



in our own backyard

THE HIDDEN PROBLEM OF
CHILD FARMWORKERS IN AMERICA
<http://www.ourownbackyard.org>

Part I: The Hidden Problem

Is There a Problem?

Some people think that the benefits of child labor justify its practice. This editorial by Peter Hansen explains why this view persists and argues against child labor

*Source: Farmworker Justice, 2007,
<http://www.fwjjustice.org/>*



If you're under 18, good luck getting a job this summer. You'll need it. A report from the National Center on Education and the Economy reveals that employment opportunities for the nation's youth have been steadily disappearing for the past year. While employment among all age groups declined 1.4% during the year 2001, for 16-19-year-olds it decreased by 9.3%.¹

Our *current* tight job market doesn't explain why employment levels for people under 18 have been low for over a *decade*. The rate of employment of 15- to 17-year-olds throughout the 1990s never came close to returning to the 1989 peak of about 40% in summer months (and around 27% in school months). And the figures for *that* banner year for youth employment aren't so impressive when compared with 1978 youth employment levels (around 44% in summer months and nearly 30% in school months).²

Is this a bad thing? Isn't "child labor" against the law or something? Are kids even supposed to be working?

Before the Fair Labor Standards Act of 1938, there was no federal law governing youth employment. Prior to the twentieth century, American children were generally expected to work, to help support their families and to avoid "idleness".³ Labor reformers pointed to youngsters' long hours in torturous and dangerous jobs when arguing for improved conditions for all workers, but, at the same time, fought to exclude children from the workplace, even as it became more humane. We do still allow kids to work, but only when and where adults want them to.

Our society has a schizophrenic attitude toward the dependence of youth. On the one hand, we believe that a good child *is* a dependent one, that a child's job is to accept the support and education provided by their parents and the government, to aspire to no more than good grades, and to stay out of trouble. To a child with higher goals than that, we say "wait until you're older." On the other hand, the kind of de-pendence in which children are forced to live is roundly denounced by society; it is degrading, a sign of a character flaw. And we do judge children by their dependence, reproaching them with it even as we make sure they cannot escape from it. We label them "unready" while denying them the opportunities to prove otherwise.

Our grandparents used to reproach *their* kids by telling them of the hardships and toil they endured "when I was your age." The *current* generation of parents, far less likely to have experienced actual hard labor in their youth, can always fall back on the tried and true "As long as you're living under my roof, as long as I'm supporting you, you will follow my rules." This is one way of saying "obey me" and trying to justify the demand at the same time. But it sends another message to the kid: you are worthless, you are a burden, and the only way you can even begin to repay my *charity* to you is with your obedience and your gratitude.

A steady, full-time job often increases a person's sense of self-worth. With a job, one is useful, responsible, depended upon. As a worker, one contributes to something larger than oneself, and experiences the interdependence of a team. At the same time, a steady job that allows an employee to be self-supporting provides a feeling of *independence*.

But independence is just what adults seem to want to *discourage* in kids. Although there are plenty of advocates for jobs for youth, they want these opportunities to be provided via special

programs for youth, where they will be evaluated, supervised, specially trained, “matched” and “placed” in a “job environment”, continually monitored—in short, where they will experience none of the self-reliance and autonomy that accompanies a good job experience.

Our schizophrenic view of “child labor” is evident in the federal laws which govern it. There are no federal restrictions on the hours a 16-year-old may work (although many states have their own restrictions), but they cannot operate most machinery or drive motor vehicles on the job. Kids of 14 and 15 are banned from most non-agricultural jobs other than in retail stores or restaurants, and the hours they may work are severely limited. While kids under 14 are forbidden to do any paid work other than newspaper delivery, babysitting and yard work arrangements, exceptions are made for jobs in the performing arts, as well as for seasonal crop harvesting.⁴ (For the past few years, Senator Arlen Specter has pushed for another exception, to allow Amish children to use power saws and other machinery in their parents’ woodshops.)

It’s hard to see how these restrictions and exceptions serve to benefit the people to whom they apply. Children of actors or “stage mamas” are likely to be thrust into careers in performing, whether or not this suits their personalities or needs. Children on farmlands are likely to do a lot of hard work and gain a great deal of experience in farm chores at an early age, but are prevented from trying out other types of work. Poor rural or migrant children are still found laboring in the fields, harvesting crops for the lowest of wages. The typical suburban youth may find a job in a local restaurant or store, and typical urban youth, especially those in economically depressed areas, are unlikely to find any job at all. According to statistics from the Department of Labor, kids from the poorest families (who probably need jobs the most) are *least* likely to be employed,⁵ possibly because they live in neighborhoods where jobs are scarcest. None (except some of the child performers) are able to work enough hours or earn high enough wages to be independent or self-sufficient. The “youth minimum wage” of \$4.25 per hour (the federal minimum wage is \$5.15) during the first 90 days of employment helps make sure of that.⁶

In this land of opportunity, where we claim to care about giving everyone a fair shake and “leaving no child behind”, it seems that the laws governing youth employment operate primarily to maintain the class divisions in our society, to ensure that the children born into a certain class remain in it for life. The exceptions to the laws seem designed to benefit certain industries and communities, or the children’s parents, but not the children themselves.

But, you may ask, isn’t that what public schools and compulsory education laws are for—to make sure all kids get exposed to alternatives and receive an education that will make them well-rounded and capable of choosing their own paths in life? That may be what schools are *intended* to do (although one might easily believe that they were established solely to remove children from the labor market and train them for the jobs influential businessmen wanted them to fill), but in fact schools do little to level the playing field among the different classes in our society. Schools in poor communities tend to prepare students for minimal level employment, expecting little from them, focusing on maintaining order and discipline. Students in wealthier areas and college towns are expected to be college-bound, and the education they receive fits that expectation. The children of upper class families, of course, are sent to exclusive private schools.

But the main factor in determining the success of a child is the parents and home environment. It is impossible for any school to overcome the influence of living in squalor, surrounded by poverty and hopelessness. For someone in that situation, earning a paycheck

is something real that can make a difference; attending school teaches no trade and promises benefits that are uncertain and many years away.

International human rights groups are now trying to abolish child labor around the world, often without considering the consequences for the young workers who will lose their jobs. Free schools may not exist in their country, or may provide only the most basic level of education (for example, public schools in Bangladesh only go up to the fifth grade). At any rate, the schools will not pay them wages to attend, and hunger can certainly make it hard to learn. Some may turn to prostitution or crime. If they survive and stay out of prison, they'll eventually re-enter the work force (perhaps having lost the opportunity for a promotion to a higher position) and may discover that the same old textile factory they left years before, deprived of its child labor force, now hires adults, and offers the only jobs available to them with their paltry education. In countries that banned child labor in response to international pressure, many of the jobless children find it hard to understand how or why people thought these laws would help them.⁷

Before *our* society outlawed “sweatshops,” many people—children and adults—were glad to take those arduous jobs because the alternative was destitution and possibly starvation. Few children are in danger of starving in the United States today, but we must still consider the situation our laws create for many children in this country. They may be living in poverty; we leave them powerless to help themselves or their families. They may be poor students for whom school, year after year, provides confirmation of their inferiority; we give them no other options. They may be gifted or talented individuals, eager to put their abilities to use; we make them wait.

Now that regulations ensure better working conditions for all, there's no sense in associating “child labor” with “sweatshops” or exploitation. If we truly wish to “leave no child behind” in this country, we must allow children the freedom to have alternatives, the freedom to choose their own best path, the freedom to work.

1. National Center on Education and the Economy. *The national economic recession and its impacts on employment among the nation's young adults (16-24 years old): the untold story of rising youth joblessness*. Washington, D.C. : the Center, 2002

<<http://www.nyec.org/YouthPapermarch2002.pdf>>, p. 2.

2. U.S. Dept. of Labor. *Report on the youth labor force*. Rev. Washington, D.C. :the Dept., 2000 <<http://www.bls.gov/opub/rylf/rylfhome.htm#Preface>>, p. 32.

3. Ibid, p. 3.

4. Ibid, p. 5.

5. Ibid, p. 33.

6. *An overview of federal child labor laws*,

<<http://www.stopchildlabor.org/USchildlabor/childlaborUS.htm>>.

7. Alam, Shahidul. “Efforts to ban goods made by children are counterproductive”, in *Child labor and sweatshops*. (At issue series.) San Diego, Calif. : Greenhaven Press, 1999.