

THE URGENT NEED FOR A GENDER ANALYSIS OF CHILD LABOR

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Introduction

Child labor in the Philippines is widespread. Rough estimates place the number of child workers at seven million, but there may be more, given that these estimates have not been backed up by a national survey, and considering the shifting and seasonal nature of child labor. Furthermore, the number of child workers may be growing as more Filipino families who live below the poverty line are unable to earn wages, or to earn enough to support themselves and their dependents so their children would not need to turn to child labor in order to supplement the diminishing household income capacity. These families belong to nearly the bottom 30 percent of the 64 million Philippine population.

Most studies of child labor indicate that it is a result of structural factors which have rendered the parents of child workers unemployed/underemployed and unable to support a family on their meager incomes (Ballescas 1987, Boquiren 1987, del Rosario 1987, Veneracion 1987). Unemployment rate in July of 1990 was estimated at 8.4 percent and underemployment at 36.5 percent of the Philippine labor force of 24.3 million. These total to about 2.1 million unemployed and 8.7 million underemployed, or a grand total of 10.8 million Filipinos of working age (Ofreneo 1993).

Child labor in the Philippines exists in what Heyzer calls "subsistence production", that is, "production that just allows for the basic *survival* needs of the people engaged in it"... (referring)... to a gamut of activities ranging from different kinds of household production to one-person traders. It incorporates the features of the informal sector as defined by the ILO without accepting the "traditional/modern" dichotomy embodied in the "formal/informal sector debate" (Heyzer 1981:11). It also exists in what she calls the "labour-market mechanisms" or "the larger structures and processes that encourage social differentiation and economic ine-

quality;... the destruction and restructuring of branches of production, and..differential labour absorption ” (Heyzer 1981:11). Child labor below 14 years of age in the “labour-market mechanisms” is supposed to be prohibited in the Philippines, unless it is under the supervision of parents or guardians. It is not supposed to be part of the formal work setting; sometimes, however, the true age of the child is not given. Some instances of formal work settings, that is, registered and/or non-home work settings may also include child labor. Nevertheless, the bulk of child labor is in the so-called informal home setting, as domestic outwork or homework.

Research has shown that there is child labor in all work sectors in the rural and urban Philippine setting. Apart from unpaid family labor that children provide, what we refer to as *child labor* (or market-directed children’s work) constitutes a whole range of activities straddling both the so-called formal and informal sectors. This may also include a variety of means of labor compensation — in cash or kind, in the form of wage or commission. As wage, payment may be per piece, by quota, by day or by contract.

Article 41 of the International Labor Organization’s (ILO’s) Constitution upholds “the abolition of child labour” as important and urgent. The ILO states as the two ‘planks’ of its policy, “*the elimination of child labour as an objective coupled with a commitment to action, pending its attainment, to improve the conditions of working children and to protect them from unacceptable forms of work and work relationships*” (ILO 1984:1-2). From the Philippine government’s perspective, the policies are equivocal, because the minimum age requirement set by law is flexible, relative to several considerations like parental supervision and existence of hazardous work. (Labor Code and Child and Youth Welfare Code) For parents, local government officials and community residents, child labor is perceived both as an asset and a liability; an asset as it contributes to the survival capabilities of the family and keeps the child out of delinquency; and a liability as it encourages child workers to drop out of school and become too independent for the parents’ comfort. For employers, child labor is not only a pool of ready and inexhaustible labor, but it is sometimes even better than adult labor because children are more docile, accept lower pay, and even have certain characteristics like better visibility and resourcefulness that adults do not have. In a recent study of child

labor employers, it was found that “respondents with the highest capitalization in garments and agricultural production also have the most numerous child workers” (del Rosario 1991:140). This means that child labor makes a significant contribution to the employer’s financial status.

Adult and Child Labor: Differences and Commonalities

The term “children” as opposed to “adults” is usually considered a unitary category. But the reality of children, as that of adults, is not unitary. Similarly, child labor is not simply the exploitation of a unitary sector — children, but the exploitation of male children on the one hand, and female children on the other. This differentiation by gender identification encompasses other socially created differentiations among child workers like work sectors, conditions of work, age-sets, etc.

Thus, division of labor in most societies, while based also on age (such that “children” normally have different activities from “adults”), still distinguishes between the work of males and females of the same age. In a survey of 234 Grade III to VI children in Pico, La Trinidad, Benguet, data showed that some children’s occupations like scavenging, car washing, hauling, and newspaper selling were male-dominated, while others like laundering, thread-winding, and weaving were female-dominated (del Rosario 1991). This gender differentiation is systematically applied, and reflects a *system* which institutes an “asymmetrical cultural valuation of human beings” (Gallin and Ferguson, 1991:2). This system is socially and culturally-determined to denote distinctions between males and females that are not based on work capabilities of each sex biologically. The effect of this system is that the characteristics and activities associated with males are given a higher value than that of females, thus resulting in male privilege across age groups (Beneria and Roldan 1987; Gallin and Ferguson 1991).

Applying some gender analysis to the study of adult women has already attained recognition in international development planning to some extent. “By 1980, many countries and international agencies had explicitly incorporated women’s issues into their development plans and had set up special bureaus, offices,

or even ministries as the organizational focal point of these new concerns. By 1981, articles and books in the women and development area were appearing at a rapid rate" (Overholt, Cloud, Anderson and Austin 198:3). However, while 'women in development' has been recognized "as a critical area for both intellectual and practical concern, government ministries and local authorities responsible for development planning have tended to ignore its importance. Consequently decision making powers at both national and local levels in most countries throughout the world remain not only male dominated but also gender blind in orientation" (Moser and Levy 1986:1). ILO publications on child labor indicate that little or no focus is being given gender analysis in the study of child labor. In the tone-setting article entitled "Child Labor: Problems, Policies and Programs" written by Bequele and Boyden (who also edited the ILO publication *Combating Child Labor* that carries this article), no reference to gender analysis is mentioned anywhere (Bequele and Boyden 1988).

Feldman has pointed out that "the concepts of the informal sector debate (within which those of child labor are included) are anonymous and neutral concepts. The general acceptance of these concepts, however, means that the range of actors and relations which shape informal work are viewed as male gendered, and informal work is seen as a homogeneous set of production relations... (thus)... the activities and relations embraced by the concept of informal work need to be differentiated so that the needs and interests of those engaged in such work (adult and child males and females) can be identified and the policies which reflect these diversified needs and interests can be generated" (1991:75).

The study of child labor needs to be theoretically refined to include an analysis of female participation in remunerative activity, especially because child labor has increased with the globalization of production, the international division of labor, and the shift in development priorities of Third World countries. The resulting changes in how females cope with layers of responsibilities have most likely remolded the gender division of labor, giving rise to other patterns of patriarchal control, creating new tensions and constraints on females, while possibly giving them new opportunities for empowerment and personal autonomy (Feldman 1991).

A quotation from Kathleen Barry would dramatize the *problematique* of gender system-blindness in the study of child labor. Girl prostitution, she said, "cannot be approached merely as a problem of child labor, for it is first and foremost a problem of abuse of women. One of the legal problems which results from holding a different standard of exploitation for children than for adult women, is that one country after another is trying to define children and by doing so makes more and more younger female bodies available to customers. We must study child labor first and foremost as a specific exploitation of one or the other gender. Its exploitation is not in the abstract. In the case of women, we know that their present position is a disadvantaged one" (Barry 1988:30).

It has been difficult to translate feminist theories relating to development into planning terms by "grafting" gender on to existing planning disciplines. Personal experience of doing this in a diversity of development policy and planning training courses has led to the conviction that women will always be marginalized in planning theory and practice until theoretical feminist concerns are adequately translated into planning terms within a particular planning framework, that of gender planning, which is recognized in its own right as a specific planning approach" (Moser and Levy 1986:2).

The lack of concern for women in studies of the informal sector has been largely attributed to the "invisible" nature of women's work because women are not supposed to be the breadwinners, because much of women's work takes place in the confines of the household, and because housework is so intertwined with work directed for the market. One question may be raised at this point, and that is whether the framework for the gender analysis of women can be applied to that of female children. For one, children are supposed to have different patterns of activities and directions from that of adults. Children's work is also invisible; however, the reasons for the invisibility are not altogether the same. While it may be true that the household work children do may also be intertwined with market-directed work as that of women's, there are other reasons for their work's invisibility. Furthermore, children below 14 who are not supposed to be in the labor force at all, even if they actually are, would not be reflected in official statis-

tics because child labor, in many countries like the Philippines, tends to be hidden in this manner. One could say, therefore, that children's labor can even be more "invisible" than that of women's labor.

Despite these differences, however, female labor, whether that of adults or of children, can and should be subjected to a common gender analysis. Heyzer contends that "the economies of several Third World countries are at a stage of development where growth of stable wage employment is insufficient to absorb the high growth in population, so that certain groups... are incorporated at the margins of the urban economy... in such a situation, hierarchical differences of different sorts are utilized by capital as it organizes the conditions of production and accumulation" (Heyzer 1981:17). This gives rise among other trends to "the creation of an age-specific female workforce... (resulting from)... the international fragmentation of the labour process... leading to the differential labour selection of women in different stages of their life cycle" (Heyzer 1991:18). This is reinforced by the utilization of already skilled (through socialization) or easily taught young females (between six to 24 years of age) in the formal or informal work settings for world market production. Thus, female workers, whether six or 24 (that is, whether child or adult), are subjected to the gendered capitalist demand for readily available, cheap, productive and docile female labor.

Hence, gender analysis of adult female labor would be incomplete without the analysis of child female labor. For example, what is the role and significance of child labor in this capitalist trend towards the hierarchical discrimination of labor? Rene Ofreneo cites that in the Philippines, "beginning 1987, the labour participation rate of women has gone beyond 50 percent. However, the increased participation of women in the labor force has been paralleled by high unemployment rates for them. Higher unemployment for women, in both percentage and absolute terms, suggests some kind of discrimination in the hiring and firing practices by employers" (1993:254). How does the hiring of girl labor affect adult women's income generation and women's development as a whole? If it is true that some employers prefer child labor to adult women's labor in some operations in garments production, as a recent study has shown (del Rosario 1991), how will this affect

the employment of women, and, consequently, the relationship of different members of the household that are traditionally supposed to be partners and allies? How will this affect the organization of efforts towards alleviating the poverty status of Filipino families and the minimization and eventual abolition of child labor?

Child Labor in Rizal

A case in point is child labor in the garments industry in Rizal where studies on child labor in the garments industry (see Del Rosario 1987; 1989; 1991; Boquiren 1989; Maslang 1989; Tungpalan 1990) have been conducted since 1985.

Male and female adults and children — and other age-set groups being differentiated — play different roles in society, and consequently have different needs. This requires a deconstruction of the family, household and the division of labor of members within these structures. Moser and Levy claim that “there is an almost universal tendency... (to make) a clear sexual division of labour in which the man of the family as the ‘breadwinner’ is primarily involved in productive work outside the home... while the woman as housewife and ‘homemaker’ takes overall responsibility for the reproductive and domestic work involved in the organization of the household ” (1986:2).

In my studies on child labor in Rizal, gender and generational work distinctions are clearly manifested among the family and household members of child workers interviewed. To begin with, households do not usually contain only nuclear families, rather, they may contain extended families of one or more nuclear relationships.

On the whole, 50-83% of children interviewed performed major household chores (fetching water, cleaning the house, caring for children, running errands, cooking and feeding animals), which may be one reason why only 4.9 % of married women were referred to as “housewives.” Out of 287 household members included in the study, only 14 women were referred to or referred to themselves as ‘housewife’. Data also showed that, in the poorer communities, children did more housework. Girls, however, did more housework than boys in the

less poor communities. What was not obtained was a comparison between the housework performed by adult and child females to see if one did more housework than the other.

Children's non-household work in Rizal differs from that of adults in that it is usually less varied and less skilled. On the whole, children's work is generally closer to adult women's work than to adult male's work. The low status work of scavenging and street peddling (usually not engaged in by adult males), is done by both male and female children and female adults.

Male community occupations are fishing, construction, planting, driving, carpentry, commercial duck cooking, coal-making, slaughtering, planting, varnishing, sculpting, tinsmithing, digging, and electrical repairing. Female occupations are sewing/smocking, laundering, vending, doormat-making, scavenging, selling and commercial duck dressing. Adult males have clearly a more varied selection of work than adult females. Female occupations are also less generationally structured, and tend to be associated with lower status in the household and community. In the household, older boys usually follow their fathers' activities, but younger boys, as all girls, follow their mothers' activities (del Rosario 1989).

Within gender divisions, there are any number of generational divisions. In garments production, four (4) age-sets with differing compensations are apparent among a predominantly female labor force. Adult males are sometimes hired in garments production to sew blue jeans on the hi-speed sewing machine. Some employers say that they prefer males to females to do that job, as males sew faster. When analyzed, it appears that the job given males is actually simple, as it entails straight sewing, unlike the jobs females do, which require more skill, attention, and meticulousness. Therefore, males end up sewing more pieces for the same amount of time. Since payment is per piece, males end up getting more wages than females. Similarly, in agriculture, three (3) age sets can be distinguished, also with differing valuations. Adult males get 20-30% more pay than females for the same work. Children get 40% less than male adults and 20% less than female adults (del Rosario 1991).

The category of 'children' is also subdivided further into different gendered age sets in the work place. In the garments industry eight to 11-year-old female workers get less compensation

than 12 to 14-year-old female workers in the same job of trimming, packing, coding and assorting. If boys are hired, they usually end up doing the work of packing which is a very simple activity, but which employers require to be done speedily. Boys are perceived to be faster and are therefore preferred for this job. Packing requires less skill than what the girls do, and gets done more quickly. It is also less hazardous than trimming which requires the constant use of scissors or buttonholing which requires the use of needles. Since the payment for all these types of work per piece is the same, boys end up finishing more pieces than girls in the same amount of time, thus getting more pay for simpler and less hazardous work.

Not only do adult females have multi-roles in the home and the community, female children also perform a lot of housework and child care; they not only engage in wage work, but they also go to school as a preparation for enhancing their roles as better family providers in the future (del Rosario 1987). Because girls are more burdened than boys with housework, their schooling tends to be more affected. Most female child workers in the garments industry are prone to absenteeism, some are drop-outs, and many cannot continue with high school, much less get a college education. Malnutrition leading to poor health which is aggravated by industrial work, specially homework, constrain the female child from performing as well as she could in school.

Furthermore, since the work girls tend to follow is the mother's, as in garments homework production (few boys engage in this), their activities are confined to the home, giving them less of a chance to experience the outside world, unlike boys. As children, garments homeworkers have been molded to believe that a good girl is somebody diligent, responsible and docile, one who is patient and tolerant, one who does not fight back or demand more than is given to her. This is also what garments employers/subcontractors demand from their workers, and no worker is more docile than a girl who works alone at home with her female kin who may also be her immediate employer (del Rosario 1987).

In the case of female child smockers, training in such needlecraft starts as early as infancy, because of the child's exposure to the mother's craft. Because of positive encouragement, the

child learns to like the craft which already has a traditional and monetary value for the family. In time, the child learns to value the industry for the benefit of her family. She is rewarded by encouragement and earnings, for being an early contributor to the family income-earning endeavor, for being responsible, and for being feminine. Females emulate each other, which reinforces the value, and contributes much to the maintenance of the female child labor supply in the market. Consequently, even before puberty, girls have become firm in their belief that it is their responsibility to help shoulder the burden of earning for the family, especially for the younger siblings. One result is perhaps the incidence of several forms and degrees of juvenile delinquency being more common among boys than girls who, early on, are socialized to skills that can contribute to the family upkeep.

Children need adequate nutrition and rest, as well as physical exercise for normal growth. Child homeworkers, however, are subjected to lower levels of nutrition due to poverty. They are usually pale and anemic, and report loss of appetite. Rushed homework gives them little rest and requires less sleep beyond what is tolerable for healthy growth. The time of puberty when most female child homeworkers decide to become more serious and consistent income contributors is also the time of hormonal changes due to oncoming menarche. Girls at this stage are usually very sensitive, as our cases have borne out. It is a time when the values that they have been inculcated with start to make their full conscious impact; their values either gel or are challenged. It is a time when girls begin to feel that they should be like adults. Thus, they decide to take their place beside their homeworker mothers at home. Staying home gives them fewer opportunities to get additional training, acquire confidence in public, and meet others to share experiences with which would help through organized effort towards the amelioration of their situation. Their studies begin to suffer. In the meantime, their close and constant contact with their mothers, sisters, aunts, and grandmothers may create closeness but also irritation, which may contribute to division among females. Work tends to reinforce traditional values of family cohesion, but it also reinforces a child's feelings of inadequacy to have a better life through an education that she must now forego (del Rosario 1987).

Gender-blindness, Gender Bias and The Lack of Gender Analysis: Reality and Implications for Planning and Policy

As mentioned earlier, the gender-blind term “child labor” misleads us into assuming that the situation of *all* child workers is the same. As was pointed out, this is not so. Gender and generation considerations are at play even in child labor.

Apart from terminology, gender bias is apparent in two aspects of the law. The Labor Code says a child below 15 years of age may be allowed to work (i.e., be employed) if supervised by parents or guardians (Labor Code, Article 139 (a)). If we agree with the Code that child labor is detrimental to children, then allowing the child to work for wages (in employment) as long as parents and guardians are around, would be making an exception. As far as our surveys on working children show, the bulk of children who work under parental supervision are homeworkers in garments or handicraft production. These are, in the majority, *female*. While the intention may be gender neutral, the effect of this provision would be that more female children are being allowed to be child workers than male children. As explained, socialization and female household occupations prepare female children to do garments production. With subcontracting, many more girls than boys are immediately drawn into the world of work right there in their homes, or in small-garments workplaces where, most likely, their mothers and other female kin are also working. The Child and Youth Welfare Code, Title VI, Chapter 2, Article 107 states that “children below 16 years of age may be employed to perform light work which is not harmful to their safety, health or normal development and which is not prejudicial to their studies.” At the same time Article 130 of the Labor Code states that “no woman, regardless of age, is permitted to work at night with or without compensation in any commercial or non-industrial undertaking or branch thereof... between midnight and six o'clock in the morning of the following day. ” Since garments homework is on an order basis, it very often requires that female workers (child and adult) rush the order, thus implying working into the wee hours of the morning. This would place such work under *night work*, and for the girl who is growing, it would be

harmful. Thus, while the law, in a rare gender-sensitive instance, prohibits night work and harmful work for female children, the exploitation of specifically female children in garments production in the girls' home or in somebody else's home (since small-garments workplaces are usually also home-based) is facilitated by Article 107.

The participation of child workers in the labor force is not reflected officially. Official labor-force statistics "have been recording only the employment participation of the population with ages 15 and above. And yet it is well known that the country has a large number of working children who are forced to work at a tender age because of poverty." (Ofreneo 1993:255). The Bureau of Women and Young Workers estimates the number of child workers to be seven million, and yet no official count or presentation has been made, let alone of *sex-disaggregated child labor incidence*.

A lack of sex-disaggregated statistics makes it very difficult to analyze the situation of Filipino child workers for gender fairness. It makes it very difficult to analyze the situation of Filipino female workers, and Filipino workers as a whole. For example, it is so surprising that, while women and child workers have been on the scene as workers since the 19th century in the Philippines, some economists still refer to them as "New Labor Groups" (Ofreneo 1993:254).

Furthermore, a comprehensive analysis of the situation of female workers (or male workers for that matter) would not be possible without paying more attention to their gendered situation which plays a lead role in the capitalist determination of labor segmentation and fragmentation, in the exploitation of labor, and in the computation of profit. Heyzer stresses that "efforts to explain the concentration of women in the informal sector must begin by placing women's work within the context of wider economic changes" (1981:11). Capital utilizes hierarchical differences, which are to a great extent based on gender differences, to organize the "conditions of production and accumulation". For example, the creation of a "labour aristocracy" which is organized and male-dominated, results in the reduction of available jobs for many men and most women (Heyzer 1981). In the Philippines, "there is a great deal of segmentation and unevenness in the development of the economy as reflected in the co-existence of various subsectors

of the economy ” (Ofeneo 1993:249). “It is clear that structural changes... have serious practical ramifications on the labor market and greatly influence the patterns of labor deployment ” (Ofreneo 1993:265). This results in the marginalization of certain groups in the urban economy, most of whom are females.

The issues of poor working conditions, low wages and the use of child labor have been given little attention at the policy and program level (Feldman 91:73). There is a lack of understanding of the ways in which gender relations and the specific gender division of labor shape national policies, thus, “the complex interaction between homework, domestic work, and paid employment remains invisible to development policymakers ” (Feldman 1991:74). As a consequence, efforts to effect positive changes in the world in which women work, like the distribution of resources or the reshaping of the patterns of control and the empowerment of females towards equity, are hampered. Because gender is practically excluded from development policy initiatives, new policies are likely to reinforce rather than weaken the female’s subordinate roles (Roldan 1985:253).

Without gender analysis, the structures responsible for the exploitation of male and female children will not emerge. The inter-relationships between their existence and the reality of adult male and female labor will not become apparent, and the strategic and practical interests and needs of different sectors of Filipino workers will not be discerned. For example, what approaches would we develop to enhance equality in the labor market in the face of the labor aristocracy of the most organized Filipino male workers who have displaced the fathers/brothers/kin of female child workers whose mothers/sisters/kin (marginalized by discrimination) are the female childworkers’ direct employers and the capitalist’s go-between in exploitation? Where do their interests intersect, where do they diverge, and what are the implications on family survival and the survival of the female child who is the source of the cheapest and most docile labor in the market and who will grow up to a life in the margins like her female kin?

The invisibility of women and of male and female child workers hampers our identification of gender problems. This is why the call for more gender consciousness and sensitivity in the analysis of child labor is most urgent.

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