Opposition brief: Child Labor

Opposition brief by Taylor Belyeu  


Child Labor is always a tricky argument to deal with. If you agree with it, you sound like an unsympathetic, bourgeoisie-defending and slightly evil person. If you disagree, you open wide the door for the Affirmative to show why fair trade is clearly the superior option. So, is there any way to combat the child labor argument? Fortunately, the answer is yes. In fact, there are several ways to take down this argument. This brief addresses some of those.

* Child Labor is an issue of law and enforcement, not trade
* Not all “Child Labor” is bad
* Fair Trade doesn’t stop Child Labor at its core
* Attempting to ban Child Labor can be counter-productive
* Free Trade limits Child Labor best in the long-term

First things first, these arguments don’t all have to be run together. It would probably be more effective if you picked one or two of the above arguments, rather than using all of them in one round, because they can conflict with each other (i.e. Child labor isn’t an issue of trade, but free trade best eliminates it? That doesn’t make sense). With that in mind, you should probably use either the first argument (Child labor is an issue of law and enforcement, not trade) or last argument (free trade limits child labor best in the long-term) every time. The middle arguments are good, but don’t stand on their own. If you’re going to say how fair trade or bans don’t work, you have to provide an alternative, and that’s where the first and last arguments come into play.

Okay, now onto the arguments themselves. The first argument addresses how child labor actually isn’t an issue of fair or free trade. You could have child labor under either type of trade, or you could have no child labor under either type of trade, because the issue isn’t trade. The issue is whether the government has laws stopping child labor, and the appropriate enforcement of those laws. Without either of those, trade doesn’t matter, because child labor will exist regardless.

The next argument is to put doubt in the judge’s mind on whether child labor really is as bad as the affirmative says. This definitely should NOT be your biggest argument, but the point is that teaching kids skills they can use in a career, especially if they live in a third-world-country, can actually help them in the long run. Thus, while certainly some types of child labor are very bad, the matter itself is a little more complex then you might first think.

Most of your opponents will simply assume that fair trade automatically fixes the child labor problem, but this argument throws them a wrench. Fair trade does not automatically fix child labor, and in fact can cause it to become more prevalent.

The next argument is in line with the previous one, that bans on child labor can be counter-productive and actually result in a rise in child labor. Like the previous argument, the affirmative likely won’t expect an attack on how child labor bans don’t work, so this argument will likely throw them off.

The final argument is that free trade best stops child labor in the long run. Yes, at first it sounds totally counter-intuitive, but in all actuality, it is a very compelling argument. Child labor becomes less prevalent in richer countries. Free trade makes countries richer. Therefore, free trade lowers child labor – permanently.

Good luck, and happy debating!

**Child Labor is an issue of law and enforcement, not trade**

**A: Child Labor is mostly caused by war and state-sponsored programs**

*ForeignPolicy.com “Child Labor Is Declining Worldwide, But It’s Thriving in These Six Countries”; Published June 12, 2014*

[*https://foreignpolicy.com/2014/06/12/child-labor-is-declining-worldwide-but-its-thriving-in-these-six-countries/*](https://foreignpolicy.com/2014/06/12/child-labor-is-declining-worldwide-but-its-thriving-in-these-six-countries/)

For many of the world’s children, working for a living is an unfortunate reality. Documenting child labor can be difficult to do, but below are six countries where child labor is particularly prevalent. These examples come from the 2014 Child Labour Index published by Maplecroft, a global risk consulting firm, and reflect two major trends responsible for governments failing to tackle the worst forms of child labor: insecurity created through poverty and war, and economies where child labor is a product of state-sponsored programs.

Analysis: Child labor is caused mainly by war and the government’s use of child labor, not because of trade.

Impact: The problem isn’t fair or free trade, but government, law, and enforcement.

**B: Lack of enforcement, regardless of the law, perpetuates child labor**

*Dr. Kalpana Srivastava (Editor of the Industrial Psychiatry Journal) “Child Labor Issues and Challenges”; Published 2011*

[*https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3425238/*](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3425238/)

The policy curbing child labor exists but lack of enforcement of labor restrictions perpetuates child labor. This is manifested in variation in minimum age restriction in different types of employment. The International Labor Office reports that children work the longest hours and are the worst paid of all laborers. In India, the Child Labor (Prohibition and Regulation) Act 1986 and Rules state that no child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on. For this purpose, “child” means a person who has not completed his 14th year of age. The Act prohibits employment of children in certain specified hazardous occupations and processes and regulates the working conditions in others. The list of hazardous occupations and processes is progressively being expanded on the recommendation of the Child Labor Technical Advisory Committee constituted under the Act.

Analysis: Child labor persists not because of fair or free trade, but because of an inability to enforce the laws against child labor.

Impact: The problem isn’t fair or free trade, but government, law, and enforcement.

**C: Even the US has enforcement problems though child labor is illegal here**

*PBS.org “Q&A: America’s “Invisible” Child Labor Problem”; Published April 24, 2018*

[*https://www.pbs.org/wgbh/frontline/article/qa-americas-invisible-child-labor-problem/*](https://www.pbs.org/wgbh/frontline/article/qa-americas-invisible-child-labor-problem/)

The Fair Labor Standards Act, a federal law passed in 1938, is meant to prevent children from working in hazardous conditions or for too many hours — regardless of their citizenship status. But labor experts say it’s difficult to know the scope of unlawful child labor in America, and even more difficult to enforce the law, because federal regulators don’t have enough resources.

Analysis: Even in the United States, there are still problems with enforcement, which is why there is still child labor in the US. Better enforcement would lead to less abuse, and a lack of enforcement would permeate the issue.

Impact: The problem isn’t fair or free trade, but government, law, and enforcement.

**Not all “Child Labor” is bad**

*Eric Edmonds (Associate Professor of Economics at Dartmouth College and Director of the Child Labor Network at IZA.) and Nina Pavcnik (Niehaus Family Professor of International Studies, Professor of Economics, Dartmouth College and CEPR Research Affiliate) “Trade and Child Labour”; Published July 19, 2007*

[*https://voxeu.org/article/trade-and-child-labour*](https://voxeu.org/article/trade-and-child-labour)

A look at how children work is especially informative. Children are working more in areas that have lost protection relative to the national trend, but most of this work involves girls working around their family. Moreover, relatively more children are neither working as a principal activity nor attending school. For these children, their primary economic contribution to their family appears to be the avoidance of schooling costs, which can be considerable for a poor family. In fact, we find that the attenuation of schooling improvements associated with the loss of protection is smaller in parts of rural India where schooling is less costly. Our analysis illustrates that it is especially important to pay attention to the motives for why children work or why children do not attend school, and one should not be quick to assign blame solely to a specific employment opportunity open to children.

Analysis: Having children work with their families isn’t always a bad thing, especially in poor nations where the children learn the trade of their parents in order to take over from them in the future. Eliminating this kind of “labor” will only result in worse problems.

Impact: Not every situation in which a child works is abusive.

**Fair Trade doesn’t stop Child Labor at its core**

**A: Child Labor still exists in fair trade industries**

*Ecouterre (Website on Sustainable Fashion Design) “Is Victoria’s “Secret” Child Cotton Laborers in Africa?”; Published December 19, 2011*

[*https://inhabitat.com/ecouterre/is-victorias-secret-child-cotton-laborers-in-africa/*](https://inhabitat.com/ecouterre/is-victorias-secret-child-cotton-laborers-in-africa/)

The halo on Victoria’s Secret is looking a tad askew after a report alleged that malnourished, underaged West African children picked the cotton used in some of its undergarments, including a number labeled as fair trade and organic. In a startling exposé by Bloomberg News, reporter Cam Simpson documents the heart-wrenching story of 13-year-old Clarisse Kambire, who works on an organic-cotton farm in Burkina Faso under a program designed to financially empower women and enable more children to attend school. But Kambire’s reality couldn’t be further from the truth. Beaten and verbally abused, she labors in the fields on bare hands and feet to harvest tiny tufts of fiber that are sent to factories in India and Sri Lanka to be fashioned into leopard-print hip-hugger panties and lacy fishnet thongs.

Analysis: Even in fair trade industries child labor is prevalent.

Impact: Fair trade doesn’t actually stop child labor.

**B: Fair Trade creates situations in which child labor can become prevalent**

*University of Delaware “Victoria's Secret, child labor, fair trade and its issues”; Published Dec 15, 2011*

[*https://www.eurekalert.org/pub\_releases/2011-12/uod-ea-121511.php*](https://www.eurekalert.org/pub_releases/2011-12/uod-ea-121511.php)

"This is an unfortunate situation that I have dreaded might emerge as a result of rapid scale-up of fair trade," says Marsha Dickson, a fashion and apparel studies professor who researches fair trade. She is referring to the details reported published yesterday by Bloomberg News. The Bloomberg article chronicles the desperate life of a young girl working on a cotton farm in the landlocked African country of Burkina Faso.

Dickson explains that Fair Trade Certification systems like the Victoria's Secret employed granted approval on the basis of single audits where conditions may be "dressed up" for the audit or certification might be based on some undisclosed terms.

"Victoria's Secret and other brands should take responsibility themselves for the labor conditions in their supply chains," she says. "Brands and retailers that make themselves accountable for labor conditions:

Embrace standards for work related to internationally agreed upon human and worker rights,

Carry out due diligence to identify and mitigate violations of standards,

Remediate the problems they find.

Even then problems will be found, but we can be assured the brand is aware and working to solve them."

Analysis: Due to the single audits, producers can make even more money in the fair-trade system while still using child labor, creating an even greater incentive for producers to use children for work.

Impact: Fair trade not only fails to stop child labor, but also creates situations that allow it to become more prevalent.

**Attempting to ban Child Labor can be counter-productive**

**A: Some work can be beneficial for children**

*Worldbank.org “CHILD LABOR: ISSUES, CAUSES AND INTERVENTIONS\*”;*

[*http://siteresources.worldbank.org/EDUCATION/Resources/278200-1099079877269/547664-1099079934475/547667-1135281552767/Child\_Labor\_issues.pdf*](http://siteresources.worldbank.org/EDUCATION/Resources/278200-1099079877269/547664-1099079934475/547667-1135281552767/Child_Labor_issues.pdf)

Though restrictions on child labor exist in most nations, many children do work. This vulnerable state leaves them prone to exploitation. The International Labour Office reports that children work the longest hours and are the worst paid of all laborers (Bequele and Boyden 1988). They endure work conditions which include health hazards and potential abuse. Employers capitalize on the docility of the children recognizing that these laborers cannot legally form unions to change their conditions. Such manipulation stifles the development of youths. Their working conditions do not provide the stimulation for proper physical and mental development. Finally, these children are

deprived of the simple joys of childhood, relegated instead to a life of drudgery. However, there are problems with the obvious solution of abolishing child labor. First, there is no international agreement defining child labor. Countries not only have different minimum age work restrictions, but also have varying regulations based on the type of labor. This makes the limits of child labor very ambiguous. Most would agree that a six year old is too young to work, but whether the same can be said about a twelve year old is debatable. Until there is global agreement which can isolate cases of child labor, it will be very hard to abolish. There is also the view that work can help a child in terms of socialization, in building self-esteem and for training (Collins 1983). The problem is, then, not child labor itself, but the conditions under which it operates (Boyden 1991).

Analysis: Children working isn’t always a bad thing, and can many times provide necessary skills and training for these children to succeed in life.

Impact: Not all “child labor” is bad

**B: Bans can create more child labor**

*Leah Lakdawala (assistant professor of economics at Michigan State University) “Child Labor Laws Can Be Counterproductive in a Weak Nation; Updated July 17, 2014*

[*https://www.nytimes.com/roomfordebate/2014/07/16/what-standards-of-child-labor-should-apply-in-developing-countries/child-labor-laws-can-be-counterproductive-in-a-weak-nation*](https://www.nytimes.com/roomfordebate/2014/07/16/what-standards-of-child-labor-should-apply-in-developing-countries/child-labor-laws-can-be-counterproductive-in-a-weak-nation)

Turning to bans, a simple economic model by Kaushik Basu [Department of Economics, Harvard University] suggests that when bans are imperfectly enforced, they raise the cost of hiring children, as employers anticipate facing stiff fines or other penalties when caught using child labor. Thus bans may lower the wages that children are paid. If families send their children to work out of necessity, a drop in child wages lowers family income for those who rely on child labor to reach subsistence, thereby compelling families to supply more child work, rather than less. In joint project with Prashant Bharadwaj and Nicholas Li we empirically tested for such a possibility under India's flagship legislation against child labor, the Child Labor Prohibition and Regulation Act of 1986. Our paper shows that after the ban, employment probabilities of children under the legal working age of 14, relative to those of legal age, rise rather than fall. Children under 14 are 1.7 percentage points more likely to work after the ban; this amounts to a 12 percent relative increase in child employment over the mean. This seems to stem in part from the large drop in child wages, which fall by nearly 4 percent relative to adult wages after the ban. In the presence of multiple market failures and weak state capacity to enforce such regulations, the potential for unintended consequences of bans and regulations are important to keep in mind. Well-enforced bans, on the other hand, could decrease the incidence of child employment, but whether they improve household welfare that might depend on income from child work is not clear.

Analysis: Trying to simply eliminate child labor may not actually be the best solution and can actually cause child labor to increase.

Impact: Bans can actually cause more child labor rather than less.

**C: Attempts from external nations to get rid of child labor only moves it to other industries, with worse results**

*Matthias Doepke (professor of economics at Northwestern University and a research associate at the National Bureau of Economic Research) “Western Pressure Reduces Crucial Local Action to End Child Labor”; Published July 6, 2014*

[*https://www.nytimes.com/roomfordebate/2014/07/16/what-standards-of-child-labor-should-apply-in-developing-countries/western-pressure-reduces-crucial-local-action-to-end-child-labor*](https://www.nytimes.com/roomfordebate/2014/07/16/what-standards-of-child-labor-should-apply-in-developing-countries/western-pressure-reduces-crucial-local-action-to-end-child-labor)

Sanctions by the West usually focus on export sectors (such as textiles and manufacturing) where children and adult compete for the same jobs. If the West succeeds in displacing children from these sectors, adult workers will have little incentive to actively campaign for further restrictions on child labor. Many children will work on the family farm or in other informal employment instead, where there is less competition with adults. In addition, sanctions reduce the overall income of families in developing countries, thereby worsening poverty and increasing economic dependency on child labor. For both reasons, pressure by the West through punitive trade policy undermines local political support for eliminating child labor within developing countries.

Analysis: When external pressure is placed an issues of child labor, the problem isn’t solved. Instead, it is simply moved to another area. Pressure on child labor in industry moves child labor to agriculture, making the situations these children work in worse and forcing more children to work as well.

Impact: Even from an international perspective, pressure to ban child labor only makes the situation worse.

**Free trade limits Child Labor best in the long-term**

*Eric Edmonds (Associate Professor of Economics at Dartmouth College and Director of the Child Labor Network at IZA.) and Nina Pavcnik (Niehaus Family Professor of International Studies, Professor of Economics, Dartmouth College and CEPR Research Affiliate) “Trade and Child Labour”; Published July 19, 2007*

[*https://voxeu.org/article/trade-and-child-labour*](https://voxeu.org/article/trade-and-child-labour)

Our recent research shows that children are less likely to work in countries with more international trade. The negative association between trade and child labour holds even when considering only poor countries’ trade with high-income countries. It also holds up for trade in unskilled-labour intensive products. Quite simply, child labour is less prevalent in countries that trade more because countries that trade more are richer, and children work less in richer countries.

Analysis: When nations trade freely, they become richer. When that happens, child labor goes down. This is true regardless who the nation is trading with, and it works in the long term as well.

Impact: Free trade, regardless of whether it is a first or third-world-country, will always be the best solution to truly eliminating child labor for good.