Child Labor in Bolivia:

A new approach to the issue of child labor?

Bachelor Thesis
Author: Hugo Wallin van Doesburg
Tutor: Christopher High
Peace & Development Studies
Course Code: 2FU32E
Fall Semester 2016/17
Abstract

Child labor is still to this day a global problem, especially for the developing world. In 2014 the Bolivian government went against the international community by removing the minimum age on work in the revised version of their Code for Children and Adolescents. The objective of this research is to present how and why this policy was adopted by the Bolivian government. This thesis also analyses the case of Bolivia using a triangulation of three different theories on child labor.

The findings show that the involvement of the child/adolescent labor unions had a great impact on the final results of the new legislation in Bolivia. Furthermore, the new legislation inherently questions the notion of children as being unable to act independently as subjects.

**Key words:** Child labor, Bolivia, Child labor policy, Minimum age on work, Child/adolescent labor unions
## Contents

Child Labor in Bolivia: ................................................................. 0
A new approach to the issue of child labor? ................................ 0
Abstract ......................................................................................... 1
List of Figures .................................................................................. 4
List of Abbreviations ........................................................................ 5
1. Introduction .............................................................................. 6
   1.1 Background and Research Problem ..................................... 6
   1.2 Relevance ............................................................................... 7
   1.3 Objective and Research Questions ....................................... 8
   1.4 Limitations and Delimitations ............................................. 8
2. Literature Review ....................................................................... 9
   2.1 Economics and Child Labor ............................................... 10
   2.2 Social Sciences and Child Labor ........................................ 11
3. Methodology .............................................................................. 13
   3.1 Thick Description ................................................................ 13
   3.2 Theory Triangulation.......................................................... 14
4. Theoretical Framework ............................................................. 16
   4.1 Lessons from the Industrial Revolution ............................. 17
   4.2 Changes in Capitalist Labor Markets ................................. 17
   4.3 Family Strategies ............................................................... 18
   4.4 Historical Conclusions for Today ....................................... 19
   4.5 Positions of the Historical Perspective .............................. 19
   4.6 Opportunity and Child Labor ............................................ 20
   4.7 Positions of the Supply Perspective ................................. 22
   4.8 Skill Formation, Capital Accumulation and Child Labor .... 23
   4.9 Positions of the Demand Perspective ............................... 24
5. Theory Triangulation ............................................................... 25
   5.1 Table of Triangulation ......................................................... 26
   5.2 Moral Position ..................................................................... 26
   5.3 Operational Position ............................................................ 27
   5.4 Scope of the Theory ............................................................ 27
   5.5 Summary ............................................................................ 28
6. Child Labor and Bolivia
6.1 History
6.2 The Debate On Child Labor in Bolivia
6.3 Consultation of the Children and Adolescents Code
6.4 The draft of UNATSBO
6.5 The Final Draft of the Code
7. Analysis
7.1 Moral Position
7.2 Operational Position
7.3 Scope of the Subject Oriented Position
8. Conclusion
9. Reference List
9.1 Electronic sources
9.2 Printed Sources
List of Figures

Section 5.1 page 26: Table of Triangulation

Section 6.1 page 29: Timeline of Bolivian Child Labor Policy
List of Abbreviations

NGO - Non-governmental Organization
ILO - International Labor Organization
UN - United Nations
IPEC - International Programme on the Elimination of Child Labor
ETI - Enquesta de Trabajo Infantil (Survey of Child Labor)
NAT - Niños, Niñas y Adolescentes Trabajadores (Working Children and Adolescents)
MAS - Movimiento al Socialismo (Movement for Socialism)
UNATSBO - Union de Niños, Niñas y Adolescentes Trabajadores de Bolivia (the Bolivian Union of Working Children and Adolescents)
ASONATS - Asociación National de Adolescentes Trabajadores (the Working Adolescents’ Association)
1. Introduction

1.1 Background and Research Problem

The concept of child labor is from a historical perspective quite new, even though children probably have been involved in work throughout the history of humanity. The contemporary view of child labor can be traced to the industrial revolution in the western world and the introduction of wage labor on a larger scale, this has formed our view on child labor more than anything else, especially in the developed world (Lieten & van Nederveen Meerkerk, 2011:12).

The dominating view within the academia and the international community has for a long time considered child labor as a violation of children's rights, human rights and labor rights. Many have also considered it to be a significant hurdle for national development. Out of this consensus, the international community has developed standards (these are outlined in the literature review) on how child labor should be defined and eliminated. An elimination of child labor has not been succeeded, however, the ILO (International Labour Office) estimates that the number of child laborers in the world decreased by 30 million between 2000 and 2008. Furthermore, the ILO admit that these numbers underestimate the amount of child laborers in the world however they emphasize that progress has been made and can further if there is a genuine commitment both internationally and nationally. In 2008 the ILO estimated the number of child laborers in the world to be over 215 million, moreover, they assess that this number has increased following the global economic crises, thus the problem of child labor is far from solved and the need for effective policies persists (ILO, 2013:1).

In 2014 the Bolivian government introduced a new set of standards defining and implementing the rights of children and youths, on the 4th of august 2014 the Code for Children and Adolescents was put in place. This was the first legal framework adopted that significantly involved children in the process, particularly so regarding the section of the Code concerning child labor. Children were engaged in the process through the child/adolescent labor unions negotiations with the parliament and the government (Liebel, 2015:29). The framework addressing child labor did not include a complete ban on all work
conducted by children, alternatively, it focused on protecting working children from abuse and exploitation, also ensuring decent working conditions. Not surprisingly the Code was met with critique from the international society, because of its opposition of the complete banning of child labor (Liebel, 2015:30).

The case of Bolivia gives us a new perspective on issues regarding child labor, contradicting the predominant perspective adopted by the international community. My thesis will examine why the Bolivian government has adopted a new approach, and analyze the strategy with a theoretical perspective derived from a triangulation of three different theories. In other words, the research problem is to examine whether the Bolivian stance is a viable strategy for addressing child labor, and whether it might be an alternative to the prevailing strategy adopted by the international community.

1.2 Relevance

As mentioned earlier the problem of child labor persists and the objective to eradicate child labor has not been achieved. For a long time, there has been a wide consensus within the international community on the question of child labor and the strategy to combat it, however, this strategy is being questioned, some argue that banning child labor often does more harm than good. The case of Bolivia gives us another perspective derived and developed from working children themselves, as they were involved in the process leading up to the policy. Instead of putting the focus on eradicating child labor, the Bolivian strategy aims at strengthening the protection for child workers, this challenges the normative strategy of the international community. The relevance of this thesis will be to broaden the perspectives on child labor and present an alternative to the normative strategy of the international community. Also, by applying the theories within child labor studies to the case of Bolivia this thesis addresses a specific research gap. Hopefully, the thesis will deepen our understanding of child labor and present a more nuanced view of the complexities of this issue by adding a new perspective to the debate.
1.3 Objective and Research Questions

The objective of this research is to explain and motivate the Bolivian perspective and broaden the perspectives on child labor and policies regarding child labor. This thesis is based on a qualitative case study of the new policy of child labor in Bolivia. The case study will be presented as a ‘Thick Description’ (see methodology chapter), furthermore the case study will be analyzed by using a method of ‘Theory Triangulation’ (see methodology chapter) when developing the theoretical framework. In order to reach the objective of my research the thesis will set out to answer these research questions:

- What are the main aspects regarding child labor of the Code for Children and Adolescents adopted in Bolivia?
- How and why were working children involved in the decision-making process?
- Why did the Code for Children and Adolescents not adopt an age limit to work?
- How will the Code for Children and Adolescents be implemented?

1.4 Limitations and Delimitations

This research is delimited to the Bolivian approach to child labor. Therefore the research will not have any general conclusions regarding child labor, however, it will widen the understanding of child labor and bring forward alternative perspectives. Furthermore, the research is delimited in the sense that the analysis of the Bolivian case is restricted to the perspectives put forth by the theories used in the triangulation (see theoretical framework).

In regards to limitations, the case study is limited to Manfred Liebel translation of the Code for Children and Adolescents found in the article: *Protecting the Working Rights of Children instead of Banning Child Labour Bolivia Tries a New Legislative Approach* (Liebel, 2015), since I don’t speak/read Spanish. Language is the greatest limitation to this thesis. The case study is also limited to the rather old statistics, the latest being a survey carried out in 2008 by Bolivia’s National Institute of Statistics called ‘Enuesta de Trabajo Infantil (ETI)’ (ILO, 2012:16).
2. Literature Review

This section will present the international standards with regards to child labor to create a understanding of how the Bolivian approach differs. The following sections of the literature review will present some background to the study of child labor.

The concept of child labor can entail different things, the standard definition - adopted by the International Labor Organization (ILO) and accepted some by within child labor studies - regard child labor as work that deprives children of their childhood, dignity and/or potential, and work that is harmful to physical and mental development (ILO, 2004: 16). The international community has outlined it's stance on child labor in three major international conventions: the ILO Minimum Age Convention, 1973 (No. 138), the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), and the United Nations Convention on the Rights of the Child (CRC). These conventions are the legal framework for defining child labor and determining the legal basis for combatting it both nationally and internationally (ILO, 2013:3). The concept of ‘the worst forms of child labor' has been developed in order to prioritize the work on eliminating child labor. ‘The worst forms of child labor' is work conducted by children that are considered to be hazardous or dangerous, these types of work include: “slavery, forced labour, sale and trafficking of children; forced recruitment of children for use in armed conflict; use of children in prostitution, pornography, illicit activities; and hazardous work” (ILO, 2004: 16). The goal of the ILO to eradicate child labor, however, does not include all work conducted by children, they concede that some work can be beneficial for children as well and that these types of work should not be eliminated. This work is defined as work that does not influence the health or personal development of a child and does not interfere with their education. An example of this kind of work could be house chores or work on the weekend/vacation (ILO, 2013:3). The term ‘child labor’ began to be criticized in the 1990’s, the historical understanding of the term was seen as making a moral judgement, interpreting the understanding of the term child labor as being incompatible with childhood and inherently exploitative. The critics replaced the term with ‘working children’, in order to avoid moral judgement (James & James, 2008:145-6). This thesis employs both terms interchangeably, simply depending on what fits better (language wise) within the context, and the author attaches no moral judgements to the terms.
The academic study of child labor stretches across disciplines and engages scholars from
different academic backgrounds. There are a wide array of scholars that have approached the
topic of child labor, especially economist, sociologists, ethnologists, and anthropologists. The
field of economics has since the 1990's been the most prominent within the child labor
debate, and one of the few fields where mid-level theories regarding child labor have been
developed (Emerson, 2009: 3). The fields of sociology, anthropology, and ethnography have
not yet developed any mid-level theories of child labor per se, however, the perspectives of
the different disciplines take different stances on child labor (White, 2009:10). The following
sections of the literature review will be divided into two, one presenting economics and child
labor and the other revolving around social sciences.

2.1 Economics and Child Labor

Economists have since the end of the 1990's become increasingly interested in the topic of
child labor. For a long time, the debate revolving child labor focused on exploitative aspects
of child labor, i.e. ‘the worst forms of child labor’. Subsequently, within the field of
economics, the debate was mostly focused on the demand side of child labor, namely the
practices of industries and markets utilizing child labor. As a response to this research gap
within the economic field on child labor, Basu and Van (1998) developed the ‘Foundational
theory of child labor’, shifting the focus to the supply of child labor with the aim to
understand why parents send their children to work. The work of Basu and Van became
seminal within the economic field leading to numerous other economic theories being
developed addressing the supply side of child labor (Emerson, 2009:3).

Following the work of Basu and Van with the focus on explaining child labor from the supply
perspective, Baland and Robinson (2000) developed another model. Their contribution was to
investigate the connection between education and child labor. On the same track, Emerson
and Souza (2003) were able to show how the connection between child labor and education
could entail an inheriting of child labor, creating a ‘child labor trap' (Emerson, 2009:5). One
crucial theory that should be mentioned was developed by Horowitz and Wang (2004). They
raised the point that many poor families with several children choose to do a ‘specialization’
of investments in their children, in other words, they choose to invest in education for
one/some of the children and sending the other one/-s to work. Emerson and Knabb (2006)
Furthermore contributed by pointing out that education can give different outputs for different families within the same economy and showed how this can affect their choice whether to send their children to school or to work. As well as education, several other variables and their relationship to child labor have been considered, such as fertility, credit constraints, trade and cetera (Emerson, 2009:6-7).

Several theories trying to explain child labor from a demand perspective have also been developed. One of the earliest theories on the demand of child labor was developed by Karl Marx (1867) who connected the demand for working children to their physical attributes, i.e. small bodies and nimble hands. However, Marx’s theory has to a large extent been deemed not credible, instead more recent theories have examined other different variables connected to child labor including technological progress, agriculture share of GDP, fertility, human capital accumulation and physical capital accumulation (Brown et al., 2002:24-26).

As mentioned before, there are a lot of economic models and theories tackling the issue of child labor. However, theories and models must be tried and connected to reality, empirical studies on the economics of child labor are generally lacking. For example, there is a great lack of empirical research on the consequences of child labor. An increase in empirical research is essential to examine the existing theories and in the end develop child labor studies as a whole (Emerson, 2009:8).

2.2 Social Sciences and Child Labor

The social sciences (i.e. sociology and anthropology) have contributed in different ways to the studies of child labor. There are not really any models or theories exclusively committed to child labor within the social sciences, however, they do address the issue in different ways. The sociological and anthropological fields have presented different perspectives on child labor, more specifically these perspectives can be found in the studies of labor, childhood, and youth. Comparing the field of economics with the field of social science, several things become evident. Within the social sciences as mentioned earlier there are no mid-level theories exclusively committed to child labor. Instead, the perspectives on child labor are derived from theories of childhood and other fields that might be relevant. Furthermore, the social sciences approach the topic from a completely different angle and with another
methodological approach (White, 2009:10). Subsequently, several critical perspectives on child labor have been developed, problematizing the view of the international community outlined in the conventions regarding child labor.

Ben White (1994) addresses the exploitation and discrimination of children in work, i.e. ‘the worst forms of child labor’. He accepts the notion that this is indeed a reality for some children in work. However, White goes deeper in his analysis, arguing that this is a problem for other social groups as well, for example, migrants, women, and minorities. Furthermore, he addresses the solution for solving this problem stipulated by the international community, namely the exclusion of children from work. Thereby protecting them from work instead of protecting them within work and promoting their rights as workers, a solution that is only prescribed to children and no other social group struggling with this problem. The question then becomes, what perceptions or ideas that lay the ground for the prescribed solution, and whether these perceptions is a result of a factual view of childhood (explaining what a child is) or a normative view (perception of what is a good contra bad childhood) (White, 2009:10).

The either-or correlation between education and child labor, i.e. that work would be an obstacle for education, is also something that has been contested within the social sciences. Mortimer (2003) analyses the United States where the majority of adolescents attending secondary school participate in part-time paid work. In his study, he followed a group of adolescents for fifteen years as they made their way into adulthood. No evidence was found to support the conventional perception of the correlation between the education and work, instead, he found the opposite, even for children engaging what he calls ‘intensive work’ he found that neither their school performance nor their time spent on studying was influenced in any significant way. However, as Ben White points out there are no studies of this longitude that have been conducted within the context of a developing country. Although a neighboring study by Woodhead focused on children within the developing world (Bangladesh, the Philippines, Central America and Ethiopia) and their perspective of combining work and education. The majority of children asked within all regions preferred to combine education with work and renounced the notion that the two would be incompatible with each other (White, 2009:14).
3. Methodology

This thesis is based on a qualitative case study of the new policy of child labor in Bolivia. The case study will be presented as a ‘Thick Description’ (see description below), furthermore the case study will be analyzed by using a method of ‘Theory Triangulation’ (see description below) when developing the theoretical framework. The sources used in this thesis will be secondary sources.

The choice of a qualitative desk study stems from the specific topic of child labor in Bolivia. A qualitative approach enables a deep understanding and description of phenomena, additionally, a qualitative approach is attentive to the context of phenomena (Bryman, 2016:394).

3.1 Thick Description

When doing a case study the aim is to highlight the particularities and characteristics of a specific case. In order to achieve this the thesis will use a method of ‘Thick Description’. This method originates from the social-anthropologist Clifford Geertz who tried to pin down and summarize the methods used in the field of social-anthropology and ethnography. In essence ‘Thick Description’ is a method of case study that in the process of observing and interpreting a case pays great attention to the contextual details. Jane Dawson explains the method in the Encyclopedia of Case Study Research (2010): “A thick description of a social event or action takes into account not only the immediate behaviors in which people are engaged but also the contextual and experiential understandings of those behaviors that render the event or action meaningful.” The method of ‘Thick Description’ further enables the researcher to develop a narrative of the case studied. Because of the focus on the contextual detail when using this method the researcher needs to identify the most significant or meaningful aspects and in doing so one constructs a narrative of the case studied (Dawson, 2010). In Clifford Geertz influential book ‘The Interpretation of Cultures’ (1973) he outlines ‘Thick Description’ as a process of interpreting culture, which in turn entails two aspects: an ethnographic and an anthropologic aspect. Geertz derives his notion of culture from Max Weber, illustrating it as the webs of significance restraining humans which they have themselves spun. For this reason the task of interpreting culture for Geertz becomes as he
puts it: “...not an experimental science in search of law but an interpretive one in search of meaning.” (Geertz, 1973:5). The objective of the ‘Thick Description’ then becomes to construe the social expressions that one cannot understand, presenting an explication. This is further clarified with two main tasks (drawn from Ryle’s discussions of ‘Thick Description’) of the researcher: ‘Thinking and Reflecting’ and ‘Thinking of Thoughts’ (Geertz, 1973:6).

The main reason for choosing this method of case analysis has to do with the general aim of a case study, namely to identify the particularities and characteristics of a specific case. The emphasis on details and context when using the method of ‘Thick Description’, alongside the creation of a narrative enables the researcher to sufficiently reach the general aim of a case study.

The strengths of the method of ‘Thick Description’ are also its weaknesses. In order to conduct a ‘Thick Description’ the researcher needs to interpret the available data and assess its significance, in my view this is the strength of the method, however it can also regarded as a weakness. The interpretive nature of the method makes it subjective, some have therefore argued that it lacks in scientific strength (Dawson, 2010). Another critique of the ‘Thick Description’ points to the fact that there is no real measure of what is ‘thick’ enough. Critique has also been raised regarding validity, whether the presented narrative gives an accurate picture of the case in question. This critique is linked with the critique of subjectivity and brings up a valid point, however, the proponents of this method would argue that this is not a limitation of ‘Thick Description’ per se but rather an “...inevitable part of the nature and limits to human meaning” (Dawson, 2010).

3.2 Theory Triangulation

The theoretical framework of this thesis will be developed and selected using a method of ‘Theory Triangulation’. The concept of ‘Triangulation’ was developed in the 1960’s, it was at first an attempt to develop validity measures that would adopt multiple different perspectives or methods as to ensure to eliminate bias. Eugene Webb tried to further define and construct this method, in 1966 he introduced the concept of ‘Triangulation’ in his book Unobtrusive Measures (Mathison, 2005).
The motivation for the use of the method of ‘Theory Triangulation’ is connected with the method chosen for the case study. When using a ‘Thick description’ of a case study there is risk of bias and the interpretive nature of the method is inherently subjective. Therefore in order to address the subjective nature of the case study, I opted to use the method of ‘Theory Triangulation’. This will enable a comprehensive analysis and interpretation of the findings using different theoretical perspectives, thereby addressing the risk of bias.

The concept of ‘Triangulation’ can be summarized as a method to increase validity when evaluating findings. There are two main attributes of this method. Firstly it aims to eliminate bias and error, this is done by regarding different and opposing perspectives. Secondly the method also has a purpose of clarification. By using different and opposing perspectives and establishing where they agree and where they differ the field of study is clarified. There are several different types of ‘Triangulation’; ‘Data Triangulation’ uses several different data sources when acquiring the data; ‘Investigator Triangulation’ uses more than one investigator or researcher; ‘Methodological Triangulation’ uses multiple methods; ‘Theory Triangulation’ uses multiple theories (Mathison, 2005). This paper will adopt a method of ‘Theory Triangulation’, in other words this method will be used when constructing the theoretical framework. At Least three different types of theories within the child labor debate will be used in order to analyze and interpret the findings of the case study.

Emery Roe has also been in the forefront defining and developing the concept of triangulation especially with regards to policy analysis. For him one of the main attributes of this method is that it increases confidence when faced with complex problems. When faced with a complex problem the researcher through triangulation can identify relevant or useful aspects. In comparing different approaches (theories in the case of this thesis) and identifying where they agree or converge the researcher experiences greater confidence in his findings (Roe, 1999:7).

The method of ‘Triangulation’ aims as mentioned before to increase the validity of the conclusions found. However one should not overemphasize this validity because in the end the researcher is the one that is selecting and presenting the conclusions. Instead of viewing the method as a guarantee for validity some proponents of the method argue that the method should be understood as a means to establish complex data and contextualize it in a way that considers several perspectives. Thereby maybe not presenting clear cut conclusions but
instead deepening understanding of the case studied in a comprehensive way (Mathison, 2005).

4. Theoretical Framework

The theoretical framework of this research is developed to support the method of theory triangulation (see description in methodology chapter). In order to establish a sufficient ‘triangulation’ three different theoretical perspectives will be used: (i) one draws upon Jane Humphries’s summary of the historical work regarding child labor in the industrial revolution, (ii) another is Emerson and Knabb's economic theory on child labor and opportunity (addressing the supply of child labor) and (iii) finally the model constructed by Manash Ranjan Gupta economic on child labor and the connection to skill formation and capital accumulation (addressing the demand side of child labor). The motivation for choosing these theories are based on the method of ‘triangulation’, where different theories are applied to the same case and compared with one another in order to understand the case better. These theories consider both the demand and supply side of child labor, and by using the work of Humphries we also gain a historical perspective on child labor. In order to be able to use these theories in a triangulation a framework is needed to ensure that each theory is evaluated on the same factors, also to later be able to comprise a triangulated position derived from these theories. This will be done by comparing each theory with regards to their moral and operational positions, and in addition the scope of the theories will also be taken into account. The moral position will be presented because it reveals the fundamental perspective on child labor of each theory in terms of underlying perspective, thereby strengthening the triangulation by getting to the core of each theory. The operational perspective will be presented because it tells us the practical implications of each theory for the triangulation, and later on in the analysis it will enable a comparison of the Bolivian approach. Finally, the scope of each theory will be evaluated in order to present what the theories are lacking and enable them to substitute each other, thereby facilitating a triangulation.
4.1 Lessons from the Industrial Revolution

In an article from 2003 Jane Humphries tries to summarize the historical lessons - on child labor - that can be drawn from the industrialization of the developed world in the 19th and 20th century. Child labor was particularly present in the developed world in the beginning of industrialization in the 19th century. Humphries analyses the causes, consequences, and chronology of child labor in the developed world by looking at the different changes taking place during industrialization, namely changes in: state policies, family strategies, cultural norms and capitalist labor markets (including technology). This paper will only use the sections of Humphries article that focus on the decrease of child labor and the changes that took place in capitalist labor markets and family strategies, this because the aim is to draw lessons from decline of child labor during the 19th and 20th century and in order to better fit with the other theories in the triangulation the changes of family strategies and the capitalist labor markets are focused on.

4.2 Changes in Capitalist Labor Markets

Drawing from the work of Nardinelli (1990) and Goldin and Parsons (1989), Humphries presents the argument that technological progress had a great influence on child labor. Claiming that the demand for child labor greatly decreased with technological progress, that unskilled labor by children became replaced with the arrival of more advanced industrial technologies. However, Humphries problematizes this notion suggesting that there must have been some sort of motivation for developing this new technology that resulted in a substitution of child labor with adult labor. To explain this motivation she investigates the interest of labor and management and their involvement in the development of technology. Both in France in the 1840’s and in a few industries Britain in the mid-19th century, there were employers promoting the reduction of child labor. Humphries, explains this by two major motivations on behalf of the employers: philanthropic and strategic. Some were simply convinced that child labor was morally wrong, or saw it as a collective interest to have a more educated and healthier workforce. Others had already stopped using child labor and some already had technology that made it unnecessary to employ working children, therefore by promoting legislation they could gain a competitive advantage. When it comes to labor and organized labor, a shift was also evident. Not only was there an increasingly intensive labor process where the demand for adult strength and power increased. There was also an increase
in organized labor and labor legislation. Protective labor legislation, strong trade unions, and a push for family wages introduced the male-breadwinner family, which later became the norm. For Humphries, these are the main explanations - with regards to changes in the demand for child labor - for the decrease that occurred during this period (Humphries, 2003:16).

4.3 Family Strategies

Humphries begins to establish the neoclassical position presented by Nardinelli (1990) of explaining family strategies or the household decision making. Nardinelli presents a clear cut explanation: working families in the 19th century had the chance to either have their children work or not work, therefore because many of them did chose to engage their children in work, child labor must have been the best option. Nardinelli, then attributes the decline of child labor when it comes to the household decision-making as rational responses to experienced changes in relative prices and incomes, due to increase of technology and economic growth leading to an increase in adult male wages. Humphries then goes on to critique this perspective, stressing that it neglects the possibility of heterogenous preferences and problems of agency by making the assumption of a unitary household. Furthermore, she critiques the political implications of this neoclassical perspective, attributing the main cause of child labor to be low adult wages, therefore the only way to remedy the problem is to wait for economic growth (as state intervention is seen to be inappropriate in the neoclassical economic tradition). Humphries instead presents another important aspect, once again she suggests the construction of the male-breadwinner family structure in the second half of the 19th century as a major contributing factor for the decline in child labor. Furthermore, this family structure, was part and parcel of the discussion revolving the debate on child labor during this period. Humphries also acknowledges the high fertility rates as a possible explanation, especially in the early days of industrialization, but also more generally for this period large families was very common, not least for working class families (Humphries, 2003:16-17).
4.4 Historical Conclusions for Today

Humphries concludes from her historical summary that child labor was more prevalent during the era of industrialization during the 19th and 20th century, both for the early and late industrializers in comparison with the developing world today. Although the countries where child labor is more prevalent today greatly resemble the circumstances the industrialized nations were in 50-100 years ago, in the last stages of industrialization. What differs then from now she argues is that there is more optimism connected to the spread of technologies that make child labor unnecessary, and of values that promulgate the protection and preservation of childhood. At the same time, the spread of norms and technology cannot be separated from basic economic conditions. Furthermore, she concludes that the historical experience of child labor should warn us not to solely focus on formal and visible forms of child labor, and that addressing the formal sectors does not have an effect on these less visible aspects of child labor. At the same time, one should not conclude that all informal work is more harmful than formal work, the opposite can hold true comparing familial and factory work for example. Orphaned, fatherless or children in large families are those that are in the gravest danger according to Humphries historical analysis. For these groups, fiscal transfers, as well as specific policies for street children, are suggested. When it comes to regulating the demand for child labor, historians are in disagreement. It seems to be hard to construct effective policies without harming the children that one intends to protect. She suggests that all interventions should be tailored to each specific circumstance, this because the banning of child labor and mandatory schooling have historically had both positive (welfare improving) and negative outcomes (welfare decreasing) (Humphries, 2003:19-20).

4.5 Positions of the Historical Perspective

Humphries historical account gives us an important perspective in comparing the child labor of today with the child labor during industrialization. The historical narrative regarding the changes in capitalist labor markets and family strategies suggests that the decline in child labor during this period came as result of strong efforts by both capitalists and labor unions in opposing child labor, together with shifts in norms and wages impacting the decisions of families on whether to send their children to school or not. From this historical account Humphries goes on to present an optimistic view of child labor today, claiming that technologies that make child labor unnecessary and values promoting the protection and
preservation of childhood are more widely spread than they were during industrialization. Thus Humphries asserts her **moral position** of child labor, namely that child labor is in conflict with her understanding of childhood. This position is paternalistic as it stresses the need to protect and preserve childhood, therefore working children are not seen to be subjects or agents acting by their own will, furthermore it neglects the possibility that children might have a different understanding of childhood. In essence Humphries argues for the need to protect what one might call the ‘innocence of childhood’, i.e. her moral understanding of what childhood is.

From the historical conclusions drawn by Humphries she discusses several ways to work against child labor. First and foremost she acknowledges that the banning of child labor and mandatory schooling have had (historically) both negative and positive outcome. Therefore she concludes the **operational position** that each policy or legislation should be tailored specifically depending on each child labor problem. Furthermore Humphries also suggests that the focus of policy should be on orphans, fatherless children, street children and children in large families, with fiscal transfers and more specific policies for street children.

The historical account presented by Humphries offers several important perspectives as mentioned before. However, her perspective is solely focused on child labor in industry sectors therefore it fails to tell us anything about child labor in other sectors. Additionally, it is crucial to bear in mind that the world have changed very much since the period of industrialization, and the conclusions drawn from this historical account might not be as relevant today.

### 4.6 Opportunity and Child Labor

Emerson and Souza (2003) developed one of the first economic theories connecting education and child labor. Their conclusions can be summarized through the concept of a ‘child labor trap’. Children who work are likely to have a reduction in education, subsequently leading them to have lower wages as adults and in return be more likely to send their own children to work (Hindman, 2009:5). Emerson continued to research this relationship and the ‘child labor trap’, an attempt to further explain this resulted in an economic model developed by Emerson and Knabb (2006). Acknowledging that education
can be unequal they opted to explore how these differences in opportunity might affect child labor (Congdon Fors, 2012:6).

As families and children can obtain different returns on education within the same economy and education system, what impact does this have on a family's choice to send their children to work/school? Emerson and Knabb try to answer this question by constructing a model of overlapping generations in which individuals live for two periods. In this model parents are assumed to behave altruistically with regards to their children, their choice lies in whether to send their children to school or to work in the first period of the model. Generally, children in work earn less than unskilled adult labor, however, children that go to school accumulate human capital. In the second period of the model parents earn wage depending on the amount of human capital accumulated by the children in the first period of the model. The parents’ choice of sending children to work/school is also dependent on the level of consumption of the household. The standard model is constructed in such a way that each household draws equal returns from education and only the initial conditions vary (the education of the parents). Assuming those households are either of high status (starting with an educated adult within the household) or of low status (starting with a non-educated adult). In this model, there are three different outcomes, relying on constant returns to education. The outcomes of the model are then dependent on the returns of education, the productivity of child labor and the amount of parental altruism. The first and the second outcome of the model express that at least one type of household invariably sends their children to work. The third outcome of the model shows that all household opt to send their children to school, claiming that poverty does not force a household to send their children to work (Congdon Fors, 2012:6).

Emerson and Knabb further examine the scenario of the third outcome of the model by introducing the likelihood that low status households get less return on education than high status households, this is expressed as ‘inequality of opportunity’. The ‘inequality of opportunity is attributed to a number of factors; the quality of education may differ depending on the region, ethnic belonging and socio-economic status. If this is the case and education quality is low, the returns on education will low be as well; labor markets can also be different in different parts of a country, i.e. skilled labor is valued differently in different areas of a country leading to differences in returns on education; individuals part of a certain group (class, religious, ethnic etc.) could also face discrimination in the labor market, hence differences in the returns of education for these individuals; imperfect information regarding
the returns on education can be prevalent and also vary in different parts of a country, further contributing to an inequality of opportunity (Congdon Fors 2012:7).

In order to get a greater understanding of the correlation between the expected outcome of education and child labor, Emerson and Knabb further developed this model by including the possibility that a low-status household could develop into a high-status household. The model bases this transition from low- to high-status households on the probability of social mobility, if the probability of social mobility is high enough then low-status households will opt to have their children in school. If the probability of social mobility is not high enough, most low-status households will continue to have their children work whilst some will send them to school (Congdon Fors, 2012:7).

The conclusions that can be drawn from Emerson and Knabb are several. Firstly, they stress the need for focusing on the root causes of child labor instead of the symptoms. Secondly, if the returns on education are for whatever reason adequately low, low-status households will opt to send their children to work because the wage earned by skilled labor will be too low to compensate the loss of income generated by child labor. Therefore, they argue that a ban on child labor would lead to a decrease in the welfare of the low-status household and as a further consequence increase income inequality. For Emerson and Knabb a ban on child labor disregard the main cause of child labor (i.e. the low returns on education for low-status households) and focuses only on the symptom. Thirdly, discussing the probability of social mobility they argue that a ban on child labor would have a further negative impact on low-status households. For the same reason as stated earlier that it would reduce the welfare of the low-status households that are unable to make a transition into a high-status household. Conclusively, for Emerson and Knabb the main objective in order to reduce child labor is to increase the returns on education, especially for low-status households. For instance by increasing school quality and access to schools (Congdon Fors, 2012:7).

4.7 Positions of the Supply Perspective

The model of Emerson and Knabb centers around household decisionmaking (the supply side of child labor), and the expected outcome of education or what they call opportunity. This theory regards child labor not as the problem in itself but rather a symptom of low returns on
education. Furthermore, Emerson and Knabb therefore regard child labor as a symptom of insufficient education, therefore child labor also becomes an obstacle for education, and education becomes the norm for children and childhood. The **moral position** of Emerson and Knabb firstly, regards child labor as a household decision, instead of for instance being the decision of the child engaged in work. Secondly they prescribe education as the main element of childhood.

In line with their understanding of child labor as a symptom rather than the root problem, they view the banning of child labor to be inefficient. The ban on child labor only confronts the symptom (child labor) and neglects the root problem (insufficient returns on education), a ban would therefore only effect to reduce the welfare of families with working children. The **operational position** of Emerson and Knabb is to address what they understand to be the root problem of child labor, some example of policies are to increase school access and quality.

The theory presented by Emerson and Knabb solely focuses on household decisionmaking and the variable of education (the expected outcome of education). Hence, the scope of this theory leaves other possible variables out of the equation, for instance fertility, economic uncertainty and so on. It also fails to consider the demand for child labor as well as the situation for children outside families (orphans and street children).

### 4.8 Skill Formation, Capital Accumulation and Child Labor

Manash Ranjan Gupta (2002) has constructed a two sector dynamic model, the model portrays a small open economy with a child labor market. Like the model of Emerson and Knabb, Gupta investigates the possibility of a child labor trap or a multiple long-run equilibria with a low level equilibrium trap as he calls it. Through the long-run equilibrium of the model Gupta tries to analyze the effects of trade sanctions on products using child labor (Gupta, 2002:2).

The model presents a dynamic analysis of skill formation and capital accumulation in a less developed economy where a child labor market exists. Gupta makes the assumption that the child laborers of today are the unskilled workers of tomorrow, therefore the rate of human capital accumulation is reduced with the presence of child labor markets. Additionally, Gupta
connects this to the investment of capitalists’ income to physical capital formation, and
together they constitute what he calls the intertemporal growth path of the economy. This
long run equilibrium of the system is then investigated and its properties are established.
Gupta proceeds to conclude that the system can become caught into a low level equilibrium
trap (child labor trap) that is distinguished by the existence of child labor and low levels of
capital stock. Finally, he considers the effect trade sanctions on exportable products that uses
child labor might have on these two variables (capital stock and the size of the child labor
market) (Gupta, 2002:3).

The model developed by Gupta prescribes several conclusions, as mentioned before it
presents a two sector growth model of a small open less developed economy where the
physical capital and human capital develop over time, however, with the existence of a child
labor market the human capital accumulation (skill formation) is constrained. When
examining properties of the growth path shown in the the model, Gupta concludes that the
equilibrium size of the child labor market is reduced along with accumulation of physical
capital taking place. Furthermore, Gupta suggests that there might be long run equilibria in
the model, specifically the growth path may result in a low level equilibrium trap (child labor
trap), in these instances the characterized features are the existence of child labor market
when the original levels of skilled labor force and physical capital are really low. This
equilibrium is likely to appear when the rate of depreciation of the capital stock is low, and
when adult labor using sector is more capital intensive then the child labor using sector.
Connecting this to trade sanctions on child labor using products, Gupta concludes that it
aggravates the problem because it lowers the steady-state level of capital stock, whilst at the
same time raising the supply of unskilled adult and child labor. An additional effect in the
long run equilibria is a lowering of national income (Gupta, 2002:15).

4.9 Positions of the Demand Perspective

Like Emerson and Knabb, Gupta reviews the child labor trap, however, he does not focus on
the household decision making. Instead Gupta investigates this problem by creating a two
sector dynamic model and by addressing the demand side of child labor. The model assumes
that the working children of today become the unskilled workers of tomorrow, Gupta also
concludes from his model that the size of the child labor market is reduced when physical
capital accumulation takes place. The **moral position** presented by Gupta, regards child labor as an obstacle to education (skill accumulation) just as Emerson and Knabb, however, he does not present child labor to be solely about household decisionmaking. Instead the model presented by Gupta suggests different equilibria where child labor markets increase in size. Thereby analysing demand side and its effect on child labor, considering child labor to be a problem of different economic equilibria. Thusly the proper economic conditions for reducing child labor have to be set by the society.

The **operational position** of Guptas economic model addresses the effects of trade sanctions on child labor using products. He concludes from his model that this would have a negative outcome with regards to reducing the size of child labor markets. This because it would lower the steady-state level of capital stock and at the same time increase the number of unskilled adult and child labor.

Gupta acknowledges that his model is abstract and that several dimensions of the child labor problem are left out. For instance, Gupta does not consider the substitution of child labor with unskilled adult labor, even though in reality there are many sectors where this appears to hold true. Also, the model fails to consider non-tradable goods, thus no analyze of the effect of trade sanctions on the non-tradable goods sector can be done. Indeed many working children seem to be employed in the non-tradable goods sector. The model also assumes perfect capital mobility in all sectors, thereby presenting a simplified picture. Because child labor using sectors are often informal, and funded by isolated capital markets, reality becomes more complex than the model sets out (Gupta, 2002:15).

5. Theory Triangulation
5.1 Table of Triangulation

<table>
<thead>
<tr>
<th>Theoretical Perspectives</th>
<th>Moral Position</th>
<th>Operational Position</th>
<th>Scope of the Theory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historical Perspective:</td>
<td>Protection of innocence</td>
<td>Custom-made policies, focusing on children in dangerous situations</td>
<td>Child labor in industry sectors during industrialization</td>
</tr>
<tr>
<td>Supply Perspective:</td>
<td>Household decisionmaking</td>
<td>Increase school quality and access</td>
<td>Household decisionmaking and social mobility</td>
</tr>
<tr>
<td>Demand Perspective:</td>
<td>Societal responsibility</td>
<td>Trade sanctions deemed ineffective</td>
<td>Human and physical capital accumulation, child labor markets</td>
</tr>
</tbody>
</table>

(Congdon Fors, 2015:6-7; Gupta, 2002:2-3,15; Humphries, 2003:16-20)

5.2 Moral Position

The three perspectives outlined above all regard child labor to be problematic in their moral position. However, they do so in different ways, the historical perspective suggests that it is incompatible with childhood, the supply perspective regards it to be incompatible with education, and the demand perspective finds child labor to be an obstacle for human capital accumulation and in the long run physical capital accumulation. Furthermore, they differ in the approach towards child labor, with the historical perspective approaching it mainly as a violation of children's childhoods, the supply perspective addressing it as a problem of household decisionmaking, and the demand perspective addressing it as a problem of capital and labor market equilibria. Both the historical perspective, the demand perspective (human capital accumulation) and the supply perspective (expected outcome of education) regard education as an important factor to the topic of child labor, therefore the proposed incompatibility between education and child labor is considered agreed upon. Furthermore, none of the perspectives views children as complete subjects or independent agents that can make their own decisions. Drawing from these two fundamental agreements, the triangulated moral position becomes: **Protection of children’s right to education as an essential part of childhood.**
5.3 Operational Position

When it comes to the operational position all theories show reluctance to adhere to an all out banning or trade sanction, of child labor or child labor using products. The historical perspective calls for custom-made policies stressing that an all out ban or mandatory schooling could cause more harm than good. The supply perspective finds that a banning would only address the symptom rather than the root problem. The demand perspective does not consider these policies, instead it focuses solely on trade sanctions on child labor using products and finds that this would be an inefficient way to address child labor. As the demand perspective does not consider the same policies as the other perspectives, and presents trade sanctions as inefficient, it will be left out from the triangulation of the operational position.

Both the historical perspective and the supply perspective are critical to a general ban on child labor, therefore a ban should not promoted. The historical perspective argues for custom-made policies with a focus on children in dangerous circumstances (orphans, street children et cetera) and the supply perspective argues for increasing school quality and access, a combining of the two could be a good approach to encapsulate a practical operational position. Triangulation of the operational position: **Increase school quality and access, prioritizing schools in socioeconomically vulnerable areas.**

5.4 Scope of the Theory

The three different perspectives cover different areas and aspects of child labor. The historical perspective only considers child labor in industry sectors, the other two theories complement this by covering all formal sectors of child labor. With the demand perspective we get an insight into child labor markets and complemented with the supply perspective we get insight into the decisionmaking of a household connected to education (i.e. supply and demand). Several possible variables with regards to child labor are not addressed by any of these perspectives including: credit constraints, poverty, coordination failures and specialization. Instead education is the key variable as it is considered somehow by every perspective. Triangulated scope of theory: **Addressing both the supply and demand of child labor and its connection to education, with lessons from the industrial revolution.**
5.5 Summary

- **Protection of children's right to education as an essential part of childhood:**
  Acknowledging that children are not complete subjects and therefore not able to make fully independent decisions, their right to education must be asserted. As education is the primary way of acquiring skills and facilitating social mobility, it is considered to be a fundamental and indispensable part of childhood.

- **Increase school quality and access, prioritizing schools in socioeconomically vulnerable areas:**
  Increasing school quality and access addresses the core of the educational moral position outlined above. By prioritizing schools in vulnerable (socioeconomically) areas, one focuses on children that are more likely to become working children and on trying to enable social mobility.

- **Addressing both the supply and demand of child labor and its connection to education, with lessons from the industrial revolution:**
  The supply and demand of child labor are both affected by education in different ways. The supply of child labor is argued to reduce as more children are in school. The demand of child labor is argued to reduce from education as well as Gupta’s model show that skill accumulation is related to child labor traps. The main lesson drawn from the industrial revolution - in accordance with the other theories - is the need for custom-made policies that are specific to each case, this because many policies addressing child labor have had negative effects (welfare reducing) historically (Humphries, 2003:19-20).

6. Child Labor and Bolivia

6.1 History

Prior to the changes (the removal of the minimum age on work) to the Code for Children and Adolescents in 2014, the Bolivian government adopted a strategy that aimed to abolish child labor. These policies and laws were and are regulated through two legal structures, the one mentioned previously, the Children’s and Adolescent’s Code and the General Labor Law. In 1990 the Bolivian government signed the UN Convention on the Rights of the Child, in 1997
they signed the ILO Convention 138 (regarding minimum age) and in 1999 the ILO Convention 182 (regarding worst forms of child labor). To fulfill this commitment a legislative framework was developed, furthermore, the Bolivian government introduced the National Ombudsman for Children and Adolescents, that was given the task to receive and collect reports of abuses of children’s and adolescent's rights, thereby also cases of child labor. The legislative framework covering child labor established the minimum age of employment to fourteen and determined the rules for protecting children and adolescents against unhealthy, dangerous and physically demanding work, these rules were spelled out in the legal bodies referred to previously. Additionally, within the Ministry of Labor, the National Commission for the Eradication of Child Labor was developed. Concluding, a great deal of work - establishing legal frameworks and institutions - to tackle and eradicate child labor showed the government’s commitment to the international conventions (Van Der Berge, 2009:335).

(Fontana & Grugel, 2015; Liebel, 2015)
Approximations of the number of child laborers in Bolivia differ depending on which study you choose to use. UNICEF estimated in 2004 that 313,500 children were engaged in economic activity, i.e. 10% of all children under eighteen years old during this time (Van Der Berge, 2009:335). In 2008 Bolivia’s National Institute of Statistics carried out a survey called ‘Enquesta de Trabajo Infantil’ (ETI) supported by the ILO-IPEC’s Statistical Information and Monitoring Programme (SIMPOC). They split up the survey into two groups, the first one 5-13 years old, the second one 14-17 years old. They found 491,000 child laborers in the first age group, corresponding to 22,7% of the total number of children within this age group. In the second age group, they found 309,000 child laborers corresponding to 35,4% of the total group (ILO, 2012:16).

Child laborers in Bolivia are engaged in different activities generally the activities are quite specific to different regions in the country. The numbers of the ETI survey of 2008 confirms this, in rural areas 92,2% of the activity performed is in the agricultural sector and only 3,7% respectively 4,2% is the activity performed in the industry and service sector. Furthermore, in the urban areas 66,7% of the activity performed is in the service sector, 17,6% in the industry sector and 15,8% in the agricultural sector. Proportionately more boys work in the agricultural sector, 66,7% of the total number of working boys (62,3% for girls). Whilst more girls work in the service sector, 30,4% of the total number of working girls (23,3% for boys) (ILO, 2012:18). Child laborers can be found in most parts of the agricultural sector in Bolivia. Ranging from small-scale and subsistence farming to medium- and large-scale plantations(Van Der Berge, 2009:336). Small-scale and subsistence agriculture is generally considered to be less harmful than other types of agricultural child labor, however, the use of chemicals in these types of farming is increasing and so is the lengths of time that children work (Van Der Berge, 2009:336). The hazardous aspects of medium- and large-scale agriculture is still more common. As these types of agriculture are more commercial and export oriented, they use a great deal of chemicals and pesticides, reports from ILO-IPEC and ILO-UNICEF studying sugar plantations in the Santa Cruz area described difficult working conditions and complaints from children regarding infections, snake bites and injuries connected to the use of machetes (Van Der Berge, 2009:336).

Most of the rural activities performed by child laborers are as mentioned before within agriculture, however, being a country rich with minerals, some child laborers have been involved in mining. Within the mining industry some children (far from most) have been
involved in dangerous activities, for instance using explosives, or chemicals when washing and grinding minerals. In the mining industry there is a clear gender divide, most of the time only boys are allowed to enter the mines, girls (and younger boys) mainly perform tasks outside the mine including for instance cooking and feeding the workers, watching over the tools, washing the workers clothes and searching for minerals in the waste materials. Girls have reported incidents of sexual harassment in this male-dominated sector (Van Der Berge, 2009:336).

In the urban areas child laborers in agriculture are for obvious reasons not as common, however, some urban children perform agricultural activities in the urban areas as well. This is mainly due to the fact that families that recently made the migration from rural to urban maintain productive pieces of land, employing their children in the sowing and harvesting seasons. Still as mentioned before, most children in urban areas work in the industry and service sectors. Examples of activities performed in the service sector constitute: restaurant and hotel workers, car washers, shoe shiners, street and market sellers, market porters, store assistants and the like. Generally, these children are self-employed/entrepreneurs or working in familial circumstances. It’s not uncommon for younger children to work together with an older family member. Gender also plays a role in what activities children are engaged in, boys are more likely to engage in heavy manual labor, for example working in garages and others, they are also more likely to independently perform different activities. Girls mainly perform domestic labor or work on markets (most of the time accompanied by a family member) (Van Der Berge, 2009:337). The service sector also includes dangerous work for children such as selling liquor, prostitution, and domestic work. Domestic work is not always dangerous for children, however, since it is so hard to regulate and control this sector children can easily become victims of abuse. It should be added that most of the children engaged in domestic work are girls. For children working in the streets, the situation is also very dangerous, especially in the night. They are in danger of being physically, verbally or sexually abused, these circumstances also expose them to drugs, alcohol and crime (Van Der Berge, 2012:337).

In the industry sector, children are mostly engaged in construction work and small-scale industry. Examples of these types of work include woodwork, cobbling, metal mechanics, food production (bakeries and the like), retail and others. We can see a gender division in this sector as well, with more boys in construction, food production and mechanics while girls are
mainly involved in retail. Around 75% of all child labor in the industry and service sectors is concentrated to the big cities Santa Cruz, Cochabamba and La Paz (Van Der Berge, 2009:337). In the industry sector the dangerous aspects of work include working in the night (mostly baking), physically requiring tasks, working with chemicals and dangerous equipment. (Van Der Berge).

6.2 The Debate On Child Labor in Bolivia

In order to explain the debate around child labor in Bolivia, it is crucial to understand the ongoing processes of structural changes of Bolivian society and polity stretching back to the 1990’s. The 1990’s can be considered as a new era of national identity in Bolivia, this era has been referred to as the era of ‘neoliberal multiculturalism’. As implicated in the term (neoliberal multiculturalism) this era brought about neoliberal economic policy together with a promise of decentralization of power (both economic and political), more consultation, indigenous empowerment, and pluriculturalism. Nicole Fabricant and Nancy Postero argues that this era brought further dimensions into politics especially with regards to the indigenous population, and it became more important for elites to perform ‘indigeneity’ - as they call it - when acquiring and exercising power. This led to a shift in the political debate, indigenous issues and perspectives became part of all spheres of the political debate and formed new views within all of these spheres. For the debate on child labor, this led to a new political landscape, with local views abandoning standard divisions within politics (left-right, state-market et cetera) and increasingly forming new alternatives through social groups and the like. Moreover, as the civil society became greatly mobilized many different views on child labor was developed and were firmly asserted, and this great interest for child labor specifically could possibly be explained by the relevance it has for the family structure and income (Fontana & Grugel, 2015:7-8).

In Bolivia, the civil society has for some time been active and driving in many different policy questions. The signing of the ILO Convention 182 in 1999 and the following ratification in 2003 spurred a great debate in Bolivian society. This debate led to great disagreement and division in both the civil society as well as the state (Fontana & Grugel, 2015:1-2). Additionally, the Bolivian society has a strong movement of working children representing themselves, called Niños, Niñas y Adolescentes Trabajadores (NAT), i.e.
working children and adolescents. The election of president Evo Morales in 2005 also brought about great change in Bolivia, both institutional and political processes of change was started. In 2008 a national consultation began with the objective to update the Children’s and Adolescent’s Code (Fontana & Grugel, 2015:3).

The election of Evo Morales in 2005 meant a clear break from the era of ‘neoliberal multiculturalism’. Morales was the head of the coca growers’ union and became the leader of a coalition of indigenous, peasants and social organizations called ‘Movimiento al Socialismo’ (MAS). Nancy Postero describes this movement as a leftist rearticulating of nationality, ethnicity, and class against the era of ‘neoliberal multiculturalism’ (Fontana & Grugel, 2015:8). In turn, for the question of child labor this shift in ‘mindset’ led to a questioning of the ‘international agenda’ pursued by the ILO in Bolivia, especially within civil society but also in some state sectors. Fontana and Grugel quotes a NAT representative: “The ILO has policies on labor but they work more internationally. What we would like more is a national organization that reflects the politics of Bolivia because we have our own national reality. We don’t live in the same world as other countries.” (Fontana & Grugel, 2015:8) The organizations representing working children and adolescents also viewed the fundamental principles of the ILO and UNICEF as being critical towards all working children. As seen in the conventions on child labor, this is a reasonable assessment of the fundamental principles of the international community, viewing child labor; as a breach of children’s innocence and rights to protection; as a hindrance to children’s intellectual development by removing them from education; as a consequence of ‘family dysfunctionality’ and not an active choice of the children; and finally the firmly held strategy of eradication at any cost. Despite the Bolivian perception of child labor, as mentioned previously the view of the ‘international community’ gained some traction within government, as evident when the Ministry of Labor established the National Commission for the Eradication of Child Labor for instance. Still, one should not believe that the ratification of the convention and the policy responses to this commitment was representative of the population of Bolivia. Also, this previous official stance within government did not have any significant ‘normalizing’ effects in the way of changing people’s attitudes to child labor, rather it might have had the opposite effect, visible in the critique of the international agenda as mentioned before. Evidently, the international community was not able to convince the Bolivian population (working children in particular) and they failed in convincing Morales as well, as showed in 2008 with the consultation of the Children and Adolescents Code.
However, it later became clear that there were great differences within the government concerning the topic child labor (Fontana & Grugel, 2015:9).

The failure of the international community to persuade the Bolivian public was not for lack of trying. The ILO had and have many pro-eradication allies in Bolivia, consisting of international as well as national NGOs, also local NGOs (most of them financed by international actors) adhered to the eradication strategy. Opponents of eradication, on the other hand, consisted mainly of organized working children and adolescents, the NATs and groups closely linked to them. The most prominent of the NATs has been the Bolivia Union of Working Children and Adolescents (Union de Niños, Niñas y Adolescentes Trabajadores de Bolivia; UNATSBO). Because of internal differences in UNATSBO, a new group was formed UNATSBO Independiente (Independent UNATSBO), additionally, in 2006 a new group representing adolescents solely was formed: the Working Adolescents’ Association (Asociacion Nacional de Adolescentes Trabajadores; ASONATs). These groups differ on ideological and personal views, still, they are united in their opposition to the eradication strategy. All of the NATs argue that an eradication strategy is a form of age discrimination and that the stigmatization of working children and adolescents must stop. They prescribe a ‘rights-based participation model’ and want to be viewed as subjects, i.e. instead of prohibiting their participation in work their rights should be protected, namely their rights to participate in public life and work (Fontana & Grugel, 2015:10)

6.3 Consultation of the Children and Adolescents Code

The consultation of the Children and Adolescent Code started in 2008. This piece of legislation revolves around all aspects of children's lives, the focus of this case study will be on the aspects of the Code that touch upon the topic of working children and adolescents. The consultation or draft of the Code involved children in the process, however, this was not the original intention of the legislators’, and the different parts of the Code involved children in various amounts. The aspects of the Code surrounding working children involved children to the greatest extent (Liebel, 2015:10).

The first draft of the Code was presented in December of 2013 and merely stated that child labor is prohibited for children under the age of 14, in accordance with the regulations set out
for developing countries in the international conventions. In the years prior to presenting the draft the organized groups of working children (the NATs) had expressed their contradicting views in negotiations with the government and the parliament, subsequently the presenting of this draft was met with intense protest. Working children took to the streets in numerous provinces and were met with repression from the state, in La Paz, the children clashed with police. In the capital the police used teargas and batons, leading to the injuring of several protesting children. Following these events, the division between the government and the parliament became evident, Morales had previously exposed his own past as a child laborer and he opted to side with the cause of the protesting children. External pressure also played a role in promoting the children’s call for a consultation on the draft, mainly due to the extensive media coverage of the clashes between the children and the police. Another crucial factor was the degree to which the working children were organized, mainly through UNATSBO (but others as well) that organized working children in almost all parts of Bolivia. They had previously shown their strength in the adoption of the new constitution in 2008, where they succeeded in incorporating a wording in the section covering rights of the children. In the constitution of 2008 Article 61, they were able to include the prohibition of: “any kind of violence against children, in the family or in society” and “forced labor and exploitation of children” (Liebel, 2015:10).

6.4 The draft of UNATSBO

UNATSBO cooperating with different NGOs established a draft of their own covering the regulation of working children in December 2010. The draft was called ‘regulatory proposal on the recognition, promotion and defense of the rights of working children and adolescents’ and some of the aspects of this draft was adopted in the Code (Liebel, 2015:11). Contradicting the previous regulation in Bolivia and the ILO convention 138 the draft of UNATSBO did not include a minimum age for beginning work. Instead, each boy and girl should be entitled to decide when they want to start work. The rights and rules drawn out in the draft are addressed to apply to all children and adolescents until their 18th birthday. A distinction is made between working children (until the age of 12) and working adolescents (from age 12 to 18), still this distinction should only be made in cases where special rules are in effect. UNATSBO’s definition of working children as spelled out in the draft of 2010 was this: They engage in productive activities or provide services of a material, intellectual or
other nature, as dependent workers or for their own account, and receive a wage or earn an income for this. They engage in activities that serve to satisfy the bare necessities of life and enable the survival of the individual and the family, both in rural and urban areas; where the work is of a family or communal nature, there is no dependency on an employment contract and no wage is paid. (UNATSBO, 2010:109). What is clear from this definition is the clear aim to cover the different realities experienced by working children. They deliberately choose not to use the notion of ‘child labor’, instead, they use working children/adolescents. This is in order to assert that they are not merely referring to a social problem, instead, they want to make clear that these are real people working and living in different conditions, therefore they have interests and a right to rules that are designed to take into consideration their situation and strive to improve it. They refer to both urban and rural areas as well as both monetary work and work of communal nature, once again they stress the different forms of work children engage in. The remaining provisions in the draft cover whether and in what way working children are exploited, deprived of or in any other way treated unjustly, and in what way this should be prevented or counteracted in an efficient way (Liebel, 2015:12).

The fundamental principle for the draft is the notion of children as social subjects in and of themselves, with the ability and right to actively participate in production and provide services. Accordingly, the state is obligated to recognize and respect the contribution (economic, cultural and social) working children/adolescents make, in that also valuing and recognizing that their work embodies an integral part of their identity. Also, that their work serves as a form of participation and a context of developing values and socialization. Moreover, the state (through the national, regional and local authorities) should be obligated through the law to advance labor rights of children/adolescents as social subjects, safeguard them in their work versus exploitation and abuse, and ensure occupational training and education according to their wishes, abilities, and nature. Civil society is also urged to cooperate to promulgate the rights of working children/adolescents. With the implementation of these rules and rights, all children/adolescents should have equality before the law and be granted the same guarantees and protection as adults. Furthermore, no child/adolescent should be discriminated against, favoured on or excluded on the basis of, gender, skin tone, sexual orientation or identity, his/her age, culture, nationality, origin, religious belief, language, civil status, political views, occupation, social and economic situation, pregnancy, factor perceived as a disability, level of education or any other basis (Liebel, 2015:12).
6.5 The Final Draft of the Code

The Code for Children and Adolescents (Ley 548 Código Niño, Niña y Adolescentes) was on the third of July 2014 passed by the Bolivian parliament, the law entered into force the 4th of August the same year, and applies to all children up until their 18th birthday. Furthermore, it guarantees all children/adolescents living in Bolivia the complete and effective exercise of their rights. All state bodies and parents that have a responsibility for children should always act for children's ‘best interest’ (a key element in the UN Convention on the Rights of the Child) and the guideline for these actions should be the rights determined in the Code. The scope of the Code covers all aspects and topics regarding children/adolescents (Liebel, 2015:2). Each chapter in the Code is dedicated to a particular area, the areas include:

- the right to life, health, and a healthy environment, including reproductive health and protection of motherhood; particular consideration and encouragement for children with disabilities;
- the right to family life, including access to both parents; the killing of children is punishable by the severest penalty available (30 years’ imprisonment); the issue of national and international adoption is covered in particular detail, giving priority to adoptive families over the institutionalization of children;
- the right to nationality, individual and group identity;
- the right to education, information, culture and recreation;
- the right of free speech, participation, and petition (without the intermediary of an adult);
- the right to employment protection;
- the right to freedom, dignity, their own image and protection of privacy;
- the right to personal integrity and protection from violence (with particular reference to sexual violence and violence by persons in authority in the educational system) (Liebel, 2015:3-4).

As set out in the Code instead of prohibiting children from work as the ILO Conventions prescribes, it emphasizes the right to employment protection. The Code also lays out the duties of children/adolescents, however, the rights are not conditioned upon fulfilling these duties. The duties are:

- take care of their life and health;
- know and defend their rights and respect the rights of others;
- treat their parents, teachers, and everyone else with respect;
● keep the law;
● to behave honorably and responsibly in all circumstances;
● to protect the environment and “Mother Earth”;
● to value culture and local products; and
● to respect the national symbols of Bolivia (Liebel, 2015:4)

The Code for children/adolescents is supposed to be upheld through three different institutions. The most significant responsibility of protecting the rights of children/adolescents is delegated to the already existing (at least in most municipalities) Commissioners of Children’s Rights (Defensorías de la Niñez y Adolescencia). These Commissioners are to work integrally within the municipal authority and should consist of social workers, psychologists, lawyers and the like. Their duties include; ordinary monitoring of state action with regard to children’s rights; provide information of the rights of children; prevent injury; collect complaints by children and others; and represent these complainants in judicial processes (Liebel, 2015:4-5). To ensure the participation of children/adolescents Children’s and Adolescents’ Committees (Comités de Niñas, Niños y Adolescentes) are to be implemented at all political levels. These Committees should be provided with the technical and financial support needed, and consist of representatives of children, adolescent and pupil organizations, at least 50 percent should be girls and all of the representatives should be aged between 10 and 18. Their responsibility will be to be involved in all policy making regarding children/adolescents and oversee the implementation of these. The final institution revised in the Code is the juvenile courts and the treatment of children/adolescents that have committed a crime. The age of criminal responsibility is raised from 12 to 14 years, for children/adolescents between the ages of 14 to 18 that have committed crimes the responsibility is also decreased. In these cases, special care establishments should be implemented, however, these have not yet been developed (Liebel, 2015:5).

7. Analysis

The case of Bolivia will be analyzed through the perspective generated from the triangulation in the theoretical chapter. This analysis will be structured in three different subchapters, drawing from the ‘positions’ outlined in the theoretical framework (moral, operational and scope of theory) and presenting a summary of each of these. Firstly (i), it will analyse the
moral position of the case. Secondly (ii), the operational position of the case will be discussed. Finally (iii) the scope of the case will be addressed.

7.1 Moral Position

- **Protection of children's right to education as an essential part of childhood:**
  Acknowledging that children are not complete subjects and therefore not able to make fully independent decisions, their right to education must be asserted. As education is the primary way of acquiring skills and facilitating social mobility, it is considered to be a fundamental and indispensable part of childhood.

In the case of Bolivia and the Code for Children and Adolescents a clear moral position becomes evident, namely the view of children/adolescents as subjects and agents of their own lives. The underlying view of children as subjects in the development of this policy is attributed to the involvement of children/youth unions in the process. Additionally, the decision-making process in itself (by involving children/adolescents) also subscribes to this moral position of children as subjects. In the Code this moral position is articulated by opting to give working children “the right to employment protection” (Liebel, 2015:3-4) rather than restricting working children to an age limit. When it comes to education the code states: “the right to education, information, culture and recreation” (Liebel, 2015:3-4).

Contrasting the view of children as subjects with the moral position extracted in the triangulation several differences and some similarities become clear. The triangulated educational moral position views child labor as incompatible with childhood and education, childhood in this sense is therefore something that can be generally defined and furthermore, something that should be universal for all children. The universality of this notion of childhood is asserted to be education, this because children are not viewed as fully independent subjects therefore a process of education is needed to become independent subjects. Additionally, this moral position finds strength in arguing for education as a facilitator of social mobility, and holds the view that child labor is destructive to education. The view of children as subjects (as expressed in the case of Bolivia) on the other hand rejects the notion that child labor is incompatible with both childhood and education. Instead
they view it as a choice for each individual child/adolescent whether they want to work or not, and that this view of children not being able to make their own choices is paternalistic and refusing children of their basic human rights. Childhood from this perspective is not something general or universal but rather something that is specific to each individual child/adolescent derived from his/hers choices. From this subject oriented view of children/adolescents education is not viewed as incompatible or as an obstacle to education. Instead it is viewed as something that could be complementary, and that it should be possible for children/adolescents to choose both. Education is certainly viewed as a fundamental part of childhood agreeing with the other educational moral position (outlined above) however, in contrast it is not viewed as the only important and forming part of childhood.

Analyzing both the educational moral position contra the subject oriented moral position both have their strengths and weaknesses. However, as it is a moral position one cannot really scientifically state that one position is right and the other one is wrong, a judgement in this sense becomes dependent on what moral position or perception one takes regarding what children and childhood is or should be. Therefore, in order to facilitate a scientific understanding of the child labor topic in the context of Bolivia a focus on the operational position rather than the moral position could be more beneficial.

7.2 Operational Position

- **Increase school quality and access, prioritizing schools in socioeconomically vulnerable areas:**
Increasing school quality and access addresses the core of the educational moral position outlined above. By prioritizing schools in vulnerable (socioeconomically) areas, one focuses on children that are more likely to become working children and on trying to enable social mobility.

The Code for Children and Adolescents is implemented and operationalized through a set of different institutions and strategies. The Commissioners of Children’s Rights has the main responsibility of securing the rights set out in the Code, working integrally with the municipal authorities and consisting of social workers, lawyers, psychologists and similar professionals.
In accordance with the subjective moral position of the Code child/adolescent participation Children’s and Adolescents’ Committees are implemented on all political levels, and are to be consulted and part of the implementation of any policy regarding children or adolescents (for a more detailed description of these institutions see the last chapter of the case study). Furthermore, in order to secure the right to employment protection the NAT’s (child/adolescent trade unions) becomes one of the key actors in ensuring this part of the code through organizing children/adolescents and thereby enabling a struggle for employment protection.

The operational position of the case of Bolivia compared to the educational position clearly has completely different aims. As the moral positions are different the objective and thereby the operational position also becomes different. The educational moral position has an inherently negative view of child labor and therefore the objective becomes to work for an eradication of child labor. With the underlying understanding of ‘child poverty traps’ combined with an objective to facilitate social mobility, the educational operational position argues for increasing school access and quality, especially in socioeconomically vulnerable areas. In contrast to this view the subject oriented moral position does not consider child labor to be inherently negative. From this perspective child labor in itself is not negative, instead under the right circumstances it is considered to be positive or constructive. The operational position therefore becomes to create circumstances under which working children are protected from mistreatment and ensured their rights as proclaimed in the Code, i.e. ensured the right to employment protection.

Addressing the case of Bolivia from the educational operational position several important issues arise. The subject oriented operational position ensure the right to education, however, it does not regard education as a way of combatting child labor - as child labor and education is not regarded to be incompatible - instead it is seen as one of several parts of childhood. Because of this notion of education ‘child poverty traps’ are not able to be explained, additionally, a lack of social mobility is disregarded as a cause or explanation of these ‘traps’. Remaining no sensible explanation of why ‘child labor traps’ exists, subsequently, they are neglected in the subject oriented position. On the other hand the educational operational position disregards the fact that children can be and many times are (as seen in the case of Bolivia) subjects and agents of their own free will. Even if one might adhere to the view that children are not always fully independent agents, this reasoning becomes absurd referring to a
well organized movement of children/adolescents that claim their independence and their right to participate in decisions that impact their lives as was the case in Bolivia. Furthermore, the Children’s and Adolescents’ Committees - that were established to ensure the participation of children/adolescents - from the perspective of the educational position becomes negative because of this view of children as not being able to make independent choices.

7.3 Scope of the Subject Oriented Position

- **Addressing both the supply and demand of child labor and its connection to education, with lessons from the industrial revolution:**

The supply and demand of child labor are both affected by education in different ways. The supply of child labor is argued to reduce as more children are in school. The demand of child labor is argued to reduce from education as well as Gupta’s model show that skill accumulation is related to child labor traps. The main lesson drawn from the industrial revolution - in accordance with the other theories - is the need for custom-made policies that are specific to each case, this because many policies addressing child labor have had negative effects (welfare reducing) historically (Humphries, 2003:19-20).

As mentioned in the previous section (see operational position) of the analysis, the subject oriented position fails to consider child labor traps. This could be explained by the simple fact that child labor is not considered to be a problem, therefore patterns of child labor inheritance is simply ignored and deemed not relevant. The relation between education and child labor is also deemed irrelevant possibly on the same grounds. On the other hand, the historical perspective of Humphries calls for custom-made policies and with a strong opinion of children/adolescents promoting a subject oriented position (as in the case of Bolivia) the sensible thing to do might be to accept their position.
8. Conclusion

The objectives of this thesis was to explain and motivate the Bolivian approach to child labor and apply theories of child labor, in doing so broadening the studies and understanding of the issue of child labor. Through a method of thick description create a narrative of the decision-making process leading up to the changes in Bolivia. Also, analyse the case of Bolivia with the use of a theory triangulated from three different perspectives on child labor.

The case of Bolivia gave great insight into the differences in culture revolving child labor. How a cultural understanding of phenomenon can differ widely in different cultural settings. Also, we learned that the culture of civil society and political life can have great effects on policy making. The working children of Bolivia also presented their moral understanding of children/childhood as subjects and independent agents, furthermore, this moral understanding was strengthened by the actions and participation of the organized working children in Bolivia presented.

With the triangulation of theories, the connection between education and child labor became evident as the explanation for the concept of ‘child labor traps’, i.e. the persistence of child labor being inherited from generation to generation. Furthermore, the crucial need for tailored policies that address the specific context of child labor became evident. The theories also put forth the moral understanding of children/childhood as not fully independent agents their own free will, contrasting the findings in the case of Bolivia.

The main lesson of child labor drawn from this research revolves around morality. Child labor and child labor policies are completely dependant on the moral conviction or understanding of what children and childhood is or should be. The case of Bolivia, in my view, contradicts the understanding that children never can act independently as subjects. It shows that children are able to make conscious choices and even go so far as to take political action to fight for their convictions. In my view, child labor can be extremely negative to a child's future and prospect for social mobility, i.e. possibilities for decent living standards. However, like all people children are different and education does not interest everybody, therefore a strong organized child/adolescent labor force could be an alternative strategy in the quest for decent working and living conditions.
9. Reference List

9.1 Electronic sources


9.2 Printed Sources


