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## **Listening to the children**

Case study on child labourers and Non Formal Education in Dhaka

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*To my nephew*

## **Abstract**

In this study, I investigate the impact of Non Formal Education (NFE) programs on working children's lives in Bangladesh considering the principle of the "best interests of the child" and assuming the importance of "educational opportunities" in challenging child labour and allowing children to make informed rational choices. Since the principle of the "best interests of the child", as defined by the Convention of the Rights of the Child (CRC), is vague and ambiguous, I took children's voice into account so as to understand better its implementation and its reconcilability with the NFE programs I visited in Bangladesh. In my study I focused especially on children in the 9-14 year age group, living in urban slums, who were both working and studying through NFE programs. To do so, apart from an early pilot study in Delhi, I collected my data through a field study in Dhaka. Findings are discussed by reference to pertinent studies on child labour, education and development.

My conclusions are that the NFE programs analyzed in the peculiar Bangladeshi context are not fully reconcilable with the principle of best interests of the child as defined by CRC, and that working children enrolled in such programs are not really free to make rational choices. Ultimately, in order to better apply the above mentioned principle in the context studied, it is necessary to define more clearly who are the children in question, and to realize more structured interventions which should be able to especially address those vulnerable children who more than others deserve attention and protection, and to guarantee their continuing education in order to really change their lives.

**Key words:** children's voices, best interest, freedom, child labour, and NFE.

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## Glossary of acronyms and local terms

BBS	Bangladesh Bureau of Statistics
BRAC	Bangladesh Rural Advancement Committee
<i>Bustee</i>	Bangladeshi term for Slum
CMES	Centre for Mass Education in
CNG	Science Compressed Natural Gas
CRC	Convention on the Rights of the
DAM	Child Dhaka Ahsania Mission
<i>Eid festival</i>	One of the most important Muslim festival at the end of Ramadan
EFA	Education for All
HSC	High School Certificate
ILO	International Labour Organization
INFEP	Integrated Non-Formal Education Program
IPEC	International Programme Elimination Child Labour
ISS	Institute of Social Sciences
<i>Jati</i>	Caste, race, religious association, gender or species
MVF	Mamidipudi Venkatarangaiya Foundation
MPC	Multipurpose Centre
NCLS	National Child Labour Survey
NFE	Non-Formal Education
NFPE	Non-Formal Primary Education
NGO	Non-Governmental Organization
<i>Ramadan</i>	The fasting month of the Islamic year
IWCGL	Report of the International Working Group on Child Labour
SSC	Secondary School Certificate
<i>Shishu</i>	Bangladeshi term chosen to translate “child”
UCEP	Underprivileged Children's Educational Programs
UNDP	United Nations Development Program
UNICEF	United Nations International Children's
VVGNI	Fund V.V. Giri National Labour Institute
WFCL	Worst Forms of Child Labour

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## 1. Introduction

“For sheer loveliness, there is no land on earth more beautiful, with a climate more pleasant, than Bangladesh. What water is to the rainy season, the ancient elements of air, fire, and earth are to the dry season, coalescing to produce a land of sunshine and flowers” (James J. Novak, 1994:22).

The idyllic and poetic portrait of Bangladesh depicted by the writer Novak sharply contrasts with another image often presented by the media in the international arena. Indeed, Bangladesh is famous for its poverty, famines, floods, political corruption, and last, but not least, child labour. Today in Bangladesh 50% of the population live below the national poverty line (World Bank estimates, 1999-2005). Particularly, children are the first group to suffer and to be exploited in such a country, and indeed about 4.7 million out of 3 5.06 million children between 5-14 years are involved in economic activity<sup>1</sup> (Bangladesh Bureau of Statistics, BBS, 2002-2003).

As a consequence of a growing concern for children, international debates contribute to develop “universal” policies or legal instruments to promote children’s rights and to tackle problems such as the employment of young labourers. Child labour, in particular, is the consequence of a complex array of variables. Indeed, such phenomenon is not explainable simply assuming that it is a result of economic poverty but other variables such as education or established social values are determinant. However, in my study, focusing on education and especially on Non-Formal Education (NFE) programs, I give special consideration to the particular context of Bangladesh and to the circumstances within which such programs are developed and child labour exists. Moreover, analyzing the Bangladeshi legal framework, I found that its existing and copious legislation is not always adequate to address the condition of working children, for instance because it lacks a consistent and clear definition of the term “child”.

The literature on child labour and child workers is abundant. However, only few studies make any reference to listening to children’s voices. Hence, in this study I tried to give a special attention to the views of working children about child labour and about the difficulties they encounter as young employees: what they consider good and bad in their employment, what is their best interest and what expectations they have for the

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<sup>1</sup> Child at work in economic activity is an extensive concept referred to those activities that could be paid or unpaid, in rural and urban areas, in the formal or informal sector, including the illegal market.

the future. In that way, children's opinions give a significant contribution to the interpretation of general principles that truly regard their own lives.

To do so, I will start by introducing the aim of my study, the methodology and analytical framework to which I refer, including a review of the current literature on child labour, child education and the difficulties in the implementation of CRC policies in Bangladesh. In the following section, after briefly analyzing an early pilot study in Delhi, I will relate my findings from the fieldwork in Dhaka, taking children's voice into account and discussing the importance of tackling children's individuality. Next, starting from a discourse on freedom, I will examine the role played by education and NFE programs in encouraging children to make rational choices for their future and in challenging child labour, and I will give some appraisal of the quality of the NFE programs investigated. In the conclusion I will summarize the main results of my study in relation to the impact of NFE programs on working children's lives and on their opportunity to make rational choices.

### **1.1 Statement of purpose and key questions**

Among the several factors effecting child labour, such as poverty, both at the macro level (generated by world wide economic dynamics like globalization or Structural Adjustment Programs) and at the micro-level (particular economic stress family situation), and traditional social values (gender norms, religion or ethnicity), education, and notably the quality of education, is certainly one important variable. However, although I acknowledge the influence of all these variables and the complexity of the phenomenon of child labour, it is not within the aim of this study to analyze all the pertinent factors; rather, I have decided to focus on education and on NFE programs, basing my choice on the existing literature and on personal considerations. Indeed, recognizing the importance of education in determining children's choices and in challenging child labour, my aim in this study has been to show the impact of NFE programs on children's lives and their ability to make rational choices. Are NFE programs compatible with the best interests of the child as defined by the Convention of the Rights of the Child (CRC)? Are working children enrolled in NFE programs able to influence their lives in an unconstrained and informed way?



Generally, any international instrument such as the CRC establishes universal principles, and it is therefore implemented with difficulty. While it is not my intention to provide any new definition of a principle such as the best interests of the child, I will try to analyze the peculiar Bangladeshi context on the one hand, and to acknowledge children's individuality and listen to their voices on the other hand.

From an historical perspective, it has been shown that the prevailing empirical research on and with children emphasized "children as the objects of research rather than children as subjects, /.../ child-related outcomes rather than /.../ child-related processes and /.../ child variables rather than children as persons" (Sheila Greene and Malcolm Hill, 2004:1). In this study, while taking into account several stakeholders who share some responsibility in the management of neglected children, I have tried also to listen to the children's own opinions, considering them as persons, in order to better understand the effects of NFE programs on their lives. To achieve my aim, according to a "bottom-up" approach, I have tried to inquire how children are inclined to answer to questions such as: which role education plays in their lives, what are the positive and negative aspects of their job and what are their dreams.

## **1.2 Methodology**

My research is a qualitative study, the result of three-week fieldwork conducted in Dhaka in October 2006. Bangladesh is a Muslim country and October is the month of Ramadan. Therefore, the opportunity to interview children, especially during the *Eid festival*, was limited by the fact that many schools were closed at that time. Furthermore, as political elections were scheduled for January 2007, my fieldwork was accomplished in a climate of extreme political tensions, which caused severe restrictions to the planned interviews to children.

A few weeks before my fieldwork, I carried out a pilot study in Delhi, with the only aim of getting acquainted with the implementation of NFE programs in the Indian Sub-continent, without any comparative or further purposes. The proper field study, however, as mentioned above, was conducted exclusively in Dhaka.

Why Dhaka? I chose an urban setting since many children and women have been moving from rural areas to big cities, attracted by the promise of work after the industrialization process (Jim Mackechnie & Jandy Hobbs, 1998:9); particularly, in the capital city lives the highest number of children, if we consider the administrative

divisions in Bangladesh (see Figure b., Appendix A).

In Bangladesh, especially in urban contexts, a significant number of child workers are employed in informal sectors of the economic market; with regard to this, Mackechnie and Hobbs remarked the methodological difficulties related to the collection of reliable information on this sector (1998:9). Generally, the accuracy of available statistical figures is debatable (Kaushik Basu, 1999:4). However, I decided to refer to some estimates of the number of children involved in work activities (see Appendix A) to give an approximate idea of the dimensions and of the actuality of the phenomenon of child labour.

### **1.2.1 Interviews/ fieldwork method**

My empirical materials were collected by the use of two main techniques: participant observation and semi-structured, open-ended, in-depth interviews.

#### **a) Participant observation:**

During my fieldwork, I visited several NFE programs in the city of Dhaka, and I had occasional interactions with about 60 children and teenagers enrolled in these programs, ranging between the ages of 5 and 22 years. As I did not have enough time to conduct interviews with all of them, and some were too old to be included in my study, I decided to observe more closely a subgroup of them whenever possible and suitable. Indeed, approximately 25 children, in the same school as the respondents who were interviewed, were the object of a prolonged observation within their classrooms during school time. My purpose was to observe the behaviour of the children and their relationship with their teachers and with the environment in a natural way, trying to influence them as little as possible, with only occasional interaction, questions and answers, in no systematic framework.

#### **b) Interviews:**

In this study interviews were ranged in length from one hour to two hours and were not tape-recorded. All the interviews were conducted in a conversational, informal manner. Data were collected according to a two-step research design approach: on the one hand, open-ended interviews with child workers and on the other hand, semi structured interviews with professionals involved with working children, as well as with parents of the children themselves. A total of 13 people were interviewed.: 3 with key informants in Delhi, 7 with key informants in Dhaka and 3 with respondents in Dhaka. Some of the

people, especially the 3 respondents, were interviewed several times.

The respondents were male in the age group 9-14 and two out of three were attending NFE programs and working as garage assistants. I chose to focus particularly on this age bracket since I was interested in analyzing the efficiency of NFE programs at the primary level, even if such a choice was certainly a challenge, because the young age of the children made it more difficult to realize structured discussions.

Nevertheless, I thought that it was fundamental to investigate children's views obtaining information "in developmentally appropriate ways", so that simplistic parallelisms, such as the equation of age with a certain degree of knowledge and ability, may be avoided and, on the contrary, the right importance may be given to the specific context in which every single child is considered. In general, "It is easy for adults to underestimate children's abilities and to patronize them" (Greene & Hill, 2004:8).

"The level and degree of participation of children in development is, largely, dependent and determined by two factors. First is the extent to which adults create opportunities and space for children to participate, and second is children's own maturity level, knowledge, skills, exposure, information and experiences" (Maggie Black, 2004:11).

Hence, in my study I tried to gather the unconstrained expressions of the working children's views, according to their maturity and understanding, in order to investigate their opinions on child labour and education.

Such an effort presupposed the recognition of the individuality and singularity of each child. A child becomes "a unique and valued experiencer of his or her world" and therefore, the choice of selected and individualized methods of approach is particularly relevant. It involves:

"the use of methods that can capture the nature of children's lives as lived rather than those that rely on taking children out of their every day lives into a professional's office or into a 'lab'" (Green & Hill, 2004:3-4).

To this purpose, due to limitations of time and resources, I tried to combine participant observation with open-ended interviews and other appropriate creative tools such as taking photographs, making videos and drama, and the use of printed pictures and drawing (see Greene & Hill, 2004:14). Particularly, drawing and conversation on drawings either individually or as a group are often referred as children's activity sessions suitable for such investigation (Jo Boyden, Carola Eyber, Thomas Feeny & Caitlin Scott, 2003:3).

The importance of an alternative method such as drawing was fundamental in

overcoming the difficulties of establishing a relationship between the researcher and the child workers in only few weeks. Mackechnie and Hobbs have described children's suspicions when asked to manifest their opinions and thoughts to a "stranger". As they further remarked:

"I could almost hear the children thinking, 'Here's another one of those strangers speaking English who would 'visit' them and then disappear'/.../ To try to overcome this gap between the investigator and the children, drawing was used in this case"(1998:45).

Indeed, I experienced such an awareness of "being a stranger" particularly during my last conversations with the children interviewed, as soon as they realized that I was about to go away forever, and that that was the end of our brief "relationship". An interpreter, not affiliated with the NGOs, helped me to communicate with the children and to enable respondents to participate fully in discussions. However, some difficulties arose. In general, several NGOs did not allow me to have direct access to working children, probably because they intended to give me an overly optimistic and reassuring picture of their own interventions. In my relationship with the NGOs staff I felt again that I was a "stranger", but in that case the feeling was mainly due to an awareness of mistrust and apprehension for my curiosity and investigation on the efficiency of the programs.

In my attempt to listen to the children's voices, the entire gate keeping surrounding working children was a cause of great limitations to the collection of data. Consequently, in this research the material I gathered cannot be assumed to be representative of the problem investigated, and it should be viewed only as a descriptive contribution.

Although all of the children had a very limited attention span, in several circumstances they showed great participation and interest, especially when I asked them to pose their own questions. That was not only to capture their attention but also to establish a reciprocal exchange of information, a dialectic process through which I tried to learn something about the concerns of the interviewees.

### **1.2.2 Access to the Field and Validity of data**

As mentioned earlier in the paragraph 1.1, in my study I refer to the concept of the "best interests of the child" of CRC to analyze the effects of NFE programs on children's lives. However, the officers I interviewed, when asked, could give me only vague and

theoretical information on the principle of the “best interests of the child” and none was able to explain in detail how it could be implemented. Once I talked with a government officer who seemed to be well acquainted with that concept, but when asked for a more formal interview on the subject, he declined.

Generally, in Bangladesh I had the opportunity to be helped by several competent interpreters during my conversations with the children and the young people. Yet, as already said, various NGOs prevented me from having direct access to working children. The consequence was a gap between their perceptions and mine. In such a situation, I had some difficulties in validating the gathered data in absence of sufficient feedback from local NGOs.

Indeed, during my fieldwork in Dhaka I interviewed teachers or supervisors taking part in several NFE programs. They described scrupulously the positive aspects, but only in a few cases they admitted the difficulties linked to these programs. Even when I tried to interact with the children I felt I was observed, and the lack of private spaces to conduct interviews to the children was a specific limit to the reliability of the information. Only in a few occasions there were no adults around me. When for the first time I asked to interview the three respondents, the teachers called the children one by one asking them to answer to my questions in front of them. In the end, my best option was to speak with the children in the corridor of the school, but. in that case too, during my interviews someone kept watching me.

### **1.2.3 Ethical considerations**

In conducting my interviews, I started explaining clearly my personal status as a student and a researcher, the aim of the study and how the gathered information would be used. Furthermore, I obtained permission, first from the teachers and the development agency staff involved, and then from the children themselves, to publish all the information gathered, guaranteeing the anonymity of the respondents by substituting fictitious names for the true names. To realize a relaxed relationship with the children, I was careful never to force them to stay with me when they were tired of answering my questions. On the contrary, I did not like the insistence of the development staff in trying to convince them to meet my purposes. It was especially in those moments that I gave importance to the children’s decisions, so that they were free to stay or to go

whenever possible. Respondents decided spontaneously to speak with me, and other children were attracted by my presence. Nevertheless, the lack of time prevented me from interviewing them.

On the last day of my fieldwork I decided to buy some sweets for the children, since it was the *Eid Festival*. Unfortunately, many children had already left when I arrived at the school, and the teachers decided they would give them the sweets after the *end of the Festival*, when the regular classes restarted.

In many occasions, I used my digital camera to take photos of the children, who were usually very happy of being photographed, especially together with me. On the last day, I made also a small movie of the children playing a drama. As usual, I asked the teacher's permission to use this material for my research purposes.

### **1.3 Analytic Framework**

#### **Literature Review**

Literature on child labour is impressive. In general, disagreeing with authors like Sinha Shantha (2002:321-334) or Neera Burra (2002:73-94), I assume that not all working activities are detrimental to children. However, in order to discuss my findings I decided to focus particularly on McKechnie and Hobbs's balance model (1998:40-43), avoiding the conventional dichotomy between child labour and child work adopted by a recognized organization like United Nations Children's Fund (UNICEF, see [www.unicef.org](http://www.unicef.org)). As explained in the following section, this model helps to explain in what circumstances children's employment can be framed as beneficial, referring to a balance model which takes into account the costs and benefits of the working activities considered.

In my study I assume that education is relevant to develop critical thinking on the one hand, and to reduce child labour on the other hand. Thus, with reference to the notion of "social opportunity" by Amartya Sen (1999), I particularly focused on education as an important variable influencing child labour, going beyond the common notion that child labour is merely a consequence of economic deprivation.

Such concept of "social opportunity" is supported and integrated by further studies directed to affirm the importance of a good quality of education in reducing child labour and helping children to make informed choices about their future (see Desai and Potter, 2002; Saqib Jafarey and Sajal Lahiri, 2005:394-419; McKechnie & Hobbs, 1998:40-43;

Assefa Admassie, 2003:167-185; Noam Schimmel 2006:211-233). Therefore, I tried to analyze and discuss my findings, including teaching material and facilities provided by the NFE programs on the one hand, and the curricula and the degree of children's "understanding" during the learning process on the other hand, to assess the real quality and impact of the education received by children, and its potentiality in influencing the children's lives.

In analyzing the gathered data, some degree of "cultural relativism" is needed, not certainly with the purpose of legitimizing child labour, but rather to help understanding it better as a phenomenon within its specific setting. To accomplish that, I will try to briefly present a picture of the Bangladeshi legislation and of the CRC concerning the rights of the children, and to focus on the most controversial aspects in given context. Indeed, some methodological problems have emerged from previous studies about Bangladesh, regarding the definition of childhood and the implementation of the general principles defined in the CRC, such as the best interests of the child (see Blanchet 2001, Susan Bissell 2002:47-72, Sarah White 2002:725-735). In my study, I did not try to address these problems directly, but rather chose to emphasize the individual perspectives of the children themselves, involving them as much as possible in the research process, according to the suggestions given by an international organization like Save the Children in previous studies on children's participation.

In the following sections, I will give some more details about the general debate on child labour, education and the implementation of the CRC, with special reference to the laws in Bangladesh, before proceeding to present the main findings of my study, and in particular to examine the voices of the children.

### **Child work - child labour / McKechnie and Hobbs's balance model.**

In order to understand child labour, firstly, it is important to analyze two contradicting approaches: one is the distinction made by the UNICEF between "child work" and "child labour"<sup>2</sup>, the other one is the statement of scholars such as

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<sup>2</sup> According to UNICEF, "child work" is referred to children who help their parents in household activities and business after school. Such condition could be profitable and could increase child's physical, mental, moral or social condition without interfering with schooling, recreation and rest. Contrarily, "child labour" interferes with the regular physical, intellectual, emotional and moral

Shantha<sup>3</sup> or Burra, that “every child out of school is a child labourer” and “no child shall go to work”(Shantha, 2002:322).

As mentioned, in my study I argue that some kind of working activity may be beneficial for children in particular contexts, since a country like Bangladesh is probably not ready yet to eliminate child labour completely. However, I do not agree with the dichotomy embraced by UNICEF, since it is oversimplified and “it fails to reflect the complexities of the real world” (McKechnie and Hobbs, 1998:37). Therefore, I referred to McKechnie and Hobbs’s balance model.

In general, the current debate on child labour is focused on the distinction between “child work” (unpaid) and “child labour” (paid) only in economic terms (Desai & Potter, 2002:216-217). Thus, child labourers are defined as children who “regularly participate in the labour market /.../”(Asep Suryhadi, Agus Pryambada & Sudarno Sumarto, 2005:3 53) and work “/.../outside the confines of the home”, with serious possible injurers and environmental hazards to the health and safety of the child (Omokhodion, Omokhodion and Odusote, 2005: 282). Even the widely accepted ILO definition<sup>4</sup> has been criticized for not taking in consideration the children who work in the family (Jean Scandlyn, 2004:7). So, while there is general agreement in condemning the employment of children in hazardous works in industry, on the other side unpaid household labour with commensurate injury to the development of children is not considered equally damaging (Desai and Potter, 2002:2 17).

A different approach is used in McKechnie and Hobbs’s balance model which, assuming that employment can be framed as beneficial and defining clearly what are the costs and benefits of employment, is an alternative way to overcome the dichotomy between work and labour (McKechnie & Hobbs, 1998:40).

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development of a child. For more details, see <http://www.unicef.org> accessed December 20, 2006.

<sup>3</sup> Shantha is a leading figure of Mamidipudi Venkatarangaiya Foundation (MVF), an NGO working for the elimination of child labour through formal education in India. To do so, MVF involves parent teachers associations and youth volunteers, without offering economic incentives to either children or families.

<sup>4</sup> According to ILO, child labourers are considered all children in the 5-11 age brackets at work in economic activities; plus, all children in the 12-14 age group at work in economic activities without considering those working few hours per week (less than 14 hours per week) in light occupations; added to this, all children in the 15-17 in hazardous occupation and other worst forms of child labour. Please refer to <http://www.ilo.org> accessed November 25, 2006.



Costs “Bad”	Benefits “Good”
Health and safety	Autonomy
Limits free time	Self reliance
Negative effect on education	Economic/business knowledge
Instrumentalism	Work experience
Less parent/peer contact	

Source: McKechnie & Hobbs, 1998:41

In the model illustrated above, several variables such as the number of working hours, the place and the kind of job, gender and age, are operatively used in the analysis of the working context, and influence the balance between costs and benefits.

Moreover, even when costs can only be reduced, but not completely eliminated, there is some flexibility in reference to the specific economical and cultural context within which children work. Indeed, as the authors sustain: “the context will play a role in defining the balance itself” and the important advantage of this model is that “solutions to child employment will vary from culture to culture, and that no universal solutions will be found” (1998:41-42). This is especially relevant considering that the definition and measurement of child labour take different forms from region to region (Pushkar Maitra & Ranian Ray, 2002:42) and change in relation to culture (Samir Nath & Abdullahel Hadi, 2000:302-303). Thus, I found this method suitable for my research, applying it to the Bangladeshi context.

### **Poverty/Education and Sen’s notion of “social opportunity”**

Poverty is generally adduced as the cause of child labour, especially in specific and extreme circumstances. For instance, such situations occur when the child is abandoned or “sold” by the parents and hence bounded to work, or when he or she is the one who earns the money in the family (McKechnie and Hobbs, 1998:22). However, these are not the cases I intended to investigate in this study.

On the contrary, in my research I focused on education as a significant variable affecting child labour. In this regard, Sen’s notion of “social opportunity” is relevant to explain the importance of education in reducing child labour. Indeed, social opportunities are:

“arrangements that society makes for education, health care and so on, which influence the individual’s substantive freedom<sup>5</sup> to live better” (Sen, 1999:39).

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<sup>5</sup> Substantive freedoms are: “political freedoms; economic freedoms; social opportunities, transparency

Referring to child labour, many child workers have no choice (Sen, 1999:114). Not only the inadequacy of primary education programs in South Asia, but also sometimes the lack of any alternative that children may have in determining their best interest, interfere with the “freedom to go to school” (Sen, 1999:115) so as to limit the chance to make informed choices about the future.

In general, Sen criticizes the overemphasis of the political debate on income poverty or income inequality, with a consequent lack of attention towards other variables such as poor education or social exclusion (1999:108). Indeed, it is significant to consider the example and the contradictions of countries like Brazil or Pakistan or India<sup>6</sup>, where the neglect of social opportunities has been an obstacle to economic development compared to East Asian or South-East countries that inversely reached high rates of economic participation through investments in basic education or health care (Sen, 1999:45).

In particular, in my study I have been interested in the quality of education since it is a paramount variable, with a highly significant relevance (Jafarey & Lahiri, 2005:3 95; Desai & Potter, 2002:406). Indeed, good quality of primary education influences inversely the occurrence of child labour (Jafarey & Lahiri, 2005:396). It would be misleading to conclude that the only fact of building more schools could help to reduce child labour (McKechnie & Hobbs, 1998:30). Indeed, good quality of education also implies supervision and competence of the teachers and the implementation of good curricula

I decided to focus especially on NFE programs for working children since Bangladesh faced a significant escalation of NFE schools in the last decades and NFE has often been adducted as the most desirable way to fight child labour through its combination of work and schooling (Assefa Admassie, 2003:184).

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guarantees and protective security” (Sen 1999:10).

<sup>6</sup> Kerala is an interesting and singular example in India for its high levels of social development. Even with a moderate rate of economic growth, it has reached high human development through investments in basic education or health care (Sen 1999:91).

Moreover, in order to analyze the impact of NFE programs on children's lives, I will try to discuss briefly in the following section the great variety and controversy of current laws and interventions in Bangladesh about this topic.

### **Understanding the implementation of Bangladeshi legislation and the CRC**

Both Constitutional provisions and laws about children are not new to the Bangladeshi context (see Appendix B). However, analyzing the Bangladeshi legislation I found a lot of ambiguity about the legal definition of a "child". Indeed, the term "child" was defined in several different ways, according to the particular law considered. For instance, the Bangladesh Majority Act of 1875 defined a child as a person below the age of eighteen, whereas the Children Act of 1974 considered any person below the age of sixteen as a child. Moreover, a child is a person below the age of fifteen years according to The Children (Pledging of Labour) Act of 1933.

Furthermore, the definition of child is contradictory not only within the current legislation in Bangladesh but also with reference to an international instrument such as the CRC, where a child is defined as:

“/.../ every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier” (Art. 1, CRC).

How is it possible to safeguard a child if the definition itself of a child is not clear? Who is the child to be protected? What about the implementation of such national laws and/or of the CRC?

It would be reasonable to infer from this context that Bangladeshi Government faced many problems to implement its own laws against child employment. Indeed,

“some of these laws have internal contradictions which render them ineffective” (Kamal Siddiqui, 2003:9).

Moreover, the implementation of “universal” and international instruments such as the CRC might cause some difficulties:

“The 41 substantive articles /.../ of the UNCRC are detailed in their specification of rights, but they are necessarily at a level of generality that demands detailed interpretation and implementation in ways that are appropriate to the particular circumstances of different societies, communities and children, including the youngest children” (Martin Woodhead, 2005:81).

Thus, also the principle of “the best interests of the child” of the CRC to which I refer in my study, presents a broad and general nature. Indeed,

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”<sup>7</sup> (Art.3, CRC).

Such principle was relevant to my study since “its full implementation would dramatically improve the status of children in society” (Thomas Hammarberg & Barbro Holmerg, 2000:31). However, this principle has been interpreted in several different ways in different countries and has changed in time (Hammarberg & Holmerg, 2000:34; Philip Alston, 1994:3). I will also comment in the following section about how it is perceived in the peculiar context of Bangladesh, taking children’s views into account.

While the general character of the CRC has been considered problematic in regard to its implementation, the “political alliances” and the “criminalization of the political process” in Bangladesh have caused a lack of political determination to implement policies for the rights of the disadvantaged (Shelley Feldman & Desi Larson, 2004:23). The expression “sand in the machine rather than oil in the machine” has often been associated with Bangladeshi government, where officials and especially police “/.../take bribes generally by either providing no service or threatening to harm their clients rather than doing them a favour” (Siddiqui, 2003:41). However, it is not within the aim of this study to go deeper into such a discussion, although it is important to mention it.

I will rather consider now my findings about the NFE programs I visited in Bangladesh, and especially the voices of the children.

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<sup>7</sup> In general, the principle of “the best interests of the child” had its origin in international law. Apart from Article 3 of the CRC, other articles, such as those regarding the separation of the child from the family (Art.9); parental responsibility (Art.18); foster placement (Art.20); adoption (Art.21); deprivation of liberty (Art. 37) and juvenile justice (Art.40) mentioned such principle.

## **2. Voices of the children**

### **2.1 Dhaka: the setting**

According to Novak who described Dhaka as a modern and vibrant capital,

“/.../ It is not uncommon to hear a first-time visitor say, ‘/.../ It really doesn’t seem to be as bad as they say’. Even if visitors wander into the worst *bustees*, or slums, they are surprised at the people’s industriousness and cleanliness (No matter how poor, Bangladeshis bathe twice daily and wash their clothes before evening). /---/ The daily immersion is the baptism, morning and night, of Bangladesh, the nearly sacramental rite/.../” (Novak, 1994:18,28).

“We know how to swim, and we like it; we swim when we come back home, every day” (Ahmed, Masud and Khalid).

Indeed, Ahmed, Masud and Khalid, respectively, nine, eleven and ten years old, the three respondents who freely decided to speak with me during my fieldwork, emphasized the pleasure they used to have in taking a bath and in swimming, even in dirty water, after their long working day and before having dinner. Suddenly and momentarily, the bath, in a river or a pond, was for them a pleasurable opportunity to forget daily concerns and worries.

Any visitor, including me, could be surprised by the sense of hospitality of Bangladeshi people or by the variegated and picturesque rickshaws all around Dhaka. However, in this modern capital with its 370,000 child labourers (BBS, 2002-2003:241), various problems exist. For instance, considering the NFE primary system and specifically the NFE programs I visited, I could observe the inadequacy of some classrooms for the number of students attending the lesson (up to 30/50 pupils in one very small and, in some cases, extremely hot room), the high student teacher ratio and the lack of spaces where to play inside and just outside the school.

In such environment, the role of the teacher becomes fundamental since he or she has to manage with the limited facilities available. Indeed, I had already become aware of some of these problems related to NFE programs during the pilot study I conducted in Delhi before starting my fieldwork in Dhaka, as showed briefly in the following section.

### **2.2 Pilot study in Delhi**

As mentioned previously in paragraph 1.2, in Delhi I tried to make myself familiar with the NFE program without any comparative or other purposes.

Usually, NFE is defined as:

“.../any organized, systematic, educational activity carried on outside the framework of the formal system to provide selected types of learning to particular subgroups of the population” (Day Laura Ashley, 2005:137).

It is generally assumed that in NFE “the understanding of the circumstances of the child is foremost” and that the children enrolled in this kind of programs do need special support (Ashley, 2005:137); however, I observed, in Delhi for instance, that the books and notebooks necessary to study were not always provided in the NFE School I visited. It could even happen that, as a teacher admitted to me, children had to use, instead of notebooks, the blackboard, or some wood sticks to draw in the sand, in order to learn how to read and write.

In general, the efficiency of NFE is not measured exclusively by the rate of enrolment, but mainly by its quality of education. Thus, assuming quality of education as a significant variable, it is particularly important to evaluate thoroughly the curricula, the competence of the teachers and the availability of facilities (Desai and Potter, 2002:406).

During this pilot study, however, I usually could not have direct access to the children, because of language barriers and of the gate keeping surrounding them. On one occasion, I could briefly observe and interact with a small group of class 7 children who were reading a few paragraphs in English from a textbook; but my impression was that, even if they were able to write and read in English, they could not really communicate in that language. Indeed, it seemed that they were learning by memorizing what they were reading without necessarily being able to understand it.

Without denying the strong determination of the supervisors of the NFE program in bringing a change to the community and to the children involved, or the teachers’ efforts to overcome some deficiencies, the NFE program I visited did not really convince me of its efficiency, and unfortunately, the difficulties to get access to the children heavily limited my investigation. In general, it was only in Dhaka, when I started my fieldwork, that I had a better opportunity to interact with the children, although not completely free of gatekeepers.

### 2.3 Tackling children's individual experience in Bangladesh

Before proceeding to present the findings from my fieldwork in Dhaka, I would like to give some brief further comments on the concept of “child” in Bangladeshi culture.

All research is subject to some sort of generalization (Save the Children, 2002:11), and it is important to emphasize that children can never be considered as a “homogenous social category”:

“/.../Childhood and the personal history of each child is defined by the material, historical, socio-cultural experience of their lives, including the social systems, cultural beliefs and practices, political and legal environment...gender, age, disability, ethnicity, class, caste, religion, are some factors which produce different conditions, and hence realities and experiences for different kinds of childhood” (Save the Children, 2002:11)

Analyzing the Bangladeshi cultural context, I found that the concept of childhood did not exist as a stand-alone concept; indeed, no single Bangladeshi word really corresponded to the period of life going from birth to the age of eighteen (Susan Bissell, 2002:58; Sarah White, 2002:728). *Shishu* is the term commonly used to translate the word “child” in Bangladeshi language. But, in reality, *shishu* indicates a child who does not have problems of his/her own to solve; interestingly, the term is often associated to an immaculate and pure small child, male or female, who depends on another person and, on the contrary, “children who have lost their innocence, regardless of their age, are no longer seen as *shishu* and are denied protection” (Blanchet, 2001:39).

With reference to Ahmed, Masud and Khalid, were they still *shishu*? According to the definition previously mentioned, they were not *shishu* anymore, since they had lost their innocence when they had started to work for their living (two of them as unpaid apprentices in a Compressed Natural Gas (CNG) auto repair shop, and one in a biscuit factory), becoming burdened with heavy responsibilities and workloads. While middle class parents invest huge resources in their sons and daughters' education so as to grow up well-educated children whose only duty is to study and succeed at school (Blanchet, 2001:148), on the contrary child labourers such as my respondents have completely different problems and concerns, such as having to work up to 6 and 8 hours per day in unhealthy and dangerous workplaces.

Unlike wealthy middle class children who have to address parents' expectations about school, and are considered endowed with a sort of moral and social innocence, working children are seen as “spoiled” for assuming behaviours like “not attending school, roaming about on the street, hanging around with friends, /.../simply not obeying

parents”(Blanchet, 2001:67).

However, the definition of childhood goes beyond a simple perception of innocence, and a child can be thought of in many different ways, as for instance:

“someone under a certain age, like fifteen, eighteen /.../; the heir of and/or trainee into familial and communal traditions; the representative of particular class, racial, ethnic, and /or gender identities; an economic unit; a physical, psychologically formed, and/or spiritual or religious being, or member of a cosmic community; and/or a developing moral and/or thinking being with his or her agency” (Kay Read, 2002:401).

Especially in Bangladesh, where age<sup>8</sup> and physical growth are not always taken seriously in consideration, the notion of childhood, of “child’s agency”, and of what is commonly perceived as morally good for each individual become very much connected with one’s *jati*, that is one’s religious affiliation, caste, class, ethnicity, or gender (Blanchet, 2001:33-48).

One of my concerns in interacting with the working children in the context of NFE programs was to recognize and understand as much as possible their individuality, avoiding at the same time to make them feel that they were in some way “different” or that they were the object of a special “curiosity”. Thus, I interviewed Ahmed, Masud and Khalid in the same NFE School where they attended class (grade 1<sup>st</sup> and 2<sup>nd</sup>), as much as possible away from indiscreet eyes or from suspicious people.

Indeed, the NFE School was a familiar environment where almost all the children shared a similar background and experience, and although I interviewed them in the main corridor of the school, with some NGO workers always around, I could perceive that children felt comfortable.

As a consequence, little by little children started to confidently reveal their thoughts, their aspirations and their opinions on child labour and education, as presented in the following sections.

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<sup>8</sup> In Bangladesh the absence of birth registration is often reported, and even parents often do not know the age of their children (Blanchet 2001:41).



## 2.4 Children's lives: past, present and future

“Here is another engineer” was the expression that Masud and Khalid used to introduce themselves or other classmates for the first time. At first, I thought that it was referred to the ultimate aspiration of the child to become an engineer, but only later I found that they were calling themselves and their friends in that way just to indicate their status of apprentices in an auto repair shop.

De facto, neither Masud nor Khalid knew the difference between an engineer and a mechanic; indeed, both of them dreamed to become mechanics in the future and to own their personal activity. As they told me:

“We would like to work together in the future and to be the owners of the same auto repair shop”.

While they liked autos and vehicles in general, as it was evident from the drawings they showed me, they expressed however some concern about their present occupation. Thus, they remarked the “costs” inherent in their present occupation such as the hot temperature, the noise in the working place and the health and physical hazards on the one side, the lack of free time and the negative effect on education on the other side. Indeed,

“We suffer and if we open our own shop in the future, we do not want other children to suffer /.../ we would agree to engage children working in any our hypothetical activity at the condition that they would be able to study and enjoy their free time” (Masud and Khalid).

Listening to Masud and Kahlid, I felt as though I could find, between the lines of their talks, the true meaning of article 32 (1) of the CRC:

“State Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development”.

However, interestingly, Masud and Kahlid defined their employer's behaviour in positive terms, in the sense that he did not beat them and gave them permission to go home to eat for lunch and to rest whenever they felt particularly tired. With regard to this, as a young Western researcher I would be inclined to think that these children were too docile towards their employer, since they interpreted as kindly concessions what was indeed their fundamental right. However, such an attitude can be understood assuming that children “whose eyes are not opened yet” have often a tendency to be more docile (Blanchet, 2001: 183), even to the point of justifying physical punishment

from their employers as a technique to instruct or control them. Indeed, in Mckechnie and Hobbs' report, two children, employed as car mechanics, speaking about their employer say:

“The workshop owner beats us to make us tough men. He does to us what has been done to him. This is why I do not feel angry at him; his beating is for our own interest and makes us self-dependent”.

“The workshop owner beats us, then placates us and makes fun. He is only giving us lessons” (1998:47).

However, fortunately this was not the case with the children I interviewed, who in my opinion would have never tolerated to be beaten.

Anyway, Masud and Khalid's choice to work was motivated by some “benefits” they perceived, such as the opportunity to gain work experience, in a context where they had no alternative guarantee about their future. They had been working for two years as unpaid apprentices, but they felt that they would probably have a better chance to get a job after finishing their traineeship in three years.

Among the three children I interviewed (Ahmed, Masud and Khalid), only Ahmed had had the opportunity to stop his previous work in a biscuit factory, because his parents had decided that it was no more necessary to send him to work. Indeed, he felt that he had been fortunate in this regard, and at the time of the interview he told me:

“I was not happy before when I was working. Now, after school, I help my parents to prepare food; my uncle helps me to study and I also have time to play from 4.30 to 6 p.m. every day”.

However, it is debatable whether Masud and Khalid's choice to work was in part a free choice, or rather completely dependant on external constraints. In general, children can be free to choose only if they are guaranteed to be able to access educational opportunities. Indeed, basic education and especially good education would provide them with adequate means to recognize the alternatives available to them in determining the future, and last, but not least, would help them to protect themselves against discrimination or abuse.

## **2.5 Freedom of choice, education and NFE**

“I wish my life and my decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, /.../I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for

my choices and able to explain them by reference to my own ideas and purposes” (Schimmel, 2006:220).

The above definition of freedom implies the importance of being educated so as to acquire intellectual abilities and influence one’s own personal future.

In particular, working children, more than other middle class children, need to be provided with the social and educational opportunities that may allow them to enjoy their freedom and to develop critical and creative thinking (Schimmel, 2006:2 13). Moreover, it could be argued that vulnerable and deprived children, when making choices about their own future, are more easily exposed to exploitative relationships that affect their freedom:

“/.../To fail to satisfy people’s basic needs and provide essential skills and opportunities is to leave people without recourse, and people without recourse are not free. /.../ They need medical help or education before they can understand, or make use of, an increase in their freedom” (Schimmel, 2006: 221).

Previously, I already mentioned the importance given by Ahmed, Khalid and Masud to education. As they further said:

“We need to go to school since it is important not only for our future but also for our current job” (Masud and Khalid).

The NFE program that Masud, Khalid and Ahmed were attending was run by Dhaka Ahsania Mission (DAM) in one of the Multipurpose Centres (MPCs) in the city of Dhaka; this school provided not only non formal education to child labourers and other children rescued from Worst Forms of Child Labour (WFCL), but also health services, income generation activities (micro-credit) for guardians and parents, and community involvement. Over the last years 54 MPCs have been established in the slum areas of Dhaka and a total of 8,800 children have received non-formal education through these centres (DAM, Annual Report 2002/2003).

However, in a long-term perspective, many of these children will probably be unable to attend regular school at the end of the program, and that could certainly be considered some kind of failure, and influence negatively the course of their lives. NFE aims to provide special support to out-of-school and dropout children in order to mainstream them into formal schools. But, though expressing their inclination to study or succeed at school, working children like Ahmed, Masud or Khalid have no guarantee to be able to continue their studies in formal education afterwards:

“I am not sure who would support me in my studies, maybe the employer give me money, or maybe my parents help me” (Masud).

Halima Khaton, a teacher working in the same MPC, expressed her opinion as follows:

“After this program, many children cannot afford to continue their studies as admission fees to formal school are particularly expensive for them. Therefore, they drop out”.

That means that in a country like Bangladesh, where primary education has been declared compulsory by the Constitution in 1993 (see Appendix C), still deprived and working children have no assurance of their right to education (see Figures b. & d., Appendix A).

## **2.6 NFE challenging child labour**

As I illustrated above, educational opportunities are relevant for making rational choices about the future. Moreover, considering the importance of education in reducing the incidence of child labour, it is generally maintained that child’s years of schooling influence inversely the probability of participation in labour force (Nath & Hadi, 2000:3-11), while participation to work can discourage children from attending school (Admassie, 2003:178). However, although work is certainly a significant variable which usually interferes negatively with child’s schooling, it needs not exclude a child’s opportunity to attend school (Suryahadi, Priyambada, & Sumarto, 2005:371).

Indeed, NFE flexibility of school hours, hours of work, and absence of homework could help bring about a combination of working and schooling, but in the long term there is the need of an “integrated approach”, including legal, social and economic measures such as community involvement and empowerment (Admassie, 2003:184).

The MPC I visited in the city of Dhaka, where respondents were regularly enrolled, was one example of such an “integrated approach”.

However, as commented previously, such an “integrated approach” could still be unable to solve some fundamental problems, such as the fact that not all the children are guaranteed to be able to join the mainstream formal school in the long term.

For instance, the MPC I visited included, as I have already mentioned, programs for micro-credit to help parents to start small business activities, and so be able to sustain their children’s education. But, even assuming that micro-credit facilities can provide children’s parents with support for economic empowerment<sup>9</sup>, still many difficulties remain:

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<sup>9</sup> During the period 2002/2003, credit disbursement for micro-credit facilities was Taka 52,774,500

“There are some micro facilities, but many do not take advantage of these opportunities, because they do not want to risk, or being illiterate, they do not understand. /.../Women have meetings about micro-credit all weekends, but still, some women do not want to start micro-credit ” (Halima, teacher).

Moreover, the fact that some women are illiterate implies that:

“/---/ the inability of parents to control their offspring’s income in later years can bias outcomes towards child labour even when credit is perfectly available” (Jafarey & Lahiri, 2005:398).

In order to draw children away from work, however, one cannot underestimate the relevance of micro-credit facilities or of the intervention of the social facilitator in convincing both parents and children about the importance of continuing education for children’s future lives.

Notwithstanding the importance of the social issues considered above, it can still be argued that the lack of an adequate quality level in the system of primary education can be an additional factor contributing to the negative result that so many children still work. Hence, quality of education is an important variable to be taken into consideration and this is what I am going to further analyze in the following paragraph.

### **2.6.1 Quality of education in the NFE programs visited**

“Universal, compulsory primary education of good quality should be the centerpiece of any short and long-term strategy to combat child labour” (Jafarey & Lahiri, 2005:396).

Regarding school quality, Jafarey and Lahiri have noted the direct relation between extremely poor quality of primary education in many countries and occurrence of child labour. Indeed, the immediate consequence is the reluctance of poor families to invest in the education of their children. Thus, the authors analysed the importance of investments in two different policy options, namely food provisions in the context of education programs<sup>10</sup> and the improvement of school quality, sustaining their significant relevance (2005:395).

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(DAM, Annual Report, 2002-2003).

<sup>10</sup> Indeed, for example in Bangladesh in 1996 the food for education policy benefited over one million of families when 15720 kilograms of wheat were dispensed to the targeted families if their children attended school.

In general, the quality of primary education in Bangladesh is considered poor due to high student teacher proportion, lack of supervision, lack of teachers and lack of facilities (UNICEF, 2001). Moreover, the quality of teaching is referred to be inadequate, and a significant number of slum working children are excluded by the school system (Blanchet, 2001:183).

In the NFE programs I visited, where an average of 30/50 children attended each class, quality varied from school to school. For instance, the NFE School run by NGO “The Hunger Project” was arranged in a limited and uncomfortable space in a shantytown in Dhaka; this is a passage from my notes written during my visit to that school:

“Within the ‘class’ there was not enough light, it was really hot and though a small fan was put on, I started to sweat profusely; after a while, my feet had been repeatedly bit by mosquitoes. About 45 children were initially seated in a circle and I started asking general questions; after some time, they wanted to show me all their drawings, and order was restored with some difficulty /.../ Through a small window other children, living in the shanty next to the ‘class’, stared at me with great curiosity”.

The above excerpt provides an example of the singularity of the NFE program sponsored by The Hunger Project, which, although certainly lacking adequate facilities, most likely constitutes the only alternative for the targeted children living in that shantytown.

On the other hand, the NFE program carried on by the Notre Dame College of Dhaka is very different. In it, 586 students attended night shifts in ten spacious classrooms, in a comfortable environment within the college itself, as referred by the head master. However, it was not uncommon to find a seven-year-old student and another one, twenty-five-year-old, enrolled in the same class due to the impracticability of subdividing students according to similar age group<sup>11</sup>.

A third example is the MPC sponsored by DAM, already mentioned in the previous paragraph, which differs from the other NFEs I visited in Dhaka for its community participation and economic empowerment of children’s parents or guardians. In that MPC about 25/30 children attended class seated on the floor in the only room available, books and teaching materials were freely provided, and activities were organized in an easy and pleasant way. Indeed, when I happened to take part in some games arranged

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<sup>11</sup> Rather than age, the fact to have some previous literacy competence or none was considered in order to subdivide students in several classes.

inside the classroom during the English lesson, I observed that:

“Standing in a circle, children would touch some parts of their own bodies (nose, hair, knee, ear) after the teacher pronounced the corresponding English term; every time a student was wrong, he or she had to sit down on the floor, till only one was left standing, and that was the winner”<sup>12</sup>.

In general, I felt in that particular institution that the teachers’ efforts to experiment with innovative teaching methods successfully contributed to create an informal atmosphere where not only children showed no fear of school, but seemed also to consider the teacher as a friend.

Indeed, although I was always aware of the various gatekeepers around the children, in that MPC I could enjoy a pleasant environment where no child reported that he/she was discriminated for his/her condition of child labourer.

While NFE programs, such as the one mentioned above, contribute to create “an atmosphere of an inclusive school” (Ashley, 2005:143), the process of learning and the curricula remain however too dependent on the memorization of a standard knowledge. With regard to this, it is assumed that:

“Knowledge gained from children’s experiences in their own environment is not valued. There is no encouragement for developing a critical mind, personal views or a creative thinking. /---/ Memory is intelligence. The distinction between ‘understanding’ and ‘memorizing’ may be emphasized at college and university, but not in school” (Blanchet, 2001: 151).

For instance, in the MPC sponsored by DAM, children used to play drama once a week at the time I was visiting and trying to interact with Ahmed, Masud or Khalid. The illustration below is an example of one history from a textbook<sup>13</sup> that they used to perform, and which they did perform specially for me during one of my visits to the school, on one of my last days in Dhaka.

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<sup>12</sup> This passage is quoted by my field diary, October 13, 2006.

<sup>13</sup> In this drama Masud and Khalid acted respectively as a patient and a doctor.



Figure 1.1 Cover of a textbook



Figure 1.2 Drama from the same textbook

On that occasion, I was particularly impressed by their ability in arranging the exhibition and their enthusiasm in acting in front of my camera and of the other children.

However, I noticed that teachers, for these occasions, used to ask them to represent histories learnt by memory from a textbook. While the children were not asked to contribute to the story, for instance by thinking of a personal ending for the drama performed, still I could witness in many cases their spontaneous creativity in finding simple solutions for the scenic representation, like when a child had the idea of using some old newspapers to “make up” a big belly for a doctor’s patient.

In general, NFE is a suitable alternative way to fight child labour. However, uncertainties and deficiencies remain and my impression is that neglected children such as Ahmed, Masud or Khalid deserve more structured interventions, especially considering the limitations of the NFE programs I visited and the particularities of the Bangladeshi context.

## 2.7 Hopeless Opportunities?

“State Parties recognise the right of the child to education, “...” they shall, in particular, (a) make primary education compulsory and available free to all ”(Art.28, 1. (a) CRC)

I already mentioned that Bangladeshi Constitution recognizes the right of all the children to primary education. Moreover, as stated above, article 28 of the CRC refers to such right establishing the need of free education for all. After having considered the theoretical and legal setting of the problem in Bangladesh, in this case study I have attempted to focus on the direct experience of working children undergoing NFE programs, observing them and interacting with them in a fully



respectful attitude, trying not to manipulate in any way their unique individuality, always aware of the specific and delicate environmental context of a country where the most common attitude is to consider wealthy middle-class children and deprived and neglected children two completely separate categories. Naturally, reality is certainly much more complex, and unfortunately such complexity is not always satisfactorily addressed by official interventions, especially in a nation like Bangladesh where, admittedly:

“/.../ the state machinery is not geared to providing services to the poor, let alone good teaching to the non-poor” (Blanchet, 2001:184).

It has been also argued that there is a special interest of the middle class in maintaining such a situation, where the “privileged” can easily dominate the “subservient class” without adequate education (Blanchet, 2001:180). I will not comment any longer on the reasons why the Bangladeshi educational system still has difficulties in achieving universal primary education, since that is not within the aim of this study; rather, it is relevant to emphasize how working children such as Ahmed, Masud or Khalid, even if not representative of all the working children, were highly motivated to study. Unfortunately, the limitations of the NFE programs analyzed could refrain them or their parents from considering continuing education a priority, and there is little doubt that dropping out of school at the end of the NFE program does not probably represent the best interest of the children, as previously showed in this study, and could be considered a partial failure of the programs themselves.

Indeed, as working children already have to make special sacrifices to be able to study, it is certainly specially difficult to motivate them and their families to go on supporting their studies in front of limited economic resources and of the poor quality of education provided. Learning how to read and how to write is certainly important, but it is not enough to change a child’s life, to allow a child to make informed choices about the future or to be protected from discrimination. Below, I quote some thoughts from my field diary:

“/.../ when I sketched an airplane or a rocket with a pencil, they (Ahmed, Masud or Khalid) went on and on asking me questions about space shift, the force of gravity and more generally about space. Knowing their interest for cars and motors, I really wondered if I was in the presence of two potential aerospace engineers, who would probably never accomplish their dreams. Such a doubt still troubles me”.

As mentioned earlier, these children did not know the real meaning of the term “engineer” so how could they aspire or even choose to become “an engineer” one day? However, their ambition was to be the owners of an auto shop some time in the future, but without an adequate education I doubt that they will have the chance to accomplish even that dream.

### **3. Conclusions**

The future of many young children in Bangladesh is determined in advance. Thus, a child who is engaged in working activities since an early age, probably has to renounce in the present to some of his/her fundamental rights, such as having the time to rest, to play or to study, and he or she will have less opportunities to change the course of his or her life in the future. Whenever working children have the chance to study, they most likely never have access to a good system of education. Education is the key to break a vicious circle where succeeding generations of fathers and sons, mothers and daughters are not able to change their present and future conditions and to enjoy freedom. Indeed, only by means of a good education vulnerable working children could aspire to acquire those intellectual and critical abilities that can allow them to make rational free choices in order to achieve their best interests.

Analyzing the particular context of working children in the slum areas in Dhaka where NFE is provided, however, I have found that the NFE programs investigated, while certainly realizing some improvement in the social conditions of the children, were not reconcilable with the principle of the best interests of the child as defined by the CRC. Even if the quality of the gathered data was negatively affected by the difficulties in getting access to the children, due to the various gatekeepers, I concluded that the NFE programs analyzed provided an education inadequate for the special needs of the children enrolled, who consequently were not able to make rational and unconstrained choices. While social mobilization or economic support provided by the same programs are important to increase enrolment rates, a good quality of the NFE programs is truly essential to give children satisfying guarantees to realize their best interests.

In a country like Bangladesh, the right of the child to receive an education and other fundamental rights are recognized by the Constitution, the laws and other legal instruments such as the CRC, as I have illustrated in this study. Though lacking a definition of child, I tried to give the highest consideration to the children I interviewed, paying particular attention to their individuality and giving account of their opinions. Thus, this study has tried to give some documentation of the educational problems of working children in Bangladesh, in order to contribute to the debate about the implementation of a general principle such as the best interests of the child and to address better the special needs of neglected working children, who are often still

invisible, notwithstanding the considerable presence of NGOs' programs in Bangladesh today.

## 4. Appendix

### 4.1 Appendix A: Statistical figures

**Figure a. Current status activity children aged 5 to 17 years by age group**

(Number in 000)

Activity status	Number				Percent			
	Total	5 – 9	10–14	15 –17	Total	5 – 9	10-14	15-17
No. of children	42387	18160	16903	7324	100.0	100.0	100.0	100.0
1. At work in economic activity	7423	284	4408	2731	17.5	1.6	26.1	37.3
- at work only	4988	171	2383	2433	11.8	0.9	14.1	33.2
- at work and at school	2435	113	2024	298	5.7	0.6	12.0	4.1
2. At school and not at work in economic activity	30898	14873	11962	4062	72.9	81.9	70.8	55.5
3. Neither at work nor at school	4067	3002	533	531	9.6	16.5	3.2	7.2
- Household chores	1075	332	322	421	2.5	1.8	1.9	5.7
- Others	2992	2670	212	110	7.1	14.7	1.3	1.5

Source: National Child Labour Survey, BBS, (2002-2003:52).

**Figure b. Children aged 5 to 17 years by current activity status and division**

(Number in 000)

Activity status	Total	Administrative division					
		Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet
No. of children	42387	3609	9228	11742	5298	9785	2725
1. At work in economic activity	7423	547	1471	2185	909	1793	518
- at work only	4988	349	1070	1507	572	1115	375
- at work and at school	2435	198	401	678	337	678	143
2. At school and not at work in economic activity	30898	2815	6848	8367	4007	7065	1795
3. Neither at work nor at school	4067	248	909	1189	381	927	412

Source: National Child Labour Survey, BBS, (2002-2003:53).

**Figure c. Child labour (current activity) by age group**

(Number in 000)

Gender and age group	Child population	Economically active children (EAC)	Child labour	Child labour as % of EAC	Child labour as % of child population
<b>5-17, total</b>	42387	7423	3179	42.8	7.5
Boys	22689	5471	2461	45.0	10.8
Girls	19698	1952	718	36.8	3.6
<b>05 – 14</b>					
Boys	18263	3372	1777	52.7	9.7
Girls	16800	1319	666	50.5	4.0

Source: National Child Labour Survey, BBS, (2002-2003:53).

**Figure d. Children aged 5 to 17 years currently attending school by age group.**

(Number in 000)

Sex and age group	Total Children		Attending, full-time		Attending, part-time		Not attending school	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Both sexes</b>								
Total	42387	100.0	31948	75.4	1384	3.3	9054	21.4
05-09	18160	100.0	14239	78.4	748	4.1	3174	17.5
10-14	16903	100.0	13575	80.3	411	2.4	2917	17.3
15-17	7324	100.0	4135	56.5	225	3.1	2964	40.5

Source: National Child Labour Survey, BBS, (2002-2003:41).

## 4.2 Appendix B

### Constitutional provisions and laws in Bangladesh

The Constitution of Bangladesh was adopted on November 1972, and it came into effect precisely on the first anniversary of the Independence Day<sup>14</sup>.

There are significant Constitutional provisions concerning children. These are: Directive Principles of State Policy: Articles 15, 17 and 25(1); Fundamental Rights: Articles 27, 28, 31, 32, and 39.

Specifically, articles 27, 28 and 31 of the Constitution postulated the defence of children and “any citizen” in general from all forms of discrimination. Indeed,

“.../no citizen shall, only on grounds of religion, race, caste, sex or place of birth, be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort or admission to any educational institution” Art. 28 (3).

For what regards Bangladeshi laws, some dated back to the nineteenth century.

Hence, the Penal Code, 1860, under section 90 established that consent was valid if given by a person at least older than 12 years of age.

Other laws to be mentioned were: The Divorce Act, 1869 concerning the maintenance, custody and education of minor; The Guardians and Wards Act 1890 regulating the appointment of a guardian of the minor or The Mines Act of 1923 prohibiting the employment of a child below 15 in a mine.

The Child Marriage Restraint Act, 1929 established the age of a child (above 16 years of age) eligible to be married with a male adult. Moreover, The Shops and Establishment Act, 1965 prohibited employment of children below 12 in shops and commercial activities. The syllabus encompassed many other laws such as the Children’s Act of 1974 and Children Rules of 1976 that were supposed to protect children from any cruelty or employment for begging and exploitation in general. The most recent law was The Cruelty to Women and Children Act of 1995 (reviewed in 2000) regarding the punishment for rape, trafficking and kidnapping of children.

However, most of these laws were concerned with protection rights rather than participation rights, according to Kamal Siddiqui (2003:8). In substance, these rights gave significant protection from known situations to which children were particularly exposed without

<sup>14</sup> In Bangladesh independence was declared on December 16, 1971.

guaranteeing active participation of the children in the decisions concerning their lives. Even worse, some laws such as the mentioned Children Act of 1974 remained unproductive due to lack of enforcement or internal contradictions.

### 4.3 Appendix C

#### Primary Education and NFE in Bangladesh

Declared compulsory after independence in 1971, primary education was enforced by law all over the country only in 1993 and in spite of that, about 6 million of children out of 35 million below fifteen years old did not attend school after a decade (BBS, 2002-2003). There are three main interventions to increase participation in primary education:

- a) Facilitating children to attend both work and school;
- b) Making basic education compulsory;
- c) Decreasing the cost to households of school attendance.

(Peter Fallon & Zafiris Tzannatos, 1998:10)

Interestingly, Bangladesh faced a proliferation of NFE programs implemented by various NGOs such as Bangladesh Rural Advancement Committee (BRAC), Dhaka Ahsania Mission (DAM) and Centre for Mass Education in Science (CMES) launching their Non-Formal Primary Education (NFPE) programs in the 1980s for underprivileged children.

The NFE programs conducted by NGOs and other organizations have generally been for children between the ages of 6 and 14. Children were divided by age in the following groups:

- Early childhood education (4-5 years);
- Non-formal primary education (6-10 years);
- Non-formal education for older children (11-14 years).

Furthermore, The Bangladeshi Government, UNICEF, United Nations Development Program (UNDP) financed an Integrated Non-Formal Education Program (INFEP) in 1992 for the implementation of NFE programs. According to the World Bank, in 1995 the INFEP program encompassed more than 120 NGOs. Among several NGOs, especially BRAC conducted the largest Non-Formal Education program, providing positive benefits for more than 1.1 million children (Samir R. Nath, Kathy Sylva & Janice Grimes, 1999:8). Its model, also replicated abroad, has been based on:

- Flexible school timing;
- Strong student-teacher relationships;
- Small class sizes;
- No homework, no exams;
- Participatory life-based curriculum.

BRAC is just one example provided to explain the importance of the flexibility so as to combine work and schooling in Bangladesh, a country where only the number of NFE schools increased to more than 40,000 over the last years (Nath, Sylva & Grimes, 1999:8).

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