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## SOCIAL THOUGHT & COMMENTARY

# On Challenges, Dilemmas, and Opportunities in Studying Trafficked Children

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The following commentary stems from a recently completed research project, supported by the National Institute of Justice (NIJ), to examine the experiences of children, mostly girls, trafficked to the United States for sexual and labor exploitation and analyze their prospects for reintegration into the wider society. The cohort of possible study participants was relatively small—approximately 100 children—the project’s goals lofty—to expand the knowledge base of the special service needs of trafficked children and set forth policy and programmatic recommendation aimed at preventing child trafficking, protecting trafficked children, and prosecuting their traffickers—the challenges and dilemmas numerous, and the opportunities rare. It is the challenges and dilemmas as well as the opportunities in studying child trafficking and formulating recommendations based on empirical research that I wish to address in this essay.

## On Definitions

According to the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (2000), child trafficking is defined as “the recruitment, transportation, transfer, harboring or receipt of any person under the age of eighteen for the purposes of sexual or labor exploitation, forced labor, or slavery.” The US law mirrors this definition and concurs with the general agreement in the international community that, in the case of minors, the trafficking term applies whether a child was taken forcibly or voluntarily (Miko 2004), simply because children do not have volition and cannot consent to being smuggled. I will return to the issue of agency and vulnerability later in this essay.

The UN Protocol and the US law on child trafficking use the definition of a child promulgated by the UN Convention on the Rights of the Child (CRS), which states that “every human being below the age of 18, unless under the law applicable to the child, majority is attained earlier” is considered a child. The Convention uses chronological age as the universal measure of biological and psychological maturity and rejects cultural and social meanings attached to local systems of age ranking (La Fointaine 1978). There is no distinction in this definition between a four and a 17 year old. Both are defined as children who need special safeguards and care. In addition, this definition assumes a natural progression from childhood to adulthood, from incompetence to competence and from immaturity to maturity (Bluebond-Langer and Korbin 2007).

In reality the concepts of “child” and “childhood” vary according to social, cultural, historical, religious and rational norms as well as according to one’s personal circumstances. There are tremendous differences between a four and a 17 year old. There are also often considerable differences between two different 17 year olds, particularly individuals coming from different cultural, social, and economic backgrounds. Gender differences need to be accounted for as well. The cohort of trafficked children in our study ranged in age from two to 17 years, with the vast majority (83.3%) of the children falling between 14 and 17 years of age when they were trafficked. Approximately two-thirds of all the children concentrated in the 16 to 17 year age range when trafficked. Not surprisingly, the unaccompanied children were older than those who were trafficked with other family members. The majority of the children were girls. There was a substantial difference in the male to female ratio between the unaccompanied and accompanied cohorts. Among the accompanied children, 15

of the 46 survivors, or 33%, were males, while only two, or 4%, of the 56 unaccompanied children were males.

We were hard pressed to find two children that were very similar and could be used as examples of the proverbial poster victim of trafficking. Even girls who were part of the same trafficking case appeared to be very different. Interestingly, the traffickers treated them differently as well. In one case we examined, four adolescent girls were trafficked together and forced to work in the same bar. The girls with kinship ties to their 'employers' were treated very differently than those who could not claim such a relationship; they could keep money they earned and send some of their income to their families, and were given prettier clothing.

Many of the 16-17 year olds in our sample considered themselves adults not children and had considerable difficulties in adjusting to programs which wanted to assist them in "reclaiming their lost childhood." They did not want, for example, to follow rules not commensurable with their own self-image. They not only resisted things like curfews and chores, but also often valued work more than education. In fact, some of the adolescent boys trafficked for labor exploitation wanted to continue to work for the same employer. They liked working in construction and liked being able to send remittances back home; all they hoped for were remuneration commensurate with the work they performed and better working conditions (eight hour work days with breaks for lunch). Their self-image stood in sharp contrast with childhood ideals championed by the programs serving them.

In the United States the system of care for trafficked children has been developed within a framework based on middle-class Western ideals about childhood as a time of dependency and innocence during which children are socialized by adults and become competent social actors. Economic and social responsibilities are generally mediated by adults so that the children can grow up free from pressures of responsibilities such as work and child care. Children who are not raised in this way are considered "victims" who have had their childhood stolen from them. This framework views universal concern for children as transcending political and social divides; assumes a universally applicable model of childhood development; presupposes a consensus on what policies should be in place to realize the best interest of the child; assumes that child victims have universal needs (such as a need for rehabilitation); and promotes a therapeutic model of service provision.

The realities experienced by the children in our study, even before their trafficking ordeals, were very different from these ideals. Extreme poverty drove most of them to migrate. In some situations, parental illness compounded already dire economic circumstances and placed even more pressure on the children to contribute to the family's income. Family members who facilitated their migration often presented it as an opportunity to help the child "pay back" or support parents. Also, although many of these children worked in their countries of origin—took care of their siblings, did house work, worked on family farms, sold wood or foodstuffs in the street—they seldom earned wages for their labor. Thus, a chance to work for wages was seen as an opportunity not to be missed.

The challenge before the research team was how to reconcile the universal definition of a "child" and "childhood" found in the international human rights and child welfare frameworks and the associated laws prescribing particular policy and programmatic responses towards survivors of child trafficking with the local, culturally diverse, conceptualizations of childhoods, including children's responsibilities vis-à-vis their families and livelihoods. In the end we had to accommodate both perspectives in order to provide policy and programmatic recommendations. We understood that the Western assumptions about what constitutes childhood underlie the apparatus of assistance programs caring for trafficked children; and care takers have to abide by the laws set forth in the Trafficking Victims Protection Act (TVPA). At the same time, we hoped that individual agencies could find some room to maneuver in terms of adjusting services to the individual circumstances of the children in their care. We saw the study as an opportunity to improve the understanding of child trafficking and enhance the system of care.

### **On Scope**

The number of children trafficked worldwide is notoriously difficult to measure. Many scholars have discussed the challenges of estimating the scale of human trafficking and the production of reliable statistics and called for improved methodologies to describe the unobserved (Laczko and Gramegna 2003; Tyldum and Brunovskis 2005; Godziak and Collett 2005). Advocates estimate that anywhere between one and two million children are trafficked globally each year. Regions with substantial child trafficking burdens include West Africa, South and Southeast Asia, Central Asia, Eastern

Europe, the Balkans, Russia and the Commonwealth of Independent States, and Latin America (Beyrer 2004).

While the United States has allocated a significant amount of resources and expanded considerable efforts on the anti-trafficking campaign and other counter-trafficking activities, the scope of the problem remains vague. Richard Estes estimates that as many as 17,000 children are trafficked into the United States every year (Estes and Weiner 2001). These estimates do not correspond with the figures provided by the federal government. The most recent estimates put the number of trafficked persons (adult and children combined) at 14,500 to 17,500 per annum.

The average age of trafficked persons is reported to be 20 years old, indicating that a significant number of trafficked persons are under the age of 18 (Spangenberg 2002). However, the number of trafficked children identified to date does not bear out these estimates. Since the passage of the Trafficking Victims Protection Act (TVPA) of 2000, through August 2006, a total of 102 children (individuals under the age of 18 years old) have been identified as victims of trafficking and “determined eligible” for services by the Office of Refugee Resettlement (ORR) of the U.S. Department of Health and Human Services (DHHS) responsible for their care.<sup>1</sup> This represents approximately 10 percent of the total number of victims, adults and minors, who have gained access to services under the TVPA provisions. Fifty-six of the 102 child victims of trafficking were unaccompanied at the time of identification and were referred to specialized foster care and unaccompanied minors programs. The remaining 46 were accompanied at the time of emancipation and received services as part of the emancipated family unit.

The small number of trafficked children identified so far could be as much a result of the clandestine nature of the phenomenon as the inadequate and misplaced strategies used to identify trafficked children, or the fact that the estimates far exceed the reality and gravity of the situation. The majority of trafficked children have been identified either through law enforcement raids of suspicious establishments or through tips from good Samaritans. Some experts suggest that the government should broaden their strategies to include an enhanced screening of children at US borders, particularly unaccompanied children. Each year, immigration officials apprehend approximately 100,000 unaccompanied children at US borders. Some return voluntarily, while some are returned because of bi-lateral agreements. Mexican children, for example, are rou-

tinely returned because of existing agreements between Mexico and the United States. Little is known about the children who return to their countries of origin. Additionally, many children remain undetected within the United States and their well-being is largely unknown. Numerous service providers suggest that these children are at risk for further victimization and re-trafficking. Approximately 8,000 children remain annually in the custody of the US Federal Government. Some 900 children are in custody at any given time (US DHHS 2006). Experts stress that there is a good possibility that both the larger population of children returned to their countries of origin as well as the smaller group of children in federal custody include many unidentified trafficked children (Bump and Duncan 2003).

While we agreed that child trafficking exists, we also understood that “disagreements over its magnitude are underpinned by different understandings of the term ‘child’ and ‘trafficking’” and that “this is a conceptual and political problem that cannot be resolved by more data alone” (Manzo 2005: 394). It quickly became apparent that many of the children did not consider themselves trafficked victims, but thought of their experiences as migration in search of better opportunities that turned into exploitation. Many also did not think of their traffickers as perpetrators of crime and villains; after all in some instances the traffickers were parents or close relatives.

Given the small numbers of trafficked children identified thus far in the United States, we knew we had a rare opportunity to interview some of the girls who were lucky enough to escape the trafficking situation and receive assistance in rebuilding their lives. The challenge was how to generalize based on a relatively small sample.

## **On Research**

Despite the increased interest in human trafficking, little systematic research has been done on this issue. There is a lot of *writing* about human trafficking, mainly for sexual exploitation, but there is significantly less *literature* based on empirical research. The dominant anti-trafficking discourse is not evidence-based but grounded in the construction of a particular mythology of trafficking (Sanghera 2005: 4). The body of academic research on trafficked children is particularly limited. Child victims are often subsumed under the “women and children” heading without allowing for analysis of their special needs. It is interesting that women and children are lumped together in anti-trafficking legislation and the

dominant trafficking paradigm when in all other instances, including labor laws, great care is taken to separate child from adult labor. Many writers use the word “children” but focus on young women—such that research on trafficked boys is non-existent. Notably absent are works written by trafficked persons themselves; (Jean-Robert Cadet’s (1998) testimonial about his harrowing youth as a *restavec* in Haiti is a noteworthy exception). Limited knowledge impedes identification of trafficked children, obstructs provision of culturally appropriate and effective services, and limits prevention of repeat victimization.

When we commenced our research in 2006, only two major reports on child trafficking into the United States were available: the already mentioned pioneering study by Richard Estes and Neil Weiner entitled *The Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico* (Estes and Weiner, 2001), and a report by Mia Spangenberg of End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes-USA (ECPAT-USA) on *International Trafficking of Children to New York City for Sexual Exploitation* (Spangenberg 2002).

Why the scarcity of research? What are the challenges of conducting empirical research on child trafficking? The main obstacle is related to gaining access to trafficked children. For obvious reasons, to study them while they are still in the hands of traffickers is impossible and dangerous. But is it easier to engage trafficked children in research once they have been rescued?

In order to conduct research on trafficking to the United States (particularly research that highlights the perspectives of the trafficked persons themselves), researchers have to work closely with service providers. Trafficked children are considered an extremely vulnerable population and service providers are charged with protecting them from further exploitation as well as from the possible adverse effects of recounting their trafficking experiences in the course of a research project. While some assert that since the UN Convention on the Rights of the Child, “listening to the voices of children has become a powerful and pervasive mantra for activists and policy makers world wide” (James 2007: 261), many social service providers do not see research as a way to empower trafficked children. Researchers often lament how difficult it is to convince practitioners—service providers, attorneys, law enforcement—about the value of research in order to gain their permission to recruit children and their care takers to participate in empirical studies (Brennan 2005).



Our research team was fortunate to have worked with a group of child advocates and service providers at the US Conference of Catholic Bishops (USCCB) and their local affiliates, all committed to practice-based research. USCCB did not merely provide access to the children in their care; the agency's staff members were part of the research project from the very beginning of its conceptualization. USCCB, along with the Lutheran Immigration and Refugee Services (LIRS), administer the federally funded Unaccompanied Refugee Minors (URM) program providing care and services to unaccompanied refugee, asylee, and trafficked children, as well as children in federal custody. Our partners and their local affiliates were very anxious to systematically study the trafficked children in their care and use the research findings to enhance the available services and advocate on behalf of trafficked children. This does not mean that they were not concerned with the well-being of the children in their care. Quite to the contrary, in order to ensure that the research would not harm the participants in any way, we asked the social workers to conduct suitability assessments two weeks prior to commencing each round of interviews to make sure that the children were willing to talk to the researchers and were not experiencing any emotional problems bound to be exacerbated by the interviews.

The service providers' interest in the research project coupled with a long-standing collaboration, including both research (Godziak and MacDonnel 2007; Godziak et al. 2006) and technical assistance activities (Bump et al. 2005; Bump and Duncan 2003), between Georgetown University and USCCB provided a wonderful opportunity to commence this research and resulted in an unprecedented access to trafficked children and their care takers. These opportunities and positive outcomes notwithstanding, we met with some criticism from fellow-researchers—that precisely because of the close connection between the researchers and the practitioners the study would be less “objective” and the involvement of the practitioners in the study would be self-serving. These criticisms reminded me of the old discourse in anthropology which juxtaposed the theoretical and the applied side of the discipline and treated the latter with ambivalence or sometimes even contempt (Bennett 1996). I wondered what had happened to the calls for “public anthropology” (Scheper-Hughes 1995), “politically committed and morally engaged” research (Farmer 1999; 2003) and the apparent dissolution of the divide between pure and applied work (James 2007). Having spent much of my professional life con-

ducting applied research and being a firm believer in the value of practice-based action research, I had few qualms about pursuing this study as a joint project between academic researchers and service providers.

Practically speaking, given the choice between having no access to the trafficked children and having to rely solely on secondary data sources, or worse, sensationalist media accounts; and working hand-in-hand with the practitioners who valued research and wanted to turn the research findings into action, the decision was not difficult. More importantly, we were interested in conducting a study that had the potential to affect the way services for trafficked children were provided and influence future policy-making and program designs. At the time when our research first commenced, services for trafficked children were in their infancy and practitioners were very interested in exchanging experiences in order to enhance their ability to provide the best possible care. It was a rare opportunity for academic researchers to be able to facilitate this process through sharing research findings, even if preliminary ones. Some time later, a national campaign to include domestic victims (children and adults) of human trafficking into the anti-trafficking legislation reached its peak and culminated in the TVPRA of 2005. This provided another opportunity to share lessons learned from studying child victims of cross-border trafficking with service providers engaged in assisting domestic victims. The opportunities far outweighed any initial dilemmas we may have had.

### **On Agency and Vulnerability**

As indicated above, the CRC and the TVPA do not distinguish between four and 17 year olds. They do, however, make a clear distinction—ideological, strategic, and operational—between children and adults. “This distinction is based on the principle that the development of children as human beings is a process and is not complete as long as they are minors. Children are deemed ‘innocent’ and in need of special protection and assistance in making decisions. It is believed that minors cannot be expected to act in their own best interest as their ability to exercise full agency is not yet entirely developed” (Sanghera 2005: 13). Accordingly, “all persons under the age of 18 constitute a homogenous category—children, devoid equally of sexual identity and sexual activity, bereft equally of the ability to exercise agency and hence in need of identical protective measures” (Sanghera 2005: 6).

We had few dilemmas in accepting the legal framework which presumes that children have no volition and therefore classified them as trafficked children whether they were forced or coerced into following their traffickers. We accepted the children's assertion that they wanted to come to the United States, while recognizing that at the time of making the decision to migrate they had no idea about the abuse and exploitation they would face once they crossed the border; i.e. could not or would not consent to being trafficked. The bigger challenge was related to where 'to draw a line between coercion and consent for young people under the age of 18 and how best to promote their rights and agency while still protecting them' (Kempadoo 2005: xxv). The dilemma was whether to treat them as vulnerable victims—the way the US law, that stipulates who is a victim and thus who is eligible for services, does—or as survivors with a great deal of resilience on which to build in facilitating their integration into the wider society.

Understanding the children's perception of their identity as victims plays an important role in post-trafficking adjustment. None of the children in our study were overtly happy; but some did not see themselves as having been mistreated. Children who cooperated with the perpetrators or enjoyed aspects of their experiences (such as fine clothes, freedom, boyfriends, drugs, or alcohol) may have been more susceptible to trauma and more resistant to therapy. Thus, their self-identity, understanding of their situation, and subsequent goals often conflicted with the goals of service providers and law enforcement officers. Clear identification of someone as a perpetrator correlated with a less traumatic aftermath. In situations where the perpetrator was a relative or a boyfriend, there appeared to be a feeling of greater betrayal resulting in a higher likelihood of a traumatic response. The situation was even more complex when the traffickers were family members. The survivors were hesitant to speak openly of the situation for fear of implicating their relatives or of reprisals against family members left behind in the country of origin.

The children's lack of identity as victims was closely related to their expectations about coming to the US. Almost all of the children were highly motivated to migrate to the US. in the hope of earning money. Many of them had compelling reasons to send money home and had to repay smuggling fees. Typically, the children's desire to earn money did not change once they were rescued. Obviously, URM programs reflect US laws requiring children to attend school, defining the age of employment and number of hours a minor child is allowed to work, and requiring a work

permit. These restrictions may run counter to many children's goals and lead to a struggle as they adjust to their new lives. These issues have long-term consequences for the children's commitment to education and affect their desire to remain in care.

The children's reluctance to see themselves as victims stood in sharp contrast to the perceptions of service providers who referred to the children as victims, often because the law conceptualizes them as victims. However, many caseworkers emphasized the children's resilience and appreciated our deliberate use of the term "survivors." While we recognize the legal necessity to use the term "victim," therapeutically speaking the identity of a "victim" may be counter-productive.

### **On Trauma and Treatment**

The concept of "trauma" is equally ambivalent. A relatively small number of children in our study met the criteria of Post-Traumatic Stress Disorder (PTSD). Some children presented no psychological disturbance, while others exhibited symptoms of depression. Indeed, depression was the most common diagnosis. The cultural issues regarding appropriate expression of emotion were important in their treatment, but were unevenly addressed. Trafficking experiences and resulting psychological consequences must be viewed within the child's cultural, social and historical contexts. Indeed, service providers may cause trauma when these contexts are not taken into account.

To mitigate the psychological consequences of trafficking, children were offered a wide range of treatment options: individual or group therapy, counseling by a torture treatment specialist, and dance and art therapy. Initially, many children refused to avail themselves of psychological services despite the persistence of program staff. Eventually, most children were treated. Many programs clearly wanted all children to participate in therapy and were convinced about the efficacy of this treatment. Some followed their agency's protocol as to the appropriate use of therapy and the children's interest and willingness to attend sessions. Other program decisions depended on the availability of resources. In most instances, decisions were influenced by what services were reimbursable.

Many social workers reported that the children in their care took a significant amount of time to bond, even when matched with linguistically and culturally competent caseworkers. Furthermore, once established,

the relationship was often more intense than is typical. Many of the children attributed to the social worker powers and knowledge that they did not (and could not) have. The concept of *in loco parentis* was often exacerbated. The social worker had to be an extraordinary advocate within complex and encumbered systems, including in many cases the immigration authorities, social security and public assistance services as well as attorneys for both the child and the prosecution.

### **On Generalizability**

As already mentioned, our research project was based on a relatively small sample of child survivors of human trafficking. The size of the sample calls for caution in making sweeping generalizations and discussing the “typical” child survivor or typical responses to the experiences of trafficking. The small sample notwithstanding, two cultural phenomena—child fostering and child labor—appear to be the main risk factors significantly contributing to children’s vulnerability for trafficking. At the same time, the commonality and cultural acceptance of child fostering and child labor provide insights into the ways trafficked children conceptualize their trafficking experiences. The cultural acceptance of child labor also affects the emancipated survivors’ attitudes toward rehabilitation services and treatment modalities offered to them.

### **On Child Fostering**

The Pied Piper who leads the children away with their parents’ blessing ...is the key to this modern slavery. Often one of the child’s own relatives, he is commissioned to take full advantage of the extended family, and of the poor man’s assumption that anywhere is better than here (Astill 2001: 3 in Manzo 2005).

Middle-class Eurocentric ideals often assume that, apart from exceptional cases, children live in nuclear families, experience childhood together with their siblings and have access to resources provided by both biological parents.<sup>2</sup> Research contradicts this assumption and documents a wide range of living arrangements experienced by children in resource-poor countries (Lloyd and Desai 1992). A number of researchers assert that “the

root of modern-day trafficking is the custom of child fostering, in which parents may send their children to live with relations and friends for economic or moral reasons” (Bass 2004: 153). Parents do not see these Piper figures as “slave traders” or their children’s departure as “enslavement” but rather as “a valuable heritage and traditional way of educating a child” (Robson 2005: 70).

Indeed, child fostering or child circulation is a long-standing cultural practice in many regions (Fonesca 1986), including West Africa (see Bledsoe 1990; Goody 1982; Renne 2003; Schildkraut 1973); Latin America (Leinaweaver 2007 Weismantel 1995); and the Pacific (Brady 1996; Carroll 1970a; Donner 1999; Modell 1998). According to Demographic and Health Surveys, covering 10 African countries (Benin, Burkina Faso, Cote d’Ivoire, Ghana, Guinea, Mali, Niger, Nigeria, and Senegal), the percentage of foster children ranges between 10 and 20 percent in the six to nine age bracket, and between 13 and 25 percent in the 10 to 14 age group. In the overwhelming majority of cases, both parents are alive but do not live with their children (Pilon 2003). Few studies provide findings on the profiles of households hosting these children. A secondary analysis of the general population census data from 1996 in Burkina Faso indicates that, in the capital, the higher the household head’s educational level, the greater the presence of girls other than the daughters of the household head. It is highest in the households of the most economically privileged professionals (Pilon 2003). Another study based on Togo’s 1981 census revealed that female-headed households were more likely to host children, ‘with the proportion of foster children nearly twice as high as that observed in male-headed households (29.5% and 15.8%). It is precisely those urban female household heads who host the most girls: 40% of the children are foster girls. The ratio of foster girls to boys is 273:1!’ (Pilon 1995: 713).

In West Africa, fostering is an important technique rooted in kinship structures and traditions. Children are not sent out only in the event of crisis; sending of children is practiced by both stable and unstable families, married and single mothers (Isiugo-Abaniche 1985, 1991). The supportive role of kinsmen, close and distant, in child rearing has been widely documented (Page 1989). However, while researchers extol the benefits of child fostering, some child advocates point out that the West African tradition of ‘placing’ of children to live with relatives and work in better off households has created a regional market for child labor, with demand highest in relatively well-off areas such as Gabon, southwest Nigeria, and southern Cote

d'Ivoire, and has become a major cultural factor encouraging child trafficking (Dottridge 2002: 39). According to the British Agencies for Adoptions and Fostering, 10,000 children, mostly from West Africa, were living with families other than their own in the United Kingdom in 2001 (Economist 2003). The implication of this statistic is that these children might have been trafficked and are being exploited by the foster families.

In Latin America, "child circulation" is a principal way in which Peruvian rural-to-urban migrants move children between houses as part of a common survival and betterment strategy in the context of social and economic inequality (Leinaweaver 2007). Poverty and vulnerability shape Peruvian practices of kinship formation through child circulation. For the receiving family, child circulation represents strategic labor recruitment; for the sending household, it spells relief from the economic burdens of child rearing and constitutes a source of highly desirable remittances. A considerable proportion of children in Mexico and Colombia were found to spend some time during childhood without a father. When births outside a union are included, one-fifth of Mexican children and one-third of Colombian children were affected. An additional five percent of Mexican children and nine percent of Colombian children do not live with their mothers (Richter 1988).

The traditional causes of sending children to live with other relatives and friends vary widely. They include illness, death, divorce, the parents' separation, mutual help among family members, socialization and education, and strengthening family ties (by blood or by marriage). For the societies involved, child circulation is a characteristic of family systems, fitting in with patterns of family solidarity and the system of rights and obligations. Fostering is a component of family structure and dynamics (Pilon 2003). Indeed, the majority of the children in our study lived with other family members or friends prior to being trafficked and most were sent to live with family members or friends in the United States and ended up being trafficked.

While some blame child fostering as a root cause of child trafficking, others call for the revival of traditional fostering systems. Examining both traditional and state-administered foster care systems in East Africa, Joyce Umbima, an executive officer of the Child Welfare Society of Kenya, argues that the dissolution of the traditional clan-based foster care system due to colonial rule, urbanization, large-scale farming and mining, and globalization has contributed to the increase in the number of street and

abandoned children. She advocates that in order to assist the 40 percent of Kenyan children in need of care and protection, the state must revitalize the traditional foster care system (Umbima 1991).

The middle ground is represented by researchers such as Eloundou-Enyegue and Shapiro (2004) who claim the buffering capacity of fosterage depends on three conditions: 1) fosterage must be prevalent; 2) fosterage opportunities must be distributed according to need (low income to higher income); and 3) fosterage must benefit the foster parents. Indeed, many girls in our study were placed with willing relatives—mainly grandparents—who served as a safety net for children whose parents—mainly mothers—could not care for them. However, when the grandmother could no longer provide for the grandchild because of old age or illness and sent the child to another relative who often felt forced to care for the child, the situation quickly degenerated and the child ended up being abused, exploited, and eventually trafficked.

### **On Child Labor**

Virtually all the children in our study came to the United States intent on finding employment. Child labor is common and widely accepted in the countries of origin of many of the trafficked minors we studied. The International Labor Organization (ILO) estimates that 250 million children between the ages of five and fourteen living in developing countries qualify as child laborers. At least 120 million children work full-time. Sixty one percent of child laborers are in Asia, Thirty-two percent in Africa, and seven percent in Latin America. Their work varies, from helping with family farms to performing physically demanding tasks in manufacturing, construction, and extractive industries (Henne and Moseley 2005).

Although many countries have signed and ratified the International Labor Office Conventions on the Minimum Age of Employment and Elimination of the Worst Forms of Child Labor, as well as the United Nations Convention on the Rights of the Child, child labor is still quite common in many parts of the world. Consider, for example, the case of Honduras, the country that had the largest representation in our sample. According to a recent International Labor Organization Survey (Martins Oliveira and Marshatz 2004), approximately 15 percent of Honduran children ages 5-17 participated to varying degrees in the labor market. The majority of child workers in Honduras (approximately 60 percent) are



unpaid family workers. A smaller percentage (approximately 30 percent) work as private employees. The proportion of children working as unpaid family laborers is greater in rural areas (approximately 66 percent) than in urban areas (46 percent). Males tend to participate at a greater rate than females. By the age of 17, 60 percent of Honduran males are in the labor market compared to only 18 percent of females.

The fact that a large percentage of Honduran working children do so in the home for no remuneration has hampered efforts to enforce labor standards. In an effort to enforce the conventions ratified, Honduras has taken steps to harmonize its laws with international norms. However, much of the legislation enacted to combat child labor focuses on children employed in bondage conditions or wage labor and not in the home where much of the child labor in Honduras takes place. Moreover, even if labor regulations were applicable they would be difficult to enforce. Thus, Honduras, like most countries, has complemented its labor laws with compulsory schooling legislation. In Honduras, education is compulsory until the age of 13. Secondary education begins at age 13 but is not compulsory. Many Honduran adolescents do not continue with schooling beyond the compulsory age. The effects are evident as a large percentage of Honduran adolescents enter the labor force at that age. In terms of females who work at home, 42 percent of 14 year-old girls in rural areas and 19 percent in urban areas work at home (Jeong 2005).

This situation also affected the circumstances of many children in our study. Not only did extended family members take advantage of the cultural norm of child labor and fail to see it necessarily as exploitation, but the ethnic community within which these children operated in the United States did not consider working children an anomaly.

However, as with any other process, root cause or consequence of child trafficking, child labor is a complex issue. The challenge seems to be how to reconcile activities performed by children in small shops, domestic service, street selling, running errands, delivering newspapers, seasonal work on farms, working as trainees in workshops—all activities that are lauded for their socialization and training aspects (Davin 1982; Walvin 1982)—with the exploitative nature of many of these jobs (Nieuwenhuys 1996). Furthermore, argues Olga Nieuwenhuys, current child labor policies, because they fail to address the exclusion of children from the production of value, paradoxically reinforce children's vulnerability to exploitation. As indicated above, quite a few children in our study performed valuable

services for their families—worked on family farms, took care of younger siblings, etc.—but were not compensated for their labor. An opportunity to engage in wage employment in the United States was not to be missed. Poverty was a central factor in the decision of parents to send their children away to work. The prospect of good wages in a wealthier country made sending children away acceptable (Dottridge 2002) and was reported to be attractive to the children themselves. After all, remittances from child labor could sustain entire families in some countries.

### **On Solutions**

If we agree that child fostering and child labor are the root causes of child trafficking, how do we deal with these culturally acceptable practices in order to prevent child trafficking? Will legislating against child labor be the desirable solution?

Neoclassical proposals argue that schooling is the best antidote to child labor (Fyfe 1989). Proponents of compulsory education have also argued that literate youngsters are likely to be more productive later in life than uneducated ones, who may have experienced adverse effects of work at an early age on their health (Weiner 1991). However, a closer look at children's work patterns reveals that work is often combined with going to school. Tonga children need to work in subsistence agriculture while attending school simply to survive (Reynolds 1991). Insecurity about the value of diplomas and marriage strategies are among the reasons girls in Lagos, Nigeria spend much time out-of-school acquiring street-trading skills (Oloko 1991). High cost of education, including the need to look respectable in dress and appearance, incites poor children to engage in remunerative work which conflicts with the belief that compulsory education can work as an antidote to child labor (Burra 1989; Fyfe 1989; McNamara 1968; Weiner 1991). In Kerala, India, where school is mandatory, children spend much time earning cash for books, clothes and food (Nieuwenhuys 1993). Children undertake work not only to help out families but also to defray the fast-rising costs of schooling, be it for themselves or for siblings (Bekombo 1981; Boyden 1991; Hallak 1990; LaFontaine 1978).

In recent years, non-governmental organizations advocating on behalf of children have been tasked by funders to develop low-cost solutions to address the problem of child labor. Many of these solutions include a combination of work and education as well as a recognition that poor

children have to contribute to their own upkeep because their parents do not have the resources to support them. This approach of combining work with school has gained some currency within the International Labor Organization (ILO)—previously the staunchest defender of prohibition of child labor by legislation (Boyd 1994; Espinola *et al.* 1987; Fyfe 1994; Gunn and Ostas 1992; ILO 1991). The critics of this approach argue that “the poor quality of the education imparted, the heavy demands of studying after work, and above all the fact that they leave untouched the unjust social system that perpetrates children’s exploitation are among the most problematic aspects of the NGOs’ interventions” (Nieuwenhuys 1996: 245; see also Boyden and Myers 1995).

In the end, many challenges still remain.

## ENDNOTES

<sup>1</sup>August 2006 was the last time that ORR agreed to provide non-identifiable data on trafficked children. ORR has not agreed to provide the data since due to a policy change.

<sup>2</sup>Given the rates of single parenthood, divorce, remarriage and resulting blended families, these ideals are no longer prevalent among Western families either and yet they prevail in the policy and legal frameworks.

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