

Child Labour in Zimbabwe and the Rights of the Child *

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ABSTRACT

Child labour in Zimbabwe can be found on large scale farms, in the peasant sector, in formal domestic employment, in the small scale industries of the informal sector, in contract work in some industries, and in 'street' jobs. The real extent of child labour in each of these sectors is unknown, and the conditions under which children work have not been documented in any detail. The reasons for the presence of child labour, and the conditions under which they work, are at odds with the rights of children outlined in the Draft UN Convention on the Rights of the Child, and will persist while society and the economy continue to generate extremes of poverty and wealth.

Introduction

The first United Nations (UN) Convention on the rights of the child was adopted in 1919, over 70 years ago. It fixed a minimum age of 14 for admission into employment in industry. This UN limit has since been revised upwards to 18 years, but in Zimbabwe today, as in many underdeveloped countries, there are still many children below the 1919 limit of 14 years in formal and informal employment. Children work in tiring, hazardous jobs for little or no pay, and their participation in the workforce is not formally recognised, either in planning or in law. The Central Statistical Office (CSO) (1988), for example, divides the population into adults over 15 years and children under 15 and draws its labour force data only from the adult population. It admits that "many children under 15 participate actively in working life," but states that "there are no reliable estimates of the number of children involved" (CSO, 1988).

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What is child labour?

There are some who say that child labour today is a natural extension of what children have always done in Zimbabwean society. In the pre-colonial period, children from peasant households were involved in family production and domestic work from an early age. Traditionally, children looked after cattle, foraged for food, looked after younger children and worked in family fields. This past practice has often been used to justify the continued existence of child labour. The fact that children were socialised towards playing a productive role in society has been used to make the role of children as workers more acceptable. But this view ignores two main issues. Firstly, pre-colonial child labour carried risks to child health and development. These included infections from animals, over-exposure to harsh climates, and muscle and body strain from work practices and tools. Although today there is the knowledge and means to avoid such hazards, many are still a feature of children's work. Secondly, there is a clear difference between the family labour of a century ago and peasant labour of today. Children now are often brought in to replace, and not supplement, adult male labour away working in mines, farms and factories. Landlessness and poverty produce the conditions of child employment today, and many children work not for their own family but for the wealth of a private employer. The great differences between labour in the 1890's and the 1990's means that a pre-colonial tradition of children's work cannot be used to justify their involvement in formal or informal sector employment today.

The new philosophy of 'education with production' has also been raised as an 'honourable' form of child labour, as it involves children in learning through work. It locates production very firmly in an educational context. However, education with production has also been used as a 'catchword' to explain the use of child labour in cotton picking and other farm work in the large scale farm sector. Here children are paid almost nothing to work under harsh conditions, picking a crop that reaps a rich reward for the employer. There is nothing 'educational' about such work except an education in exploitation.

Child labour is *not* the brief involvement of children in work, to support the learning process, during a structured school programme. It is *not* children helping their own family with domestic chores for a relatively brief period in the day. It is the premature involvement of children in adult forms of labour, working for long hours, usually under harsh conditions. Children who are often deprived of meaningful educational and training opportunities.

In Zimbabwe today child labour is usually found in a number of sectors: on large scale farms, in the peasant sector, in formal domestic employment, in the small scale industries of the informal sector, in contract work in some industries, and in 'street' jobs. The real extent of child labour in each of these sectors is

unknown, neither have the conditions under which children work been documented in any detail. For a nation that has put so much emphasis on child health, child care and the educational development of children, little attention has been directed at exposing and dealing with the experiences of children as workers. In this year of the UN Convention on the Rights of the Child (1990), it is important to be even more active in defining the extent to which current practices of child labour deprive children of their fundamental rights, and to take appropriate action. Children have no trade union, no parliamentarians, no movement in which they speak for themselves. The 23rd February movement (an organisation for young children in Zimbabwe) does not meet to negotiate for improved conditions for children or to bargain for the abolition of child labour. Children in society rely heavily on what adults do in their interest, and in the area of child labour very little has been done.

A closer look at the problem

This section will look more closely at some forms of child labour in Zimbabwe.

Children in the large scale farm sector

Children on large scale farms are already victims of their parents' employment and economic insecurity. About two million people live in large scale farming areas. Surveys indicate that there are about 2,5 to 3,5 children per household (or 51-64% of household members). With a 1982 estimate of 1,57 million people on farms this would imply a conservative estimate of 800 000 children on large scale farms (CSO, 1985). The most recent survey (February 1990) in one large scale farming area in Mashonaland Central province indicated that one in every eleven children over the age of five years had done some form of labour in the employer's fields in the past year (Loewenson *et al*, 1990). With about half the children on farms between 5 and 15 years of age, this would imply that about 35 000 children work at some point for the large scale landowners. This figure may over estimate (or underestimate) the extent of the problem, depending on how much more common child labour is in Mashonaland Central than in other provinces. However, the number is sufficiently large to indicate that the issue is not about a few hundred unfortunate children, but a major form of employment in Zimbabwe, temporary and unrecognised as it may be.

It may be best to describe the work these children do in their own words (from essays written by children on farms in Mashonaland Central and West):

"There are two works for me to do on the farm: one for weeding and the second is picking cotton ... Out of this work we will have our own money. If we do the work properly we will have a bonus for thanks."

"During the summer I work in the fields as a general labourer replacing cotton where the first ones died. I also work pruning tobacco During the winter I usually work in the fields to cut the soyabeans and thresh them. This work is not easy, but has more money. I also pick cotton When I work harvesting maize the employer pays three dollars per bag".

These tasks in the employers fields are not all that farm children do:

"During my spare time I also do housework. I mostly help my parents to do work such as digging in the garden. I go in the bush to fetch firewood. I also clean the toilets and sweep the yard while my sister is away helping my mother in the fields. During my spare time I fetch mice or go fishing, because on the farm meat and vegetables are hard to get since my father earns very little."

The children's essays on their own lives reveal many aspects of their labour on farms. With minimum wage levels only about 54% of the Poverty Datum line, large scale farm households are in a constant struggle for survival. About a third of households have only non permanent labour, some getting only a few months of contract work in the year. These brief periods of non permanent labour (cotton picking, weeding, harvesting, and so on) provide a limited chance to earn money, so that women and children are all brought into the employer's fields to work (Loewenson, 1989).

Contract labour is generally done on a task-wage (payment per task) or piece-wage (payment per output) system. Male workers recruit women to increase output and women recruit children, so that an employer formally employing and paying one person may actually be paying for the labour of three or more! Children are also directly employed, doing adult labour for 'child' wages. Children picking coffee, for example, are paid 5-7c for each kilogramme picked. While they could earn up to \$10-12 a week, many children in one study claimed to earn as little as \$1 a day (Sachikonye, 1989).

Farm employment involves many hazards. Chemicals on recently sprayed crops can cause immediate and longer term poisoning. The General Agricultural and Plantation Workers Union (GAPWUZ) report that children picking coffee with pesticide residues suffer eye problems. Children working in tea picking are scratched from the bushes and get ulcerations on their hands and legs (Sachikonye, 1989). Child labourers on farms are likely to suffer back problems from long hours of bending or standing, or from lifting heavy objects. They also face the risks of tractor and other vehicle accidents and of respiratory diseases, such as asthma, from working in dusty areas (such as in vegetable and tobacco sorting).

When adults and older children are out doing piece work, small children take on household tasks like carrying heavy containers of water, collecting firewood and looking after even smaller children. Relying on children to do basic domestic

tasks is reported by workers to result in a reduction in water collection, poor food preparation, fewer visits to clinics, and lack of adequate care for young children (Loewenson, 1989).

The use of farm schools as an accessible source of cheap labour has contributed to the persistence of many unregistered schools in farming areas, depriving farm children of Ministry of Education support in the form of qualified teachers, teaching resources and guidance on curricula. Farm schools sometimes crowd five or six grades into one room (which sometimes also doubles as the beer hall), with one untrained teacher (who may also be recruited as labour in peak seasons). There are usually no school books, no library books and no resource materials. Children lack any real stimulation and few will ever reach or get access to secondary school, giving them little choice but to join the pool of unskilled and often unemployed labour. This directly contradicts their parents and their own aspirations for them. In a 1985/6 survey, parents expressed the hope that their children would get a good job as a way out of the depressing fate of being a farmworker, while children expressed their desire to be doctors, teachers, nurses or clerks. Yet in ten years of teaching at the University of Zimbabwe, almost none of the hundreds of university students taught by the author came from worker households on the large scale farms. These children are deprived of the means, and thus the right, to pursue the education and employment to which they aspire.

Child labour earnings are often used to pay for school fees and books and uniforms, as well as to supplement below poverty household incomes. According to a local newspaper report (*Herald*, January 1985), for example, 110 secondary school pupils at a school on one large scale farm were paying for their education by working for the farmer who owned the school. The school was registered as a 'study group' and officially permitted to have 65 pupils, but had in fact expanded to 211 pupils from Grade One to Form Two. The paper reported that the students were split into two groups (*Herald*, 1/4/85):

"One group works the fields from 7.00 am to 11.30 am while the other group attends classes. The second group is required to do work between 2 and 5 pm after having attended their lessons in the morning".

The farmer defended his employment of child labour:

"Work is the best medicine for everything and all I do is make the children feel responsible because there is nothing for nothing."

Children on large scale farms have been suspended from attending school for refusing to work for the landowners (*Herald*, 9/7/85).

With the perceived rising cost of permanent labour and the demand for labour during seasonal employment peaks, the use of child labour appears to have increased in some areas, and appears to reach its most intense levels during the cotton harvest. Cotton picking has always presented a crisis of demand for seasonal

labour, with several hundred thousand additional workers required for about six weeks of picking timed precisely to avoid overripening of the crop. The low piece wage offered (about 6c per kg in 1988) and relatively harsh conditions have discouraged unemployed labour from doing this work.

With the worsening security situation of 1987/8 on the eastern borders of Zimbabwe (due to the South African sponsored MNR bandits), and the prohibition of employment of Mozambican migrants, there was an urgent demand for about 16 000 cotton pickers. When this labour was not forthcoming, the Minister of Agriculture appealed to the "patriotic instincts" of Zimbabweans to pick cotton as a matter of "national duty" (*Herald*, 1/6/88). Finally, the Ministry of Youth, Sport and Culture recruited youth and the Ministry of Education gave an extra week of holidays to children in the south eastern Middle Save area to enable them to pick cotton, deploying education officers to recruit children to assist in the harvest. The Minister of Education was reported as saying (*Herald*, 1/6/84):

"Children already do a lot of work, and as long as there is no exploitation they can benefit a lot from involvement in production."

It is, however, clear that in the context of high adult unemployment, the lack of legal controls and enforcement of safe working conditions and poor rates of pay for child workers, it is not possible to say that this labour is free of exploitation. These conditions have caused the union to call for the abolition on large scale farms of formal sector child labour and an improvement in the conditions of adult employment.

Child labour in the domestic sector

There are about 100 000 domestic workers formally employed in Zimbabwe at present. There are probably many more not acknowledged as formally employed, whose wages often fall well below the minimum. Children are included in both formally and informally employed domestic labour, although more often the latter. The Zimbabwe Domestic and Allied Workers' Union (ZDAWU) has reported that child domestic workers work for long hours and are responsible for keeping the house clean, for care of small children, for cooking meals, and for laundry and other household tasks. Many receive wages of only Z\$25 to Z\$30 per month (Sachikonye, 1989). Some of these child workers are employed by working class families who are minimum wage earners themselves, and do not have access to affordable child care facilities. In other cases poor relatives (often rural) put their children into richer relatives' households as unpaid labour in exchange for accommodation and food. This may be seen to have immediate benefits for the children, but the long hours, poor working conditions, and social impoverishment of these children make this a poor excuse for cheap labour.

Child domestic workers suffer poor conditions and job insecurity with little effective protection. ZDAWU carried out a study of occupational health conditions in the sector and found that, although not effectively covered by occupational health legislation or compensation, domestic workers were exposed to many workplace hazards (ZDAWU and Loewenson, 1985). Child labour would be even more at risk of such workplace problems. Their small bodies should not lift heavy loads, and chemicals used in domestic work (cleaners, pesticides etc) are more toxic to children and require smaller doses for poisoning, particularly given the likelihood of child malnutrition. Children looking after other children are at risk of contracting infectious diseases. There is also evidence of child abuse in the sector, particularly of older girls who have been reported to be subjected to sexual harassment by male employers (quoted in Sachikonye, 1989).

While the victim is always the child, the oppressor is not only the employer. Working class families below the breadline with both parents employed have little access to more acceptable forms of child care. Working women are also oppressed by the demand to do formal sector and domestic work and try to shift the load. Poor households who can no longer afford food, education and child health care fees see 'hiring out' their children as workers as the only means to economic survival. The role of the state is thus not simply to pass laws prohibiting these forms of labour but to ensure the provision of alternatives, including affordable child care facilities, free education and health care for those who cannot afford to pay for this, social security benefits for children in economic need, and the struggle for an economy in which these forms of social and economic poverty are eliminated.

Child labour in the informal sector

The extent of child labour in the informal sector is also unmeasured, and the nature and conditions of employment largely undocumented. Informal sector employment has not been regulated by laws governing labour relations, working conditions and occupational health, although the recently gazetted SI 68 1990 (Workers Compensation and Accident Prevention Scheme Notice) provides for safety committees and safety policies at *all* workplaces. The informal sector has low levels of capital investment, narrow profit margins and inadequate infrastructures (Moyo *et al*, 1984). There are often no defined workplaces or contracts of employment. Formal sector industries may contract out labour to domestic based workplaces, where the extent of involvement of child labour is unknown. Hence, little is known about the real picture of informal sector child labour.

In one study of informal sector child labour (Sachikonye, 1989), children between 9 and 13 years were involved mainly in petty trading of vegetables, fruit and groundnuts in markets. The children worked for 9 to 12 hours a day, and only a third attended school. Most of these children worked in unfavourable conditions,

in temporary roadside stalls or the open air. Many complained of headaches, colds and malaria. Some children sold wares in beerhalls, where they were at risk of violent behaviour and even sexual harassment.

Children have become increasingly involved as 'street' children in various small services (eg washing and looking after cars). A study was carried out in December 1988 in the greater Harare area, by the Zimbabwe Council for the Welfare of Children, to obtain information on the situation of these 'street children'. About 17% of the 200 interviewees were less than 6 years old. Older girls were selling cooked foods, collecting refuse for reuse and were alleged to be involved in prostitution. Boys, who made up 70% of the street children, guarded and washed motor vehicles, carried shopping goods, sold fruit, sweets and cigarettes, recovered scrap metal, and made scrap metal toys. Over half the children (60%) said they were on the streets because of poverty, another 20% were influenced by their parents (often unemployed), while abuse at home, peer influence, or self motivation, were also given as causes.

Almost half the children worked for themselves, the rest working for an unspecified 'group' or for their parents. Half earned under \$5 a day, another fifth earned \$6-\$10 a day and almost all earned under \$20 a day. The highest earners were the vendors. Most children used the money they earned to buy food (33%), clothing (33%), or to pay school fees (13%). The street children had thus personally taken on responsibilities that their parents were not able to meet.

These children have not been protected by the state, but have instead been victims of police harassment. Their activities are illegal under the Children's Protection and Adoption Act (1972). One third had been fined and had their wares confiscated by the police, despite the importance of their activities to household earnings. The law, which turns a blind eye to many formal sector employers who do not provide safe working conditions, falls heavily on these small workers struggling to survive. Children pay \$15 fines as admission of guilt, a serious loss in earnings, but immediately resume the activities, which are essential to their survival. They regard the police with fear, and the current practice of harassment, which defines the children as criminals and breeds hostility towards the police, appears to have achieved little in solving the causes of these 'illegal' activities.

Children are involved in other informal sector activities: welding, door frame manufacture, fence and tin making, basketry, carpentry, and bicycle repair. These children, many of whom no longer attend school, earn less than the minimum wage, with monthly wages ranging from about \$30 to \$95. Some are not paid anything because they are seen to be 'in training' (Sachikonye, 1989). Many are working in hazardous jobs. Although child welders were rarely below the age of 16 years, this is a highly hazardous occupation which should not be undertaken by anyone under the age of 18 years. It carries serious health risks, including eye injury, burns and

respiratory and nervous disease from metal fumes. Children in metal working are at risk of traumatic injury, with many children in Sachikonye's study observed to have cuts, wounds and scars of previous injury.

Children have also turned to prostitution as one form of informal sector employment. Newspaper reports have reported the recruitment of young men into brothels for the homosexual market, while young girls have been found in brothels in many parts of the city. Children in these activities are at risk of sexually transmitted diseases. The 1989 City Health Department Report noted that STD's occurred in children as young as 14 years. This also implies a risk of HIV/AIDS infection in this age group, which can be a focus for the spread of the epidemic to a much younger age group than at present. Many of these children do not take the earnings themselves. The sale of child bodies often benefits a brothel keeper, who appropriates most of the earnings and keeps the children in impoverished dependency. Although the Children's Protection and Adoption Act makes these activities illegal, very few brothel keepers have been prosecuted.

The link between the formal and informal sectors in child labour has already been referred to, in relation to contracting out of work and in formal sector parent employers bringing their children to assist in piece wage work. There are many other examples. Children used as labour on informal sector small mine workings have directly benefited larger formal sector concerns. In December 1984, for example, the then Minister of Labour reported that purchasing contracts between middlemen for large mining concerns and small workers in Darwendale and Mutoroshanga set prices so low that women and children were drafted in to increase output. The chrome, for which the small mine workers were paid \$12 per ton, was resold to large mines for \$44 per ton. The children who worked to produce the 300% profits for these speculators lacked safe working conditions, monitoring of work hazards, and protective clothing.

Legal protection of child labour

These examples are not exhaustive of the extent and nature of child labour, but they indicate that there is a need to investigate and expose the still hidden nature of the problem. The law in Zimbabwe affords little protection to child workers. Up to 1979, Section 11 of the Children's Protection and Adoption Act prohibited any person from employing a child for gain or reward, but this law was poorly enforced, enabling the unofficial employment of children. This section has since been repealed and the current Labour Relations Act (1985) does not explicitly make the employment of children illegal. It only states that employers cannot enforce their rights against child labour (eg by demanding that children do tasks they do not want to do). Children can, however, enforce their contracts against employers.

Children are thus governed by the same laws that affect adult workers. In relation to safe working environments the law is still poor, particularly in the sectors where children are employed. The Factories and Works Act, which specifies many workplace conditions, does not cover agriculture, domestic and mining sector workplaces, or those employing less than five workers, as in most of the informal sector. The new workers compensation and accident prevention scheme notice does cover all private sector workplaces, but there are few defined workplace standards, leaving hazards such as chemicals, dust, heat, diseases carried by animals, heavy weights and work posture, largely unregulated. There are no prescribed health services at workplaces and no prescribed procedures that employers have to obey to make the workplace safe.

Even where standards do exist, children, who are often 'invisible employees', are not acknowledged in designing a workplace, so they use equipment too large for them, get no training in their work, are not represented in any negotiating structures, get no protective clothing, and no compensation for injury. It is probable that there has not been a single case of an injured child claiming worker's compensation in the past year, despite the possible injuries described earlier. Children suffering chronic diseases, exposed to hazards from an early age, may develop cancer, lung disease or other health problems in adulthood. They would have no record of their employment and may not even remember in which contract job they were exposed to the hazard, many years ago. This leaves the child, now an adult, paying the full cost of workplace disease incurred in childhood. Both law and practice provide no special attempt to ensure that this vulnerable group of workers has access to medical services, to special workplace conditions, to adequate information, to protection, education and other social inputs, and so on.

Protection of children's rights and child labour

The situation described in this paper can be compared to the basic Rights of the Child outlined in the UN Convention on the Rights of the Child and the African Draft Charter on the Rights of the Child. To what extent does the current practice of child labour defend or deny those rights?

- * Despite the improvement in health and health services in Zimbabwe in general, children from large scale farm areas and from the urban poor continue to have higher rates of malnutrition and ill health. This undermines their *right to survival and development* (Loewenson, 1986; Mazur and Sanders, 1988; UN Convention, Article 6).
- * While education has expanded greatly in Zimbabwe, many schools on farms are below standard. In all areas, the dropout rate in both primary and secondary education is increasing, and evidence from studies quoted in this

paper suggest that poor households are not able to meet school levies, or withdraw children to contribute to household income. These children, and those in unregistered farm schools, are deprived of the *right to adequate education* (Article 28).

- * Health services have also expanded in Zimbabwe, and access to child health care significantly improved. However, areas of child labour (eg large scale farming areas, the urban poor) have poorer access to health care because of a lack of facilities, lack of money for transport and fees, or the conflict between working and attending health services. This effectively undermines these children's *right to adequate health care* (Article 24).
- * Children from economically insecure households (the informal sector, unemployed) still fall outside the catchment of formal social security schemes and are deprived both individually and at the household level of the *right to social security* (Article 26).
- * Children from impoverished households lack the collective stimulation of schools and are often deprived of access to media, culture, recreational, and sporting facilities. Football fields for children on farms consist of a grass patch with potholes and a homemade ball. Toys are made of wire and refuse, musical instruments of old polish tins and fishing line. While this is evidence of the great initiative and creativity that exists in these deprived communities, the poverty of culture stunts child development and thus deprives children of their *right to free expression, information, thought, conscience and religion* (Articles 13, 14 and 17).
- * As described earlier, children working in farm, informal sector, domestic and other employment are deprived of the *right to freedom from economic exploitation and from hazardous employment or labour that interferes with their education and development* (Article 32).

What can be done?

Children's rights will continue to be denied as long as our economy generates extremes of wealth and poverty, wastes productive labour, and produces contrasts of a highly resourced social and cultural environment for the rich and social poverty for the poor. These economic conditions will continue to generate the imperatives that force child labour, whatever laws are passed or conventions ratified.

The current legal and social conditions, however, make it too easy for child labour to be exploited. The state dedicates a lot of energy to punishing the victims, energy that could well be directed at protecting them. The current trend towards increased costs to users of social services, such as education and health, limits access in those who are least able to afford it. There is evidence to indicate that the

1980 goals of equity (Growth with Equity, 1981) are seriously eroded by fees, levies and other costs applied across the board. For example, the limit set for free health care in 1980 (Z\$150) has not been revised to meet inflation, and the same fee applies in practice whether someone is earning Z\$151 or Z\$15 000 a month! If children are not to be deprived of these essential services mechanisms of charging the wealthy and providing to the poor must be sought. For households below poverty incomes, demanding payment for such essential services is equivalent to denial of the right to those services.

According to ILO Convention 138 of 1973, national policy should aim at progressively raising the minimum age of child employment, towards an age consistent with the full development of children, suggested as 18 years. The Minimum Age Recommendation (1973) calls for attention to be paid to the promotion of urban/rural employment, the alleviation of poverty, and the development of social security, education and other facilities for the protection and welfare of children.

Some questions that need to be asked in Zimbabwe today are:

Should child labour be abolished in Zimbabwe? What controls should be effected and how?

How can the underlying conditions that produce child labour be addressed?

What social and economic inputs are needed (directed at which communities) to ensure the fulfilment of children's rights to education, health care, information, culture, etc? Who should pay for and provide these inputs?

What legal provisions do we need to ensure the rights of children and how can these be enforced?

Who will take up the struggle of children at work?

This last question particularly needs elaboration. It is not an accident that so little is known about child labour, and that there has been so little exposure of the problem. Employers do not want to acknowledge that they are employing child labour, and so they are quiet. Workers and parents, trapped in a desperate economic situation that children help to relieve, do not want to threaten this small income and so they are quiet. Unions do not negotiate for improved conditions for children as they do not want to be seen as legitimising a form of labour they want abolished, so they are quiet. The state does not have a clear policy on child labour, endorsing (and using) it sometimes and rejecting it at others, so they are quiet. The children do not know that there is any other option and have no organisation to speak through, and so they are quiet.

If we are to change the unacceptable conditions of child labour it is time to break the silence.

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