is done all help to determine if the kind of work in which the child is engaged is child labour or simply child work.

## CHAPTER 3

### Methodology

#### 3.1 Introduction

The methodology used in this research has to address two fundamental issues. It has to be able to estimate the extent of child labour in South Africa, and to be able to investigate if there is a link between child labour and education.

Most of the analysis has been done based on the data produced by the Survey of Activities of Young People (SAYP), which was conducted in 1999. This was the first national attempt to collect data on activities of young people with a view of determining whether some of these activities constituted child labour. The research was commissioned by the South African Department of Labour and paid for by the ILO. The results of the SAYP were controversial since the definition of child labour that was used was contested.

In spite of the limitations of the SAYP, which will be pointed out in a later chapter of this dissertation, it remains the most comprehensive national data set that can be used to estimate the extent of child labour in South Africa.

It is imperative that one starts off with some kind of definition, which will enable us to isolate child labour characteristics from the rest of child work. One of the issues which needs attention while developing a framework for estimation of child labour is that results should be easily comparable with those of other countries. The following definition will be the first step in formulating a conceptual framework for the estimation of child labour.

#### 3.2 *Description of research methodology*

Part of the aims of this research is to come up with a workable definition of child labour for South Africa, and use such definition to estimate the extent of child labour in the country.

Based on the questions asked in the 1999 Survey of the Activities of Young People (SAYP) in South Africa, actual numbers of children engaged in child work and those engaged in child labour are estimated. An in-depth examination of the link between child labour and the educational circumstances of the children engaged in it is the main thrust of this research.

The research seeks results to link child labour with education attainment in general, and specifically investigate any relationship there may be between child labour and scholastic retardation. Grade-specific scholastic retardation rates for different categories of children engaged in child labour are calculated. These rates are used to investigate the link between child labour and scholastic retardation.

### **3.3 Defining child labour in South Africa.**

Child labour for the purposes of this research has been estimated on the basis of a number of assumptions. These include various cutoff limits in hours permitted for children to do work without endangering their development or compromising their schooling.

Firstly to be able to establish the number of children who are regarded as working, a lower cutoff limit of 1 hour per week has been imposed. All children aged 5-17years, who are engaged in some kind of activity, whether economic or non-economic, are counted as engaged in child work.

Secondly, to determine who of all the children engaged in child work, are actually engaged in child labour on account of the number of hours they work, the following upper cutoff limits have been imposed on the number of hours of engagement in an activity. The cutoff limits are shown in Table 3.1 below:

**Table 3.1. Upper cutoffs limits for child work**

Work status	Age group			
	5-9	10-12	13-14	15-17
Economic activity (excluding subsistence agriculture.)	14hrs per week	21hrs per week	21hrs per week	35 hrs per week in agriculture, and 43 hrs per week elsewhere
Subsistence Agriculture	14hrs per week	21hrs per week	21hrs per week	35 hrs per week in agriculture, and 43 hrs per week elsewhere
Unpaid domestic work/Household chores	14hrs per week	21hrs per week	28hrs per week	35 hrs per week in agriculture, and 43 hrs per week elsewhere
School work	5hrs per week	5hrs per week	5hrs per week	5hrs per week

Basically child labour in South Africa as defined in this dissertation will consists of all children under the age of 15 years, who are engaged in all forms of child work, excluding the following categories of children:

- those who are under 5 years of age;
- those aged between 5 and 9 years who spend less than 5 hours per week on school work, or less than 14 hours per week for any other labour activities;
- those aged between 10 and 12 years, who spend less than 5 hours per week on school work, or less than 21 hours per week on all the other labour activities;
- those aged between 13 and 14 years, who spend less than 5 hours per week on cleaning activities at school, or less than 28 hours per week, if they are engaged in unpaid domestic work, or less than 21 hours per week for any economic activity, including subsistence agriculture; and
- those aged between 15 to 17, who spend less than 5 hours on school cleaning activities, or less than 35 hours if they are working in the agricultural sector, or less than 43 hours if they are engaged in unpaid domestic work, or working in economic activities including subsistence agriculture.

Added to the above, are all children aged 5-17 years, who:

- Are engaged in work, which is of a hazardous nature either due to the nature of the industry, occupations, or conditions in which the children work.
- Are engaged in the unconditional worst forms of child labour, e.g commercial prostitution, illicit trade, armed conflict etc.

The conditions and assumptions stated above have been arrived at through reviewing the literature on what has been done on the topic by other researchers in the same area of study. The relevant international and South African legislation regarding child labour has been reviewed, as it provides the platform for compilation of internationally comparable statistics.

The domestic legal system has most relevance as it ensures the implementation of the internationally agreed conventions (to which South Africa subscribes), by enacting laws and constantly enforcing them through relevant regulations.

Although the debate regarding what actually constitutes child labour may still be far from over, by the end of this chapter there should be agreement that the conceptual framework adopted in this research is the right one. Ideally, some leeway has been given to member states to practically decide according to their own judgment and according to the prevailing national legislation as to what constitutes child labour in the country.

Whenever it is possible the relevant Sectoral Determinations and Basic Guides for the employment of children aged between 15 and 18 years, as agreed upon by the tripartite alliance between Government, Labour and Business, have been consulted especially for guidance in determining the appropriate cutoffs for hazardous work.

### **3.4 The model**

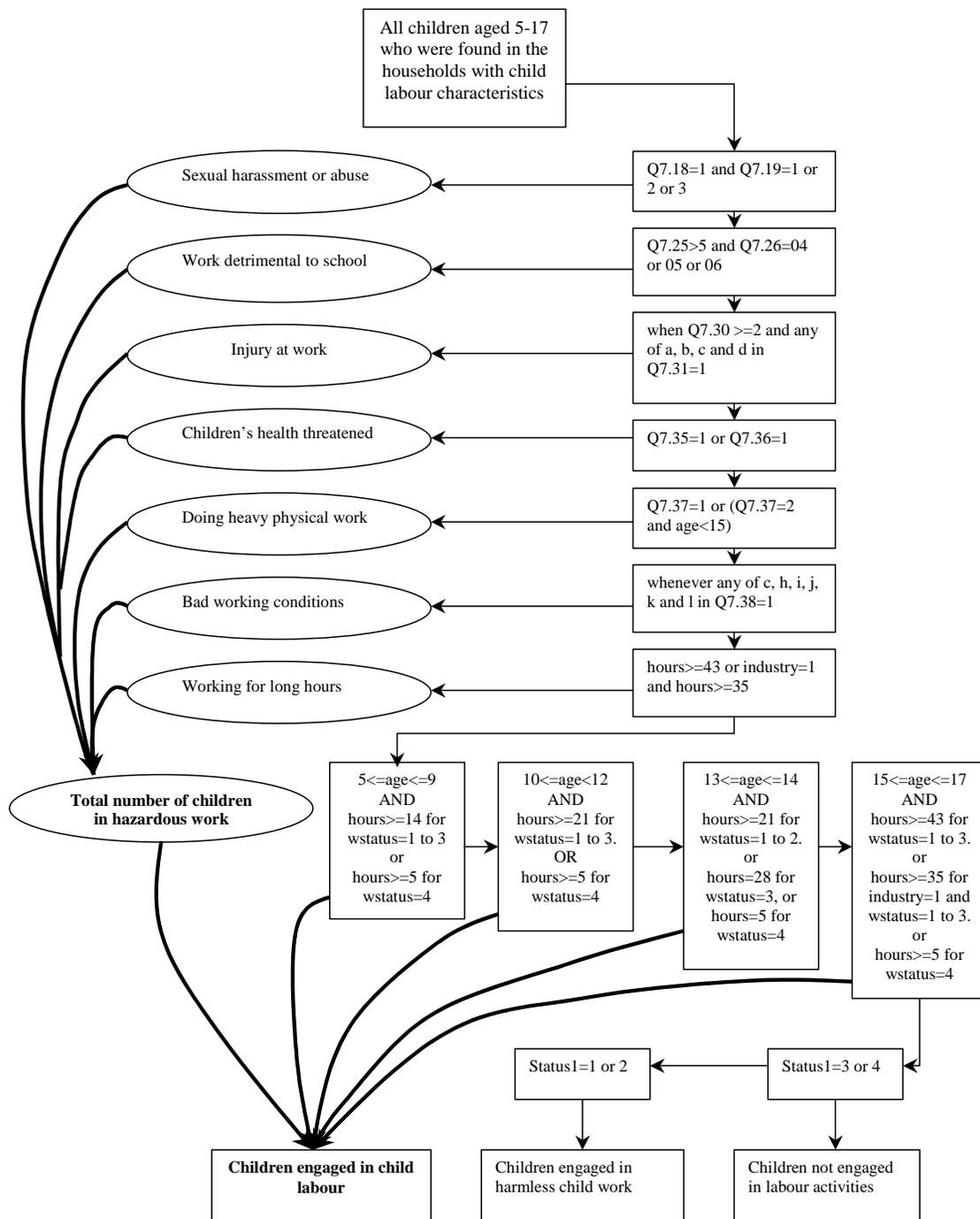
To be able to operationalize the definition used in this research, a conceptual framework in form of a model has been developed. The model is given in Figure 3.1 on the next page. It was necessary to come up with a model that will make use of the relevant questions in the SAYP questionnaire needed for the estimation of child labour and other components of child work.

Questions were asked in the SAYP regarding children's working conditions and environment, effects of work to a child's health and schooling, frequency and severity of injury at work, incidences of physical and sexual abuse and whether children worked for long hours. Answers to all these and other questions relating to working conditions that might compromise the child's well-being and development have been used to estimate the number of children engaged in hazardous work.

The questions relating to the number of hours spent while performing an activity were used to establish the lower and upper cutoff limits for child work, as well as for hazardous work in the case of children in employment.

The model shows how a sequence of operations was carried out to determine the number of children engaged in child work, hazardous work and ultimately in child labour. The SAS programming code has been developed specifically to derive all the crucial variables in the model and to estimate child labour. Copies of the SAS code are given in Annexure 3.

Figure 3.1: Conceptual framework of estimating child labour from the Survey of Activities of Young People



**NB**

Definitions of the variables: hours, wstatus, status1, and childwk; can be found on page 66, under section 3.4.5 (Derived variables).

### 3.4.1 Operationalizing of the model using the SAYP dataset

To be able to give a meaningful explanation of the methodology followed for the estimation of child labour in this dissertation, I need to give a brief background about the SAYP dataset, which is at the center of this research.

The SAYP dataset is the electronic record of the processed results of the Survey of Activities of Young People (SAYP), which was conducted during July of 1999 on a probability sample of 26 081 households throughout South Africa. The purpose of the survey was to determine the extent of child labour in South Africa. The survey was conducted in two phases.

In the first phase, all the 26 081 households in the national sample were interviewed with the phase 1 questionnaire (see Annexure 1), to identify households with at least one child engaged in child labour activities. A sub-sample of 4 494 of the identified households was then interviewed during phase 2 of the survey using the phase 2 questionnaire (see Annexure 2). In the phase 2 questionnaires, more detailed questions about the activities of all children aged 5 to 17 years in these households, were asked.

Among the main themes covered in this survey were: the type of activity the child was involved in; the number of hours per week spent by the child on the activity; the work environment and work circumstances of the child. Other themes covered the profile of the South African Children, in terms of their demographics, living conditions, whether they attend school and the family structure within the households in which they live.

The analysis for this dissertation has been based on some of the variables in the published SAYP data set. The variables come from the answers to the SAYP questionnaire on issues such as children's activities, the hours they worked, the highest level of education attained and whether they were attending school at the time etc.

The SAYP questionnaire did not ask any question about the current grades of enrolment for school going children. Consequently, for those children who were attending school, their grades of enrolment have been imputed from the reported highest level of education attained. Various limitations of the SAYP dataset are discussed later in the report

### **3.4.2 Estimation of working children**

Children have been classified as working if they fulfilled certain criteria. The criteria used here are that for children to be counted as working they must be aged 5 to 17 years and they must have been engaged in some kind of work activity, (economic or non-economic) for at least 1 hour per week.

Basically, the cutoff of at least 1 hour per week to define whether a child is working is in line with the UN recommendation of at least 1 hour per week used to determine economic activity in labour statistics. This is not practical for child labour, especially in a developing country where children have got to help out on almost every activity to which their family members are attached. Some child work is of economic nature while some is not.

Again, using the UN recommendation for defining economic activity, some of children's work is not considered economic activity. In the South African situation however, some of the work, which is not internationally regarded as economic activity, can be a serious source of child labour. Of note, is the unpaid domestic work carried out by children.

It has been suggested in previous research that if a child is in a household where they do not have a parent, a grandparent or a spouse, then such as child would most likely be engaged in child labour. No evidence was found to support this point of view. In fact many South African children live in households where they do not have a parent, grandparent or a spouse and do not engage in child labour.

For the purposes of this research it was decided that unless there is evidence of work being conducted in a business environment, or in the case of employment,

the fetching of wood and water will be assumed to be for domestic purposes and therefore regarded as unpaid domestic work.

Also, for the purposes of this research, subsistence agriculture whenever it can be identified will be treated separately, but as part of the economic activity in general.

Consequently, the following categories of child work have emerged:

- (a) Economic activity (excluding subsistence agriculture)
- (b) Subsistence agriculture
- (c) Unpaid domestic work/Household chores
- (d) School Cleaning work
- (e) No labour activity

The first two categories (a) and (b) above, represent children who are engaged in economic activities. Categories (c) and (d) represent children who are engaged in non-economic child work.

For this research again, it has been considered unreasonable to bundle together children in their usual demographic age categories when discussing child work. A child of age 14 will be expected to perform at a much higher level in terms of child work than a 10 year old. So, age categories of 5-9, 10-12, 13-14 and 15-17 have been used for the analysis.

Lastly, it was decided to impose a 1-hour per week lower cutoff for any child's involvement in an activity to be counted as child work, in line with ILO recommendations. Some specific long hour cutoffs were also imposed for child work to be counted as child labour on account of hours of engagement and the age of the child. A 43-hour maximum cutoff has been preferred over the 45-hour per week cutoff so as to facilitate international comparison especially in regard to recently published work by the ILO.

### 3.4.3 Estimation of children in hazardous work

Ideally, it would be necessary to consider each economic activity of a child against a list of economic activities, sections of industry and specific occupations that have been declared hazardous by government after thorough consultation with stakeholders. As of now, no such list has been gazetted by government; and even if there one, for such a list to be applicable to the SAYP data set, the industry and occupation variables would need to have been coded at the appropriate level of detail during data processing.

Since (1) there is no evidence to suggest that the SAYP data set can provide these variables at the appropriate level of detail and (2) in many of the cases, the industry and occupation variables are unspecified; it is not possible to categorize children's labour activities into hazardous and non-hazardous on the basis of industry and occupation.

The following items (a) to (g) show how answers to various questions in the SAYP questionnaires were used to estimate the number of children engaged in hazardous work (see Annexure 1 and 2 for the actual questionnaires).

#### **(a) Sexual harassment or abuse**

Children subjected to sexual harassment or sexual abuse by fellow workers, the employer or members of the employer's family are clearly experiencing hazardous working conditions. The number of children in this category was estimated as all children who:

- (i) Indicated in question 7.18 that they had experienced some kind of sexual harassment or abuse, through unwanted sexual remarks/suggestions/gestures or unwanted sexual touching or rape; and
- (ii) Had stated in question 7.19 that the perpetrators were fellow workers, the employer or family members/friends of the employer.

**(b) Work detrimental to school**

The combination of questions 7.25 and 7.26 give the direct indication as to whether children's activities are detrimental to their schooling. Children have been classified as being engaged in child work activities that are detrimental to their schooling if:

- (i) In question 7.25 they indicated that they had missed school more than 5 days in the last 12 months (this is equivalent to missing at least one full week of schooling); and
- (ii) If in question 7.26 they indicated that the main reason they had missed school was because they were busy with labour activities or needed to help with household chores because adults were sick/disabled or for other reasons (answers '04' or '05' or '06').

**(c) Injury at work**

Questions 7.30 and 7.31 were used together, with a limit of at least two injuries from Q7.30. The limit of two injuries is intended to rule out accidental injury that could occur to any person, any time. Thus, the estimate of children thought to be engaged in hazardous labour activities due a high risk of injury at work was defined as all children who:

- (i) Answered that they had sustained 2 or more injuries at work during the past 12 months; and
- (ii) Due to those injuries, the children had stayed in bed or at home for a day or more, OR had sought medical attention of any type, OR had had pain for more than one week, OR had had a permanent or long-term disability.

**(d) Children's health threatened**

In question 7.35 children were asked whether the illness they had experienced was caused by the labour activities in which they were engaged. And, in question 7.36 children are asked if the illness was made worse by these activities. Any child who answered 'Yes' to any of these two questions, was engaged in work

that is life threatening. Either one of these two questions is sufficient to spell “hazard” in its own right.

**(e) Doing heavy physical work**

The answer to question 7.37 was used to determine the number of children who may be at risk of experiencing stunted growth, muscular or body injury or even fractured limbs because of being made to carry heavy physical loads.

Carrying of heavy loads is not a suitable activity for children under 15 years of age. It should be considered harmful even for children aged 15 to 17 years, since these are still years of rapid body growth. The children’s growth could be stunted if they are made to carry heavy physical loads more often than seldom. So, children were classified as being engaged in hazardous labour activities on account of question 7.37 if they answered that:

- (i) They often or regularly or sometimes had to do heavy physical work; or
- (ii) They seldom had to do heavy physical work, and they were aged less than 15 years.

**(f) Bad working conditions**

To determine which of the children’s activities may fall under the hazardous category due to bad or unsuitable working conditions, question 7.38 was used.

Consideration were given to children working before sunrise or after sunset; or if there is bad lighting in the workplace; or the child works with dangerous or poisonous substances, or works with or close to dangerous machinery or tools; or the child works near dangerous animals, or works under the fear that someone may hurt them.

Unfortunately, the answers to some of the sub-questions of Q7.38 could not be used since one would require more information such as industry and occupation to decide whether the risk is real. For example, if a child answered that ‘Yes, the

work was very tiring’, that in itself, is not enough for us to make a decision and to whether the working conditions are bad. Similarly, answers like: ‘working environment is too hot’, ‘working environment is too cold’ and ‘very noisy work’ are all not sufficient on their own to enable us make a judgment.

Sub-questions (b) – working for long hours, (c) – work before sunrise or after sunset, and (i) – working with dangerous or poisonous substances are specifically mentioned in the Sectoral Determination 8, for the farm workers – Basic guide to Child Labour, which makes the decision easy in that case. If children reported that they feared that a person might hurt them, then they too were included among those experiencing bad working conditions. So, all children who answered ‘yes’ for (b), (c), (i) and (l) were counted as children experiencing bad working conditions.

On the other hand, when one tries to match the answers to (b) of this question with the number of hours given in question 7.21 or 9.1, there are glaring contradictions, which cast serious doubts on the reliability of the answers to question 7.38.

For example, you wouldn’t expect someone who reported that they worked for 72 hours a week in question 7.21, to say ‘No’ – they did not work for long hours, under question 7.38. In such circumstances I have decided to rule in favour of number of hours given in questions 7.21 or 9.1.

### **(g) Working long hours**

Question 7.21 gives the number of hours a child was engaged in activities identified in question 7.1; question 9.1(a-c) gives the number of hours spent by a child on fetching water, collecting firewood and performing other housekeeping activities; and question 9.6 gives the number of hours spent by a school going child, on school cleaning and school improvement activities.

The total number of hours spent by a child on all the activities in which he/she was engaged was and used in comparison with a selected upper cutoff limit to

determine whether there is a case of conditional worst form of child labour with respect to the total number of hours worked.

Children have been counted as having worked for long hours if they have worked for a total of at least 43 hours a week. These hours need not be spent on the same activity. Children working for long hours are by definition engaged in child labour irrespective of age or any other condition. This is in line with the methodology used in (ILO: 2002) – *Every Child Counts: New Global Estimates on Child Labour*. These questions have also been used in the general and specific lower cutoffs, to determine who is to be regarded as working, and in some cases to decide who is economically active.

The Basic Guide to Child Labour for children working in agriculture, as given in Sectoral Determination 8 for farm workers, specifies an upper cutoff limit of 35 hours per week. This has been built into the equation whenever the activity under consideration is agriculture.

#### **3.4.4 Estimation of child labour**

Child labour has been estimated from children aged 5-17 years, who are engaged in some kind of child work, whether economic or non-economic. Estimation of children engaged in child labour involves first, the estimation of children who are in hazardous industries or hazardous occupations.

To this we add the total number of children who, either by their age and/or by the number of hours of engagement in their activities fall in the category of child work that in terms of international conventions and domestic legislations, is considered to be child labour.

In the absence of information regarding the worst forms of child labour, which was not captured by the SAYP, the extent of child labour in the country will remain somewhat underestimated.

**(a) Estimation of Child labour among children aged 5-14 years.**

It is basically illegal for anyone to employ a child under the age of 15, unless they have applied and have been granted a permit to do so. Even then, the permit has its specific conditions that must be observed. The children aged 5-14 have for the purposes of this research been divided into three age groups, namely 5-9, 10-12 and 13-14.

The specific upper cutoffs given in Table 2 above have been applied to the relevant age groups to determine any children engaged in work that would normally be expected to be either inappropriate or that is detrimental to their development and well being. Thus:

All children aged between 5 to 9 years and are engaged in economic activity, subsistence agriculture or household chores for more than 14 hours per week, or are engaged in school cleaning work for more than 5 hours per week are counted as child labour.

All children aged between 10 to 12 years and are engaged in economic activity, subsistence agriculture or household chores for more than 21 hours per week, or are engaged in school cleaning work for more than 5 hours per week are counted as child labour.

All children aged between 13 to 14 years and are engaged in economic activity, subsistence agriculture for more than 21 hours per week, or are engaged in household chores for more than 28 hours per week, or are engaged in school cleaning work for more than 5 hours per week are by this definition engaged in child labour.

**(b) Estimation of Child labour among children aged 15-17 years.**

All children aged 15 and above are by law allowed to work. Work performed by such children is therefore not child labour, unless of course it is hazardous either by its own nature or by condition. If children aged 15-17 are engaged in hazardous work, their work becomes a worst form of child labour in urgent need of elimination. Estimation of child labour for this group has to be based on guidelines given by various Sectoral Determinations on specific industries and occupations as provided by the South African Minister of Labour and cited in the literature review. Consideration has also been given to the current international best practice as provided by the methodology in recent publications (ILO, 2002) – *Every child counts*.

Consequently, all children aged 15 to 17 years and are engaged in economic activity, subsistence agriculture or household chores for more than 43 hours per week, or are engaged in commercial agriculture for more than 35 hours per week, or are engaged in school cleaning work for more than 5 hours per week, are all counted as engaged in child labour. If children aged 5-17 years who are engaged in economic activity, do survive the tests for hazardous work provided in the model, they are economically active but not in child labour.

In all circumstances during the actual process of estimation, all hours spent on labour activities are added up to be checked against the total amount of acceptable maximum number of hours.

**3.4.5 Derived variables**

To facilitate the process of estimation with the SAS programming language, some derived variables had to be created. These variables are a result of the model and therefore not found in the SAYP dataset as published by Statistics SA. The SAS code developed for deriving the variables and estimation of child labour is given in Annexure 3 at the end of this report.

The following derived variables were created.

Wstatus –Type of labour activity

Code 1: Economic activity (excluding Subsistence agriculture)

Code 2: Subsistence agriculture

Code 3: Household chores

Code 4: School cleaning work

Code 5: No child work activities

Code 6: Unspecified

Status1

Code 1: Engaged in economic activity (includes wstatus=1 or 2)

Code 2: Engaged in non-economic activities (includes wstatus=3 or 4)

Code 3: Not engaged in labour activities

Code 4: Unspecified

Childwk – Different kinds of child labour

Code 1: Hazardous work

Code 2: Child labour by children aged 5-9 (due to hour cutoffs)

Code 3: Child labour by children aged 10-12 (due to hour cutoffs)

Code 4: Child labour by children aged 13-14 (due to hour cutoffs)

Code 5: Child labour by children aged 15-17 (due to hour cutoffs)

Code 6: Children engaged in child work by not in child labor.

Childlab

Code 1: Engaged in child labour (when childwk=1 to 5)

Code 2: Engaged in harmless child work

Hours: The variable hours in the total number of hours a child spends on child work activities in a week.

### **3.5 Estimation of scholastic retardation**

Two measures of scholastic progression have been used in the analysis of educational data; namely: the grade-specific scholastic retardation rate and the age-specific scholastic retardation rate. The calculation of the scholastic retardation rates requires that we have data on grade of enrolment of all children for all children under study. No questions on enrolment were asked of children in the SAYP. However, grades of enrolment can be imputed from the correct combination of the right questions.

#### **3.5.1 Imputing the current grade of enrolment**

Although the SAYP data set does not have information on children's grades of enrolment, grades of enrolment have been imputed for purposes of this research through a logical combination of two SAYP questions; one from phase 1 and the other from the phase 2 questionnaires of the SAYP.

Question 1.8 in first questionnaire asks for the highest level of education that has been completed by a child. Question 9.3 in the second questionnaire asks whether the child is currently attending school. If a child who was attending school at the time of the survey stated that the highest level of education he/she had completed was grade G, then the imputed current grade of enrolment becomes G+1.

#### **3.5.2 Calculation of the age-specific scholastic retardation rates**

Age-specific scholastic retardation rates have been calculated for each single ages in respect of all children aged 5-17 years, from households that were visited during the second phase of the survey. It is important to note that these were just a sub-sample of the households identified to have had child labour characteristics during the first phase of the survey.

Suppose  $X_{ij}$  are the number of children of age  $i$ , enrolled in grade  $j$ , and suppose children of age  $i$  are normally be expected to be enrolled in grades  $k$  or  $k+1$ , then the age-specific scholastic retardation rate for age  $i$  is given by:

Age-specific scholastic retardation rate is: 
$$asSRR_i = \left( \frac{\sum_{j=1}^{k-1} x_{ij}}{\sum_{j=1}^m x_{ij}} \right) \cdot 100$$

where,

- $k$  is a grade lying between 1 and  $m$  and is determined by the age at which children are expected to start schooling.
- $k$  and  $k+1$  are the expected grades of enrolment for children aged  $i$  years.
- $m$  is the total number of grades over which the retardation rate is being calculated.
- $x_{ij}$  is the actual number of children aged  $i$  years who are enrolled in grade  $j$ .

A child is scholastically retarded if the grade in which he/she is enrolled is below the grade, which is normally expected for his/her age (Shryock, Siegel and Stockwell, 1976:180-181). In South Africa, the expected age of a child in grade 1 is 6 or 7 years. Therefore, the expected grades of enrolment for a 7-year old would be Grades 1 and 2.

### 3.5.3 Calculation of grade-specific scholastic retardation rates

Similarly, for South Africa, one will expect ages of children enrolled in grades 1 and 2 to be 6-7 years and 7-8 years respectively. So likewise, grade-specific retardation rates have been calculated to indicate the rate at which the ages of children enrolled in a specific grade are higher than the normally expected ages for that grade. Thus:

Grade-specific scholastic retardation rate is: 
$$gsSRR_j = \left( \frac{\sum_{i=l+2}^n x_{ij}}{\sum_{i=1}^n x_{ij}} \right) \cdot 100$$

where,

- $l$  is an age lying between 1 and  $n$ , and is determined by the age at which children are expected to start schooling.
- $l$  and  $l+1$  are the expected ages of children enrolled in grade  $j$ .
- $n$  is the total number of single ages in the range over which the rate is being calculated.
- $x_{ij}$  is the actual number of children aged  $i$  years who are enrolled in grade  $j$ .

Both the age-specific and grade-specific scholastic retardation rates have been calculated for boys and girls and all children found in the households with child labour characteristics (phase 2 of the Survey of Activities of Young People). It was decided to do this split to see if there are any gender specific differences in scholastic retardation, and to see how such differences may be related to child labour. Graphical representations of the results are given in the following chapter, where results are discussed.

Detailed tables showing the calculation of the scholastic retardation rates for the different groups of children with varying child labour characteristics are shown in Annexure 3. I am aware of data quality problems, especially regarding the information reported during the survey regarding highest levels of education attained, but I am of the opinion that the data is good enough to establish the required trends.

### **3.6 Effects of child labour on educational progression**

The effects of child labour on educational progression are investigated through graphical interrogation of data. Nine different categories of children expected to exhibit different levels of incidence of child labour have been selected. Children in each of the 9 categories must have been attending school at the time of the survey. The categories are not necessarily equal in size, nor are they mutually exclusive. Grade-specific scholastic retardation and acceleration rates are calculated for each of these groups, and the results are tabulated and plotted. It is important to note though, that the

The following are the selected group of children used in the analysis:

- Group 1: All children in phase 2, who are not engaged in child labour
- Group 2: All children in phase 2, whether in child labour or not
- Group 3: All children in phase 2, who are engaged in child labour
- Group 4: All boys in phase 2, who are not engaged in child labour
- Group 5: All boys in phase 2, whether in child labour or not
- Group 6: All boys in phase 2, who are engaged in child labour
- Group 7: All girls in phase 2, who are not engaged in child labour
- Group 8: All girls in phase 2, whether in child labour or not
- Group 9: All girls in phase 2, who are engaged in child labour

Tables showing how the calculation of the grade-specific and age-specific scholastic retardation rates was done for each of these 9 groups of children are given in Annexure 3 at the end of this report.

### **3.7 Conclusion**

The methodology outlined in the model establishes an objective approach to the estimation of child labour from the SAYP data set, at least quantitatively. However, many of the issues, which determine how child labour is defined today, are qualitative in nature. Qualitative approaches need to be used to complement the quantitative research, of which SAYP is part, in order to arrive at the total picture of child labour in the country.

This particularly true for the worst forms of child labour, which are being targeted for immediate elimination, such as exploitation of children through child prostitution, use of children in armed conflict and use of children in illicit trade such as drug trafficking. The extent to which such phenomena exist in South Africa may determine how far off the mark this model will be.

For that very reason, child labour estimated from this model may be an underestimate of the actual picture.

Although the model makes a good attempt at defining what constitutes hazardous working conditions and/or working environment, from the questions available in the SAYP, it is possible that other researchers would prefer to approach the question of hazardous work rather differently.

The model estimates hazardous work without any limit to minimum hours of involvement. So it is possible to find a child who has been classified as engaged in child labour, who does not meet the minimum conditions of child work, i.e. 1 hour per week. Hazardous work is dangerous to the child's life, learning and development; an often it may not matter how long or how short the time of engagement may be.

It has not been necessary to estimate 'light work' because it was believed that the long hours cutoffs do take into account the concept of 'light work'.

The quality of the results on educational progression will largely depend on the quality of data given regarding the questions used in the imputation of the current grade of enrolment. Of specific importance here, is the quality of information on the highest level of educational attainment.

## CHAPTER 4

### Findings

#### 4.1 Introduction

The findings have been divided into three sections, namely: demographic profile of working children, children engaged in child labour and its prevalence in South Africa, and exploratory analysis on the possible relationship between child labour and academic progression of children. The findings on child labour have been tabulated according to the major demographic variables of gender, race, age group and type of area of residence. The discussion of the results will be in the next chapter.

#### 4.2 Nature of findings

##### 4.2.1 Demographic profile of working children

Table 4.1: South African children aged 5-17 years by type of area of residence and gender

Type of area	Male	Female	Unspecified	Total
	N ('000)	N ('000)	N ('000)	N ('000)
Urban formal	2686	2621	24	5331
Urban informal	471	435	3	909
Commercial farms	3084	3183	34	6301
Other rural	453	442	4	899
Total	6694	6681	65	13440

Table 1 shows that there were 13,4 million children aged between 5 and 17 years in South Africa during July 1999. This number was evenly split between boys (6,69 million) and girls (6,68 million). The gender for about 65 thousand children of the same age was not specified. Just over 6,3 million (47%) children of this age live on commercial farms, while another 5,3 million (40%) live urban formal settlements such as townships and city suburbs.

Table 4.2: South African children aged 5-17 years by age group and gender

Age group	Male	Female	Unspecified	Total
	N ('000)	N ('000)	N ('000)	N ('000)
5-9	2719	2666	34	5419
10-14	2617	2624	21	5262
15-17	1358	1391	10	2759
Total	6694	6681	65	13440

Table 4.2 shows that of the 13,4 million South African children aged 5-17 during July 1999, about 5,4 million were aged between 5 and 9 years; 5,3 million children were aged between 10 and 17 years and almost half as many (2,8 million) children were aged between 15 and 17 years.

Table 4.3: South African children aged 5-17 years by whether they were engaged in child work activities, by type of area of residence and gender.

Type of Area	Gender	Engaged in child work activities	Not engaged in child work activities	Unspecified	Total	
		Percentages			N ('000)	%
Urban formal	Male	38.7	58.5	2.8	2 686	100.0
	Female	46.3	51.3	2.4	2 621	100.0
	Total	42.5	54.9	2.6	5 307	100.0
Urban informal	Male	56.7	39.2	4.1	471	100.0
	Female	58.9	37.7	3.4	435	100.0
	Total	57.8	38.4	3.8	906	100.0
Commercial farms	Male	69.2	26.2	4.6	3 084	100.0
	Female	72.5	23.2	4.3	3 183	100.0
	Total	70.9	24.7	4.4	6 267	100.0
Other rural	Male	55.9	41.0	3.1	453	100.0
	Female	56.8	40.0	3.2	442	100.0
	Total	56.3	40.6	3.1	895	100.0
Total	Male	55.2	41.1	3.8	6 694	100.0
	Female	60.3	36.3	3.4	6 681	100.0
	Total	57.7	38.7	3.6	13 375	100.0

\* Totals exclude the 65 000 children engaged in child work, whose gender was unspecified

Table 4.3 shows that nearly 58 percent (7,76 million) of South African children aged between 5 and 17 years during July 1999 were engaged in some kind of child work activities for at least 1 hour per week. A higher proportion of girl

children participate in child work activities than boys. Out of a total of 6,68 million girl children aged between 5 and 17 years in South Africa then, about 60,3 percent were engaged in child work activities. A significantly lower proportion (55,2 percent) of boys participate in child work activities.

On commercial farms, the proportion of children engaged in child work activities is at its highest. Out of the 6,4 million children aged between 5 and 17 years and are resident on commercial farms, almost 71 percent are engaged in child work activities. Again, a higher proportion of girls (72,5 percent) than boys (69,2 percent) who were resident on commercial farms were engaged in child work activities.

In all types of areas of residence, except the urban formal, more than half of the children aged between 5 and 17 years were engaged in child work activities except for urban formal areas. In urban formal areas, significantly less than half of the children (42,5 percent) were engaged in child work activities. The proportion is even smaller for boys alone; only 38,7 percent of boys in urban formal areas were engaged in child work activities for at least 1 hour per week. Like in all the other residential areas, there was a higher participation rate among girls than boys. Almost half (46,3 percent) of the girls aged between 5 and 17 years and resident in urban formal settlements were engaged in some kind of child work for at least 1 hour per week.

Children in urban informal areas were not any different from those living in 'other rural' areas in terms of levels of participation in child work. About 58 percent of the 906 thousand children aged 5-17 years in urban informal settlements, were engaged in child work activities compared to 56 percent of the estimated 895 thousand children of the same age in 'other rural' areas. There were not big differences between girls' and boys' participation rates in these two settlement types (urban informal and 'other rural').

Table 4.4: South African children aged 5-17 years, by whether they were engaged in child work activities, by age group and gender.

Age groups	Gender	Engaged in child work activities	Not engaged in child work activities	Unspecified	Total	
		Percentages			N ('000)	%
5-9 years	Male	43.1	49.2	7.7	2 718	100.0
	Female	46.6	45.9	7.5	2 666	100.0
	Total	44.9	47.5	7.6	5 385	100.0
10-14 years	Male	60.0	39.0	1.0	2 617	100.0
	Female	68.5	30.8	0.7	2 623	100.0
	Total	64.2	34.9	0.9	5 240	100.0
15-17 years	Male	70.0	28.8	1.1	1 357	100.0
	Female	71.3	28.1	0.6	1 392	100.0
	Total	70.7	28.5	0.8	2 749	100.0
Total	Male	55.2	41.1	3.8	6 694	100.0
	Female	60.3	36.3	3.4	6 681	100.0
	Total	57.7	38.7	3.6	13 375	100.0

\* Totals exclude the 65 000 children engaged in child work, whose gender was unspecified

Table 4.4 shows the percentage distribution of South African children aged 5-17 years, by whether they were engaged in child work activities, by age group and gender. The table shows that of the estimated 5,4 million South African children aged between 5 and 9 years during July 1999, just less than half (44,9 percent) were engaged in child work activities. This percentage is higher for older children (64,2 percent for 10-14 year olds and as high as 71 percent for the 15-17 year age category).

There was a significantly big difference between the participation rates for boys compared to girls. Overall, a higher proportion of girls tend to participate more in child work activities than boys. Just about three in every five (60,3 percent) girls compared to 55,2 percent of the boys were engaged in child work activities.

Even bigger differences in child work participation rates of boys and girls are apparent among the age group 10-14. Whereas 68,5 percent of the estimated 2,6 million girls aged between 10 and 14 years were engaged in child work

activities, just 60 percent of the boys in the same age group were engaged in child work.

More than seven in every ten (70,7 percent) of the children aged between 15 and 17 years were engaged in child work. There is almost no difference between the participation rates of boys to the girls in this age category; 70 percent of the estimated 1,4 million boys compared to 71,3 percent of the estimated 1,4 million girls in this age group were engaged in child work activities.

Table 4.5: South African children aged 5-17 years, who were engaged in child work activities of at least 1 hour per week, by type of activity, area of residence and gender.

Gender	Economic activity	Subsistence agriculture	Household chores	School work	Total
	N('000)	N('000)	N('000)	N('000)	N('000)
Male	913	186	2292	302	3693
Female	793	82	2881	273	4030
Unspecified	4	0	35	0	38
Total	1710	269	5207	576	7761

Table 4.5 shows that an estimated 7,8 million children aged 5-17 were engaged in various kinds of child work activities for at least one hour per week. Of those, about 3,7 million were boys and about 4,0 million were girls. The gender for 38 thousand children was not specified. The majority of the children engaged in child work activities were doing household chores, the activity where girls were the majority.

Table 4.6: Percentage distribution of South African children aged 5-17 years, who were engaged in child work activities, by type of activity, type of area of residence and gender.

Type of residence	Gender	Economic activity	Subsistence agriculture	Household chores	School work	Total
		%	%	%	%	%
Urban formal	Male	10.0	5.8	14.7	15.9	13.4
	Female	10.3	1.9	18.1	16.9	15.7
	Total	20.3	7.7	33.0	32.8	29.3
Urban informal	Male	2.6	0.3	3.8	4.0	3.5
	Female	1.8	0.1	4.0	3.3	3.3
	Total	4.5	0.4	7.8	7.2	6.8
Commercial farms	Male	36.6	60.0	22.7	30.2	27.6
	Female	31.2	27.2	30.1	25.7	29.9
	Total	67.9	87.2	53.2	56.0	57.8
Other rural	Male	4.3	3.2	3.1	2.4	3.3
	Female	3.2	1.5	3.5	1.6	3.2
	Total	7.6	4.8	6.6	4.0	6.6
Total	Male	53.5	69.3	44.3	52.5	47.8
	Female	46.5	30.7	55.7	47.5	52.2
	Total	100.0	100.0	100.0	100.0	100.0
	*	(1706000)	(269000)	(5173000)	(576000)	(7723000)

\* Numbers in brackets represent total number of children engaged in child work activities per type of activity. Totals exclude 38 000 children engaged in child work, whose gender was unspecified

Table 4.6 shows that out of an estimated 7.7 million South African children aged between 5 and 17 years who were engaged in some kind of child work, the majority indicated that they were engaged in household chores as the main child work activity during July 1999. The rest of the children in this age category, who were engaged in child work were engaged in economic activities (1.7 million); in school cleaning and improvement activities (575 thousand); and in subsistence agriculture (269 thousand).

Table 4.6 also shows, that out of the estimated 1.7 million children engaged in economic activity, (67,9%) were from commercial farms, while 20,3% were from urban formal settlement areas. Just only 4.5% of the children engaged in economic activity in this age category were found in urban informal settlements while the 'Other rural' areas accounted for 7.6% of such children.

The overwhelming majority (87.2%) of the 269 thousand children aged between 5 and 17 years, who were engaged in subsistence agriculture, were found on

commercial farms. However, of all the children who were engaged in subsistence agriculture, almost seven in every ten (69.3%) were boys. There were three times as many boys as girls who were engaged in subsistence agriculture in the urban formal areas; and there were more than twice (60.0%) as many boys engaged in subsistence agriculture than girls (27.2%)

Table 4.6 also shows, that there were approximately 5.2 million children aged between 5 and 17 years, who were engaged in household chores throughout South Africa, the majority (55.7%) of whom were girls. Of the total number of children engaged in household chores, slightly more than half (53.2%) lived on commercial farms. Overall, there were more girls than boys engaged in household chores throughout South Africa. Almost three out of every five (55.7%) South African children aged between 5 and 17 years, who were engaged in household chores, were girls.

There were not any significant differences between girls and boys as far as participation in school cleaning work is concerned. Just over a half (52.5%) of the estimated 576 000 children engaged in school cleaning as their main child work activity were boys.

Table 4.7: South African children aged 5-17 years, who were engaged in child work activities, by type of activity, age group and gender.

Type of residence	Gender	Economic activity	Subsistence agriculture	Household chores	School work	Total
		%	%	%	%	%
5 - 9	Male	15.2	10.8	14.2	25.9	15.2
	Female	10.6	7.8	16.7	30.6	16.1
	Total	25.8	18.7	30.9	56.5	31.3
10 - 14	Male	21.1	34.0	19.3	20.7	20.3
	Female	21.5	13.1	25.4	13.9	23.3
	Total	42.6	47.0	44.8	34.6	43.6
15 - 17	Male	17.2	24.6	10.8	5.9	12.3
	Female	14.4	10.1	13.6	3.0	12.8
	Total	31.7	34.7	24.3	8.9	25.2
Total	Male	53.5	69.4	44.3	52.5	47.8
	Female	46.5	30.6	55.7	47.5	52.2
	Total	100.0	100.0	100.0	100.0	100.0
	*	(1706000)	(268000)	(5173000)	(575000)	(7723000)

\* Numbers in brackets represent total number of children engaged in child work activities per type of activity. Totals exclude 38 000 children engaged in child work, whose gender was unspecified

Table 4.7 shows that in South Africa, during July 1999, just over 1,7 million children aged 5 to 17 were engaged in some form of economic activity for at least one hour per week (excluding subsistence agriculture). Slightly more than half of these children (53,5 %) were boys. About two out of every five (42,6%) of the total number of children engaged in economic activity for at least one hour a week, were aged 10 to 14 years. Slightly smaller percentages of (31,7%) and (25,8%) were aged 15 to 17 and 5 to 9 years, respectively.

Table 4.7 shows that almost one in every three (31,3%) of the children engaged in child work activities in South Africa was aged between 5 and 9 years. The majority (56.5%) of the children engaged in school cleaning and improvement work, for at least one hour per week, were from the age group 5-9.

Children in age group 10-14 made up 47.0 per cent of the total number of children engaged in subsistence agriculture as their main child work activity. Similar contributions of the same age group were 42.6 per cent for economic activity, 44.8 per cent for household chores and 34.6 per cent for school cleaning and improvement activities.

#### **4.2.2 Children engaged in child labour**

Not all children engaged in child work activities are engaged in child labour because, not all child work is hazardous, illegal or unacceptable. The estimation of children engaged in child labour is done according to specific criteria, which have been incorporated into the model discussed earlier on, in this dissertation.

In Chapter 3 (section 3.3.4) of this report, the criteria used to determine the number of children engaged in hazardous work using the SAYP data set were given. The upper cutoff limits applicable to the number of hours of engagement in child work before it can be counted as child labour are also given in table 3.1 of the same chapter.

Naturally, one would expect all children engaged in child labour to be a subset of children engaged in child work activities. However, according to the definition that has been adopted in this research, children can be counted as being engaged in child labour on account of their engagement into hazardous work or unconditional worst forms of child labour, which should be targeted for elimination.

So, whereas children need to have worked on an activity for at least one hour per week to qualify to be counted as engaged in child work activities, children in hazardous work do not need to fulfill this condition. However, all children counted as engaged in child labour are between the ages of 5 to 17 years.

In the following few tables, we take a look at the number of children engaged in child labour during the time of the survey. We will also look at a detailed break down of their distribution by place of residence, gender and age group; and if numbers allow, by population group.

Table 4.8: South African children aged 5-17 years, by whether they were engaged in child labour, by age group and gender.

Type of area of residence	Gender	Engaged in child labour	Not engaged in child labour	Not classified	Total
		(N'000)	(N'000)	(N'000)	(N'000)
5 - 9	Male	151	2358	210	2719
	Female	151	2315	200	2666
	Unspecified	4	28	2	34
	Total	306	4701	412	5419
10 - 14	Male	386	2205	27	2617
	Female	417	2187	19	2624
	Unspecified	6	15		21
	Total	809	4407	46	5262
15 - 17	Male	256	1087	15	1358
	Female	153	1230	8	1391
	Unspecified	4	6		10
	Total	412	2323	24	2759
Total	Male	793	5649	252	6694
	Female	721	5733	227	6681
	Unspecified	13	50	2	65
	Total	1527	11431	481	13440

Table 4.8 above shows, that using our adopted definition, out of the estimated 13,4 million South African children aged between 5 and 17 years during July 1999, slightly more 1,5 million of them were actually engaged in child labour. About 11,4 million (85.1 per cent) of children aged between 5 and 17 years were not engaged in child labour. Out of the 1,5 million children engaged in child labour, 306 thousand were aged between 5 and 9 years, 809 thousand were aged between 10 and 14 years, and 412 thousand were aged between 15 and 17 years. Up to 481 thousand children could not be classified.

Although the number of children aged 5-9 who were engaged in child labour was evenly split between boys and girls at 151 000 each a piece, the number of girls (417 000) engaged in child labour among the 10-14 age group, was higher than their boys' equivalent (386 000). Conversely, for the age group 15-17, the number of boys (256 000) who were engaged in child labour was higher than the girls' (153 000).

Overall, there were more boys (793 thousand) than girls (721 thousand) aged between 5 and 17 years who were engaged in child labour in the whole of South Africa. The gender for an estimated 13 000 children was not specified.

In the following analysis, children with unspecified gender will be excluded.

Table 4.9: South African children aged 5-17 years, by whether they were engaged in child labour, by age group and gender.

Type of area of residence	Gender	Engaged in child labour	Not engaged in child labour	Unspecified	Total	
		%	%	%	(N'000)	%
5 - 9	Male	5.6	86.7	7.7	2719	100.0
	Female	5.7	86.8	7.5	2666	100.0
	Total	5.6	86.8	7.6	5385	100.0
10 - 14	Male	14.8	84.2	1.0	2617	100.0
	Female	15.9	83.4	0.7	2624	100.0
	Total	15.3	83.8	0.9	5241	100.0
15 - 17	Male	18.8	80.0	1.1	1358	100.0
	Female	11.0	88.4	0.6	1391	100.0
	Total	14.9	84.3	0.9	2749	100.0
Total	Male	11.8	84.4	3.8	6694	100.0
	Female	10.8	85.8	3.4	6681	100.0
	Total	11.3	85.1	3.6	13375	100.0

Totals exclude the 13 000 children engaged in child labour, whose gender was unspecified

Table 4.9 above shows, that of the estimated 13,4 million South African children aged between 5 and 17 years in July 1999, only 11,3 per cent (1.5 million) were engaged in child labour were engaged in child labour. Just over 85.1 per cent (11.4 million) of the children were not engaged in child labour, while the status of almost one in every twenty-five (3.6 %) of the children could not be classified.

Only 5.6 per cent of the children in the 5 to 9 age group were engaged in child labour. Slightly over fifteen in ever a hundred children aged 10-14 years were engaged in child labour. This proportion dropped to just under fifteen per cent for the children aged 15 to 17 years.

Although there was an almost equal estimated number of boys (1.4 million) and girls (1.4 million) aged between 15 and 17 years, the proportion of boys (18.8%) who were engaged in child labour in this age group was higher than the girls' (11.0%).

Table 4.10: South African children aged 5-17 years, who were engaged in child labour, by type of area of residence and gender.

Type of Area	Gender	Engaged in child labour	
		N('000)	Percentage
Urban formal	Male	99	6.5
	Female	83	5.5
	Total	182	12.0
Urban informal	Male	25	1.6
	Female	16	1.1
	Total	41	2.7
Commercial farms	Male	622	41.1
	Female	583	38.5
	Total	1205	79.6
Other rural	Male	47	3.1
	Female	39	2.6
	Total	86	5.7
Total	Male	793	52.4
	Female	721	47.6
	Total	1514	100.0

Totals exclude the 13 000 children engaged in child labour, whose gender was unspecified

Table 4.10 shows, that among the estimated 1.5 millions South African children aged 5-17 years who were engaged in child labour, about one in every ten (12%) of the children lived in Urban formal areas. About 2.7 per cent (41 000) of the children lived in Urban informal settlements. The majority (1.2 million) – about four in every five (79.6%) of the estimated child labourers lived on commercial farms, while 5.7 per cent (86 000) of the child labourers lived in other rural areas.

Table 4.11: South African children aged 5-17 years, who were engaged in child labour, by population group and gender.

Population group	Male		Female		Total	
	N(1000)	%	N(1000)	%	N(1000)	%
African	736	52.0	680	48.0	1416	100.0
Coloured	27	48.5	28	51.5	55	100.0
Indian/Asian	0	-	0	-	0	-
White	26	69.3	12	30.7	38	100.0
Grand Total	793	52.4	721	47.6	1514	100.0

Totals excludes 13 000 children engaged in child labour, whose gender was unspecified.  
All estimates less than 10 000 have been suppressed to zero as the sample size is considered to be too small to give realistic estimates.

Table 4.11 shows that overall, the number of children engaged in actual child labour was almost evenly split between the sexes, but with the 793 000 boys (52.4%) slightly higher than the 721 000 girls (47.6%).

Table 4.11 also shows that among the 1.5 million children who were engaged in child labour, 1.4 million (94.0%) were African. Also to note, is that there were more than twice as many white boys (26 000) engaged in child labour as white girls (12 000)

Table 4.12: South African children aged 5-17 years, who were engaged in child labour, by type of labour activity and gender.

Type of labour activity	Male		Female		Total	
	N(1000)	%	N(1000)	%	N(1000)	%
Economic activity	396	49.9	347	48.1	742	49.0
Subsistence agriculture	117	14.8	52	7.2	169	11.1
Household chores	243	30.6	292	40.6	535	35.4
School work	3	0.3	13	1.8	15	1.0
Unclassified	35	4.4	18	2.4	52	3.5
Total	793	100.0	721	100.0	1514	100.0

Totals exclude 13 000 children engaged in child labour, whose gender was unspecified

Table 4.12 shows, that out of the estimated 1.5 million South African children that were engaged in child labour, almost half (49.0%) of the them (742 000) indicated that they mainly participated in economic activities, such as selling things, working in a family business, or working on a commercial farm for pay, profit or family gain.

Just over half of a million children (535 000) engaged in child labour were working on chores in their own homes, including fetching of firewood and water for household use. About one in every ten (11.1%) of the children engaged in child labour was mainly engaged in subsistence agriculture. There was hardly any significant level of child labour in school cleaning activities. Only one in every a hundred (1.0%) of the children engaged in child labour was as a result of participation in school cleaning work (15 000).

Table 4.12 also shows that although there were more boy child labourers (396 000) than girl child labourers (347 000) on account of involvement in economic activities, the proportion (49.9%) of the boy population engaged in child labour was not very different from that of the girl population (48.1%). The table shows also that among the children who were engaged in child labour, there were slightly more than twice as many boys (117 thousand) engaged in subsistence agriculture as girls (52 000).

In the same table 52 000 children have been shown to be unclassified. Further cross tabulation, which I will not discuss here, would reveal that these are children in hazardous work, who do not qualify to be in child work because they work for less than one hour per week, but are dragged into child labour by the model on account of their hazardous activities.

### 4.2.3 Scholastic retardation and child labour

The aim of this section of the research is to explore through graphs, if there is a relationship between child labour and scholastic retardation. If there are any relationships, one would expect that children involved in child labour, would have higher scholastic retardation rates since child labour may divert attention from school activities and reduce the time a child can devote to study.

Nine groups of children were identified earlier in section 3.6 of Chapter 3 of this report. Both grade-specific and age-specific retardation rates have been calculated for each of these 9 groups of children and are show in the two tables below. (see Table 4.13 bellow).

Table 4.13: Summary of grade-specific scholastic retardation rates for different categories of school-going South African children who were interviewed during phase 2 of SAYP

Category of children	Grade of enrolment					
	1	2	3	4	5	6
	Percentage					
1. All children not in child labour	10.7	8.6	13.3	18.9	22.7	29.0
2. All children	11.9	9.5	15.4	22.0	25.8	31.4
3. Children in child labour	35.5	17.4	27.7	36.8	41.0	39.4
4. Boys not in child labour	12.9	10.6	13.8	23.2	25.3	33.6
5. All boys	13.9	11.6	17.0	27.3	29.6	36.7
6. Boys in child labour	35.1	18.9	35.8	44.7	49.2	45.3
7. Girls not in child labour	8.2	6.9	12.8	14.9	20.2	24.6
8. All girls	9.7	7.5	13.8	16.9	22.4	26.0
9. Girls in child labour	35.9	14.6	19.7	28.0	33.7	31.5

Table 4.13 gives the grade specific scholastic retardation rates for the 9 groups of children from phase 2 of SAYP. These have been calculated according to the

methodology outlined in chapter 3. Tables showing how the calculations were done are given in Annexure 3 at the end of this report.

As indicated in Chapter 3, grade-specific retardation rates have been calculated to indicate the rate at which the ages of children enrolled in a specific grade are higher than the normally expected ages for that grade.

Alternatively, the age-specific retardation rates indicate the rate at which children of a specific age are enrolled in grades, which are considered to be lower than the normally expected grade for children of that age.

The following charts illustrate how these rates are behaving in graphical form. Table 8 seems to show that generally boys have higher scholastic retardation rates than girls.

Chart 4.1: Grade-specific scholastic retardation rates for all children interviewed during SAYP phase 2, and were attending school in grades 1 to 6, at the time of the survey.

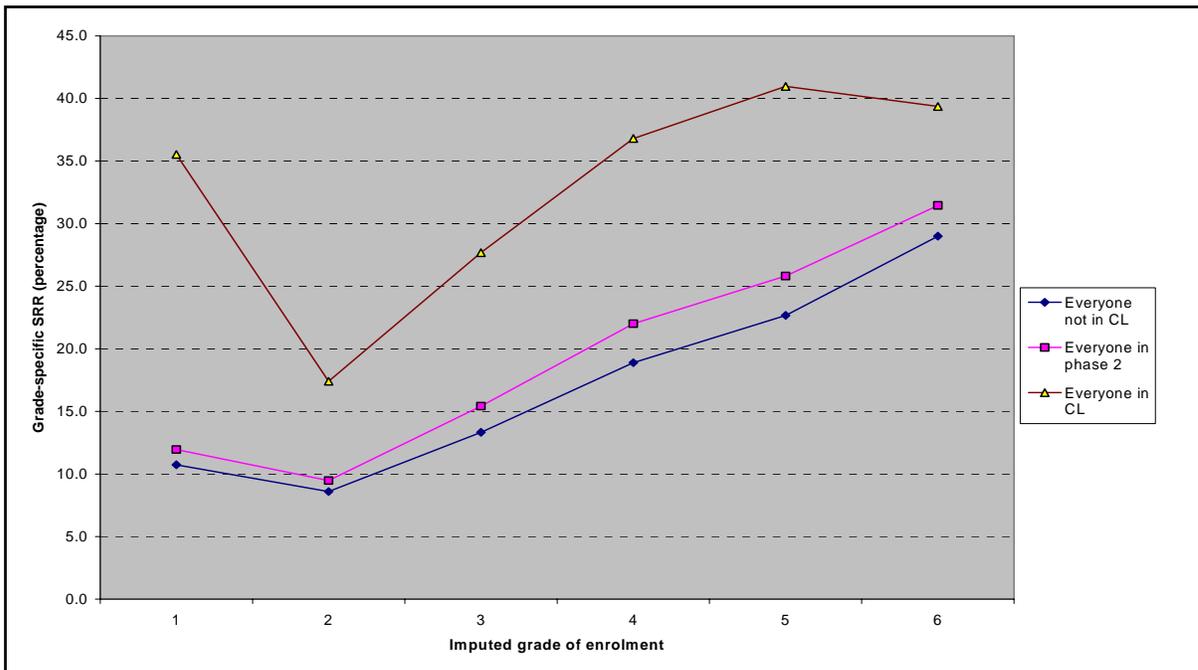


Chart 4.1 above shows distribution of grade-specific retardation rates of three different categories of children (Groups 1-3), by the grade of enrolment of the child. Group 1 is composed of all children in the households, which were selected for phase 2 of SAYP, who were attending school at the time of the survey and have been confirmed by the model to be engaged in child labour. The curve corresponding to this category of children is the highest one in Chart 4.1 above.

Group 2 consists of all children who were found in the phase 2 households during SAYP and were attending school at the time. These children may or may not have been engaged in child labour. This is the largest of the three groups, as it combines all children from Groups 1 and 3. The curve corresponding to this category of children is the middle one in the chart above.

Group 3 consists of all children who were found in the phase 2 households of the SAYP, who were attending school at the time of the survey and have been

confirmed by our model, not to be engaged in child labour. The curve representing this category of children is the one at the bottom of Chart 4.1 above.

Chart 4.2: Grade-specific scholastic retardation rates for all boys interviewed during SAYP phase 2, and were attending school in grades 1 to 6, at the time of the survey.

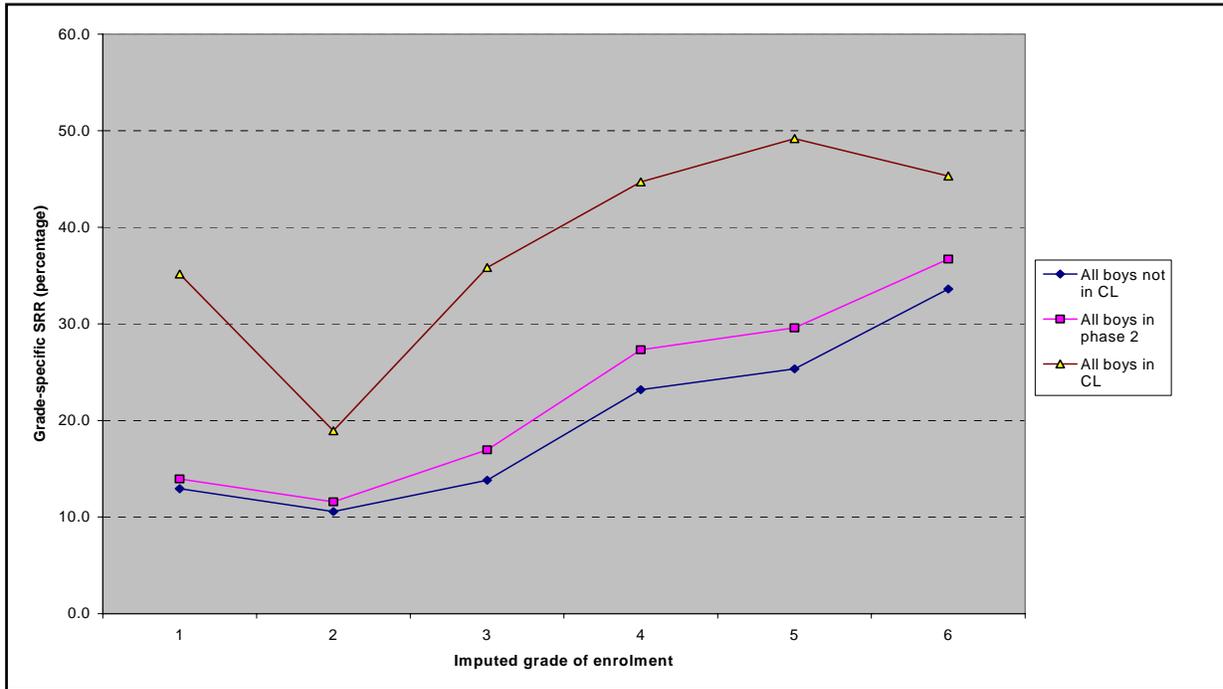


Chart 4.2 above shows the distribution of grade-specific scholastic retardation rates, by grade of enrolment, for another three of the nine different categories of children we chose to work with. Specifically, these are the Groups: 4 to 6 (the boys' groups)

Group 4 consists of all boys in the households, which were selected for phase 2 of SAYP, who were attending school at the time of the survey and have been confirmed, according to our model, to be engaged in child labour. The curve corresponding to this category of children is the highest one in chart 4.2 above.

Group 5 consists of all boys who were found in the phase 2 households during SAYP and answered that they were attending school at the time. Child labour is

not a condition for this group, as they may or may not be engaged in it. This group combines all the boys from Groups 4 and 6. The curve corresponding to this category of children is the middle one in Chart 4.2 above.

Group 6 consists of all boys who were found in the phase 2 households of the SAYP, who were attending school at the time of the survey and, according to our model, have been confirmed not to be engaged in child labour. The curve representing these boys is the one at the bottom, in Chart 4.2 above.

Chart 4.3: Grade-specific scholastic retardation rates for all girls interviewed during SAYP phase 2, and were attending school in grades 1 to 6, at the time of the survey.

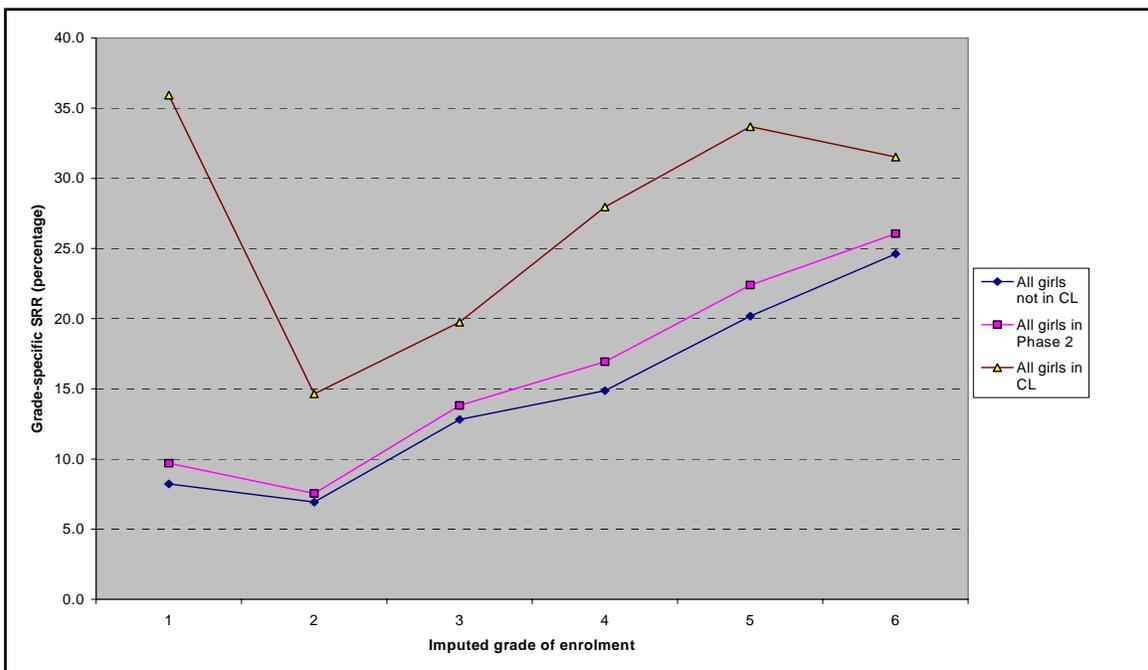


Chart 4.3 above shows the distribution of grade-specific scholastic retardation rates, by grade of enrolment of all the girls, who were found living the households selected for phase 2 of the SAYP. These girls form up the last three groups (Groups 7, 8 and 9) of the nine, previously selected for analysis.

Group 7 consists of all girls who were found in the households, which were selected for phase 2 of SAYP, were attending school at the time of the survey

and have been confirmed by our model to be engaged in child labour. The curve corresponding to this category of girls is the highest one in chart 4.3 above.

Group 8 is made up of all girls who were found in the phase 2 households during SAYP and were attending school at the time. They may or may not be engaged in child labour. This group combines all the girls from Groups 7 and 9. The curve corresponding to this category of girls is the middle one in Chart 4.3 above.

Group 6 consists of all girls who were found in the phase 2 households of the SAYP, were attending school at the time of the survey and, according to our model, have been confirmed not to be engaged in child labour. The curve representing this set of girls is the lowest one, in Chart 4.3 above.

### **Discussion**

In all the charts 4.1 to 4.3 have one thing in common, and that is that, among the cluster of child categories represented in each of the three charts, the category composed exclusively of children who were engaged in child labour is represented by the higher curve. Conversely, in each of the three charts, the category made up of children who did not engage in child labour comes out the lowest.

As would be expected, in all the three charts, the category composed of the combination of the children engaged or not engaged in child labour gets the middle curve. It averages out the effects of child labour.

In the next chart, we look at all the nine categories of children plotted on the same scale. This will help us to see if there may be any differences in variation introduced by gender.

Chart 4.4 Grade-specific scholastic retardation rates for 9 different categories of children, who were interviewed for phase 2 of SAYP and were enrolled in grades 1 to 6 at the time of the survey

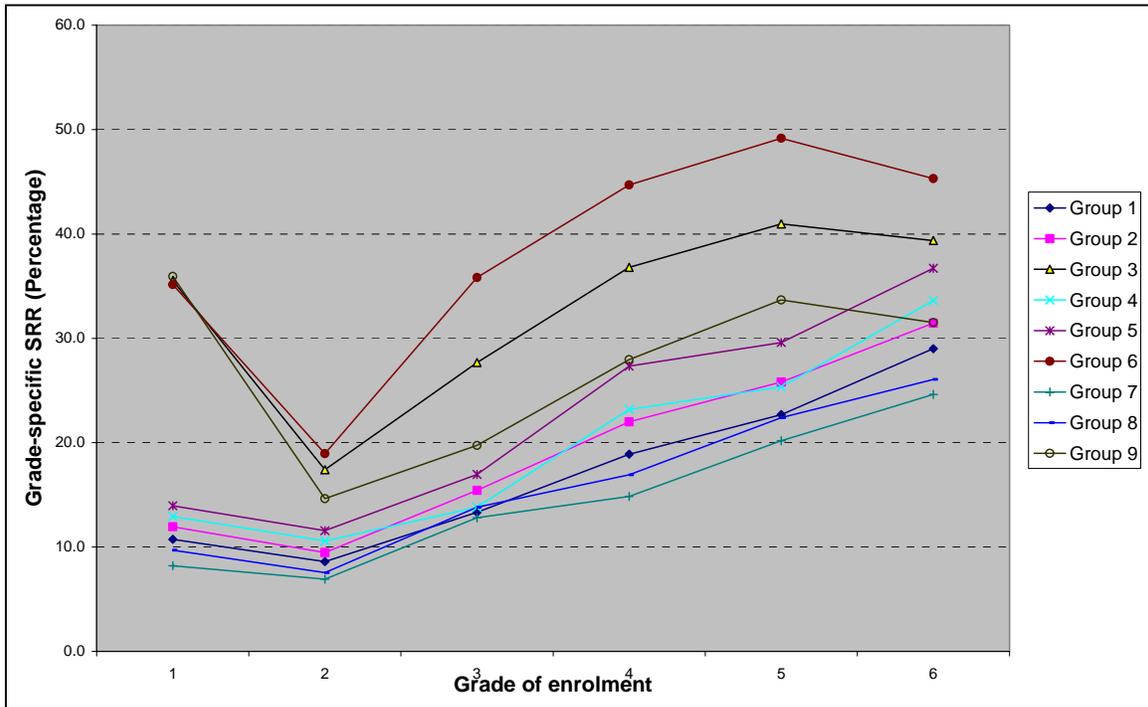


Chart 4.4 shows all the grade-specific scholastic retardation rates for the 9 different groups plotted together on the same scale. The chart also shows that groups 6, 3 and 9, in that order, are the ones that exhibit the highest levels of scholastic retardation rates. These are the groups that are exclusively composed of children who are engaged in child labour.

At the bottom of the pack, group 7 (the girls not engaged in child labour) is the one with the lowest levels of scholastic retardation, followed by group 8 (all the girls combined) and group 1 (all children put together) in that order.

The chart illustrates that in South African, child labour is more likely to affect the scholastic progression of boys than of girls in similar grades. The fact that the scholastic retardation rates of all girls put together (group 8) are lower than those of all children not engaged in child labour put together (group 1), is an indication of the strength of the boy factor in scholastic retardation.

In all the four charts shown above, there is a big dip in the curves for all categories of children at Grade 2, on the x-axis. This is more so for curves depicting the children who are engaged in child labour (groups 3, 6 and 9). This could be for a number of reasons.

Firstly, there is the issue of poor data quality. Data collected from children of that age about their activities may be suspect. There is therefore a possibility that children over reported the number of hours of engagement in their child work activities. The other factor to be considered is the quality of the information collected on the highest level of education attained. This does affect the calculation of the grade-specific scholastic retardation rates.

Secondly, and particularly because the dip in the curves is steeper among the curves for categories of children engaged in child labour, it is possible that the model over estimated the number of children in hazardous work, and therefore child labour. Estimates of hazardous child work are derived from the answers provided by children on their activities. Therefore, the results of the model can only be as good as the information used.

### **4.3 Conclusion**

The model has produced results that will lead the discussion in the following chapter. There is indeed some child labour in South Africa although it may be at low levels. The extent to which the model a good estimate of the total levels of child labour in South Africa will largely depend on the significance of the more qualitative aspects of child labour that were not captured by the SAYP.

The information provided by this research can be useful for government and child labour activists to act on. There are areas of hazardous work, which have been identified by the model, even without particular reference to the type of industry and occupation in which the child may be working. This approach therefore provides an effective way of estimating hazardous work, in the absence of a list of hazardous industries and occupations.

## **CHAPTER 5**

### **Discussion of findings**

#### **5.1 Introduction**

In the context of the available literature, which has been reviewed, it is now time to take a look critically at the results of this research and to see if something has been added to what was already known about child work and child labour in South Africa. The discussion will be centered on two main issues: the estimation of child labour and the investigation of the relationship between child labour and academic progression.

Simply out of fear of losing the reader's interest, some of the discussion of the results has been done in the previous chapter (Chapter 4), where the main findings were presented. Where that is the case, only a summary of the discussion will be given in this chapter.

#### **5.2 Discussion**

##### **5.2.1 Child work and child labour:**

Involvement in work activities has been defined for the purpose of this research, according to the cutoff limits described earlier in the chapter on methodology. Involvement in child work activities is said to have occurred if: a child spends at least 1 hour a week performing these activities, whether these activities are economic or non-economic. The long-hour or time-related cutoffs have been introduced only to determine child labour, and do not affect the child's status if he/she is already working.

Work, in terms of employment statistics is defined in particular reference to 'an economic activity', which only happens, if one is engaged in the activity for at least 1 hour per week. But such a definition is not likely to give meaningful results in the case of child work, which is usually performed under different conditions.

The majority of child work takes place in a home environment. Much of what a child accomplishes within an hour will largely depend on their concentration and amount of supervision. This is particularly true for domestic chores. And then, it is up to the child to remember as accurately as he/she could, in terms of hours, how much time was spent on these activities. Budlender and Bosch(2002:52-53) says that, unlike economic activities where work is done over concentrated periods of a day, and often according to a daily or weekly schedule, the activities in unpaid domestic work are usually interspersed during the day, which gives more room for inaccuracy in estimating total time spent on the activities.

The results show that one can actually be engaged in child labour without being engaged in a child work activity, by definition. This is the case with the 52 000 children who have been counted for child labour, although they fall under the category 'no child work activity'. These are clearly children in hazardous work.

According to the model, these children have been caught by the hazardous work filters, which have been applied to all children in phase 2, irrespective of number of hours of engagement. The sense here is, to capture all children engaged in hazardous work, whose hours of engagement do not meet the 1-hour minimum requirement for child work. These children would not be counted in child labour if the 1-hour criterion were applied first.

One could argue therefore, that there is an apparent underestimation of children engaged in child work activities. Although this is debatable, it does not in fact have any implications towards the estimation of child labour itself, as the cutoffs for child labour are much higher.

The long hours that have been selected as cutoffs for child labour are partly as a result of the findings of the Statistics SA's Time Use Survey, 2000 and subsequent work done by Budlender and Bosch (2002:49) in the Country Report on Child Domestic Workers in South Africa.

In selecting the longer hour cutoffs, consideration has been given to the fact that it is neither illegal, nor undesirable for children to participate in domestic work. A child being engaged in domestic work for 21 hours a week translates into 3 hours a day. This is absolutely normal for most households, and in fact it may be an absolute necessity for the mere survival of the household. It would be considered unreasonable and consequently not worthy of support if a limit below this were to be imposed on child work activities in a home.

The results show that the vast majority of the children engaged in child labour were African children mainly from non-urban areas, such as traditional villages in former homelands, where they were less likely to have access to tap water or electricity. Many of these children are required to spend hours fetching water and looking for firewood, which are bare necessities for their households.

In South Africa, access to education is least likely in the rural areas, where children have to walk very long distances to go to school, and where the quality of education may be of a lower standard. Schools in the rural areas often do not have facilities needed to offer quality education.

### **5.2.2 Grade-specific scholastic retardation rates**

This discussion will center on the results of calculations for the grade-specific scholastic retardation rates (SRR), which have been performed on the numbers of children who were enrolled in grades 1 to 6 during July 1999. Copies of the spreadsheets generated in the process of estimation of the SRR for the nine selected categories of children, are attached to the end of this report, in Annexure 3.

The plotted results show, that overwhelmingly, there is a link between child labour and scholastic retardation. Gender differences are apparent in the way children's progression responds to engagement in child labour. Overall, involvement in child labour seems to affect South African boys more than girls living in the same households.

We have talked about children who are not engaged in child labour activities, in phase 2 of the SAYP, and we have actually used these children to show the differences between scholastic retardation rates of children in child labour as opposed to those not engaged in child labour.

The fact of the matter is that these children are not true representatives of South African children, who were not engaged in child labour. All the children in phase 2 of the SAYP come from selected households, which were identified to have child labour characteristics. Children from such households can therefore not be regarded as a representative sample of South African children who are not engaged in child labour.

There must be caution though in the interpretation of scholastic retardation rates, as these measures are not as robust in measuring academic achievement like the so commonly used test scores that can be administered to a specific target group of children in a particular subject. Reduction in scholastic retardation does not necessarily mean better performance by the children, as often education policies could force school authorities to promote every child irrespective of whether he/she deserves to move to a higher grade. These measures also fail to take into account children who have dropped out of school.

Nevertheless, we have managed to demonstrate that there is an association between scholastic retardation rates and child labour. Perhaps, a more robust comparison would if hours of engagement were used as an indicator for severity of child labour, and then look at how it affects scholastic retardation. But, that can only be a subject for further research.

### **5.3 Conclusion**

There is indeed child labour in South Africa. How severe or rampant it is depends more or less on the definition adopted. If the suggested cut-offs in the number of hours of engagement are acceptable, then we have a model that we can operationalize.

Given the conditions that are set out in the model, it is unlikely that one would get any more closer to the true estimate of child labour in the country, from the SAYP data set.

There is probably a great deal of refinement that needs to be done on the model such as separating paid child domestic work, which is essentially illegal, from unpaid domestic work.

Scholastic retardation has been found to show some degree of association with child labour. The results may not be that conclusive due to the absence from SAYP data, of information on school attendance of children who were not engaged in labour activities. The school attendance question was not asked of children in phase 1 of the survey.

## CHAPTER 6

### Limitations of the SAYP data set

#### 6.1 Introduction

One would always expect problems with a survey that is not part of the mainstream survey program of a statistical organization, especially if it is done for the very first time. A lot of data was collected with the SAYP, most of it being very useful in highlighting the problem of child labour in the country, and giving the first national estimates of the size of the problem. However, a few themes covered in the two questionnaires were not adequately covered, and as a result, some of the analysis, which needed to be done on particular themes could not be dealt with satisfactorily as a number of the children were not asked some of the questions they should have been asked. Education is one of those themes.

#### 6.2 Limitation due to sample design

The data collection was conducted in two phases, where households with child labour characteristics were identified during the first phase of the survey. During the second phase of the survey, not all households identified to have had child labour characteristics were interviewed; only a sub-sample of them were asked the detailed questions on child labour during this phase.

The result was that, whereas it was possible to get an accurate picture of the total extent of child labour from phase 2 data, it was not possible to estimate the total number of children who were not engaged in economic activity, without reverting back to phase 1 data. The total number of children not involved in economic activity could only be estimated from the results of the first phase questionnaire. This limited the scope of the findings, because the children in the first phase did not have the marching child labour variables, which were only captured in the second phase questionnaire.

The SAYP was probably not intended to meet the requirement of the kind of analysis carried out in this research. For example, for purposes of this research, it is important to compare the academic progression of children who are not participating in child labour with those who are. We would therefore need to look at the school attendance and other variables relating to child schooling. These variables are only available for second phase children. The survey therefore, does not cater for the most important aspect of a comparative study; the ability to compare the *with* and the *without child labour* circumstances of children and how these different circumstances may relate to academic progression and other educational circumstances among children of school going age.

### **6.3 Limitations due to definitional and content problems**

The definition of child labour revolves around the definition of work. Work in itself is defined in terms of economic activity according to the System of National Accounts (SNA) 1993. The definition of work must correspond to the international definition of employment as adopted by the Thirteenth International Conference of Labour Statisticians. All economic activity, whether paid or unpaid, whether it is for market or non-market purposes, including production of goods for own use, is regarded as work.

Because of the way the questions on fetching of water and firewood are asked, it is not possible to disaggregate the time spent by children on each of these activities, yet in reality, there should be a marked difference between them.

If for example, a child who is engaged in unpaid activities in a market-oriented establishment operated by a relative living in the same household is considered to be working in an economic activity. Even children working as domestic servants in someone's home are considered as economically active.

### **6.4 Other limitations due to methodological approach.**

Child labour is largely a qualitative subject. Within the scope of a quantitative study, like the SAYP, it will almost certainly be difficult to get the full picture of the extent of child labour and its impact. A lot of questions do remain unanswered by

the quantitative study. Issues regarding the extent to which the South African education system is capable of retaining enrolled child workers in school by getting rid of possible barriers would better be addressed through focus group discussions with stakeholders and the national department of education.

Such barriers are for example: relevance of the curriculum, access to appropriate schools, affordability of the right education and gender mainstreaming of education access with a view of elimination of child labour due to gender discrimination.

A number of aspects of child labour, especially those related to the Worst Forms of Child Labour (WFCL) were not investigated by the survey, as this was not part of the survey's objective. This could be because on the one hand, some of these activities such as "children in armed conflict" have not manifested in the South Africa. On the other hand though, other activities such as sexual exploitation of children through prostitution and child pornography, child trafficking and the use of children in all forms of illicit trade, all of which are said to be on the rise the world over, are not captured in the questionnaire.

Separate qualitative studies are indeed required to address some of the worst forms of child labour, even if only as a precursor to a quantitative study, just to get a sense of how, where and to whom the quantitative survey should be directed. This may be a requirement for future research, especially as the focus has turned to these specific child labour activities for immediate elimination.

The survey asked detailed questions about child work from the children themselves. The time reference used to ask these questions was the past 12 months. Now, it is possible for children, like anybody else to forget whether they carried out certain activities sometime during the year, especially if it happened some months back. Although this approach ensures that we capture the seasonal child labour activities, especially in the agricultural sector, it is possible to miss some of the activities in which children were engaged because of memory lapse; and this may lead to serious underestimation of child labour.

On the other hand, capturing of children's labour activities throughout the year may actually lead to an overestimation of child labour as some of these activities may well have taken place during school holidays and did not have any negative effects on the children's learning.

## **6.5 Conclusion**

The results of this research must be looked at in terms of what information was available in the SAYP data set, together with the data set's inherent limitations, some of which depended on the aims of the SAYP. There is room though, for us to make meaningful conclusions from the data available, and hope that future research will build on to it. The need for an appropriate balance between qualitative and quantitative approaches in the study of child labour cannot be over-emphasized.

Since we do not have any indication of school attendance regarding the children in the households that did not exhibit child labour characteristics in phase 1 of the study, we cannot make any imputations for those children's school enrolment. So, whereas the results of scholastic retardation rates for the children engaged in child labour can be nationally representative, the same cannot be said about the results for children who are not engaged in child labour activities.

## CHAPTER 7

### Overview and recommendations

For many decades, the child labour elimination campaign was pushed by developed countries partly motivated by the need to apply trade sanctions against countries where children were used in the production of goods for export. They argued that such countries had a comparative cost advantage over those who did not use child labourers in their factories. There was little cooperation from countries that stood to benefit from trade resulting from the use of child factory workers. The focus in recent years has shifted to the elimination of hazardous and the worst forms of child labour.

This shift in focus is very welcome, as it in a way moves the attention away from trade imbalances to the plight and rights of children. The change in focus is likely to receive better cooperation from different governments, as it does not directly affect their balance of payments. There is also general agreement that the worst forms of child labour, such as child prostitution and pornography, children in illicit trade such as drug trafficking, children in armed conflict, which are by all means considered evil in most societies, should be eliminated.

The problem though, which is not about to disappear is that of measurement. Most hazardous and worst forms of child labour are part of the illegal trade, which by definition is very difficult to capture. So, whereas there may be willingness on part of governments to cooperate, accurate measurement of child labour may not be easy. Sound methodologies, which can accurately measure the activities involved in the worst forms of child labour, still need to be developed and tested.

The model, which I have used to estimate child labour from the SAYP data set seems to be the most appropriate, especially for comparison with other

developing countries. The model provides for “light work”, a concept which is introduced to cater for children between the age of 13 and 14 years (12 and 14 years in the case of developing countries that have set their minimum age of employment at 14), provided the work is not hazardous and is done for less than 14 hours a week.

Currently, South African legislation fixes the minimum working age at 15 years. According to (ILO, 1973:3) the Minimum Age Convention (C138) allows developing countries to take advantage of the provisions of Article 7 of the Convention, which caters for light work.

Addressing poverty issues in the country will go a long way towards discouraging child labour, and the recent introduction of child grants is a step in the right direction.

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