CHAPTER ONE

1　Child labour in Ghana

1.1　Introducing the problem:

"I was about thirteen years old when I was taken to Cote D'Ivoire by one Mr. William Tetteh. I was then attending school at New Ningo before leaving. My uncle took me away to follow him to fishing without the knowledge of my parents. I spent about two years with him when I decided to stop because the maltreatment was too much for me".

World attention seems to have turned to child labour as a major social and global problem over the past decades. While child labour is an old phenomenon[1], international campaigns against child labour seem to receive more, and more concerted support than ever before. However, some researchers and scholars have argued that child work in itself is not harmful to children and that it is more the hazardous conditions under which these children are employed that is detrimental to their health, school and overall development.

Ghana is generally perceived to be one of the countries that struggles most with child labour. Child labour on cocoa farms and plantations in Ghana and the Ivory Coast has received worldwide criticism in recent years. Some organisations in developed countries have even run campaigns with demands to label chocolates from well-known corporations as "made by child- slaves" and demand bans on cocoa imports from these countries. Over the past decade, Ghana has, it seems developed both legislation as well as policy aimed at fighting the problem of child labour. In spite of these initiatives by the government, child labour continues to be on the rise. So why is it that the legislation and policy seem to have had limited effect?

According to Burra (1997), child labour can be viewed from a variety of perspectives: as a labour law issue and as a question of compulsory education and a developmental agenda associated with poverty. Child labour is in the most fundamental sense a human rights issue Children's rights, as set in both international standards, as well as Ghanaian legislation, gives children the legal guarantee to sufficient health care, survival, education, a caring family environment, protection from exploitation, and the right to be heard.

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[1] According to Grimsrud and Melchior (1997), child labour has been an important part in the industrialization process of what we see today as the world's developed countries. The industrial revolution in Britain in the 1800s saw an increase in the use of children as labourers in coalmines and textile factories with long-term consequences for their health and development.[1]

This thesis seeks to provide some critical perspectives on whether these rights are fulfilled. I will look at child labour and in particular the worst forms of child labour, with particular emphasis on Ghana. The main questions addressed in this study are:

a) What does child labour in Ghana entail?

b) What steps have the government of Ghana and other international and national NGOs taken in a bid to address this problem?

c) What can be done to remove the impediments to the realization and enforcement of children's rights in Ghana?

The objectives of the study are to provide country-specific information on the dimensions and trends of child labour in Ghana. One of the worst forms of child labour that occurs in Ghana is the trafficking of children. This thesis will examine the causes of these problems; examine international and national legal obligations affecting (working) children, and how these have led to the protection of the rights of children or otherwise; assess the role of government, international and national NGOs in upholding these rights, and finally, recommend appropriate measures.

1.2   Human rights and child labour

It is important to note that whiles children in developed economies may engage in work, they often only perform minor tasks in the household to assist their parents, or to enable them buy luxury items such as toys and gifts for friends. They do attend school, and help at home after they have closed from school.

For many children across the developing world, however, work continues to be a nightmare, depriving them of basic education, serving as a source of exploitation and anguish and a fundamental abuse of human rights. Work at such early age also leaves children in poor health and poor physical development. However, as opined by Bequele and Boyden (1988), child work can be a salient factor in the maturation process, ensuring the transition from childhood to adulthood; it can also be a good source of family survival. Dessy and Pallage (2005) argue that a complete ban on the worst forms of child labour in developing countries is not good for the countries in question, as child labour plays an economic role by enabling human capital accumulation in poor countries.

215 million children are estimated to be engaged in economic activity worldwide, of whom 115 undertake work that is hazardous to their health (ILO Global Report 2010). According to the ILO, the vast numbers of children perform work that is damaging to their mental, physical and emotional development; its estimates indicate that "nearly three-quarters of working

children are engaged in the worst forms of child labour which includes trafficking, armed conflict, slavery, sexual exploitation and hazardous work" (Article 3, ILO Conventions on the Worst Forms of Child Labour, 1999).[2]

With child labour dating back to the industrial revolution, an attempt was made by the international community to put an end to child labour already at the first session of the International Labour Organisation (ILO) in 1919. The minimum age for admission of children to industrial employment was set at fourteen.[3] Only later were the conventions developed to set more structure and authority to the ILO proceedings in this area. The ILO explains child labour to mean "any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons who are less than 18 years" (Article 3(1), ILO Minimum Age Convention, 1973). Particular attention has been given from the beginning to work that is hazardous to children's physical, mental and moral well being of the child as well as for preventing effective schooling.[4] Two articles in the 1973 Convention are particularly important:

- Article 2(3) of the Minimum Age Convention of 1973 (Convention 138) gives as the minimum age of admission of any child to employment not to be less than the age of completion of compulsory schooling, which is 15 years.
- Article 2(4) which recognises that a member whose economy and educational facilities are not sufficiently developed may, after consultation with the organisations of employers and workers concerned, specify a minimum age of 14 years.

Child labour is different from 'light work'. Article 7(1) of the ILO Convention on the Minimum Age for Employment defines light work as any type of work "which is not likely to be harmful to the child's health or development, and not such as to prejudice their school attendance, and their capacity to benefit from the instruction received".

Worst Forms of Child Labour: Article 3 of the ILO Convention No. 182 defines as the worst forms of child labour all practices comprising:

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[2] The 2010 ILO Global Report indicates that although the number of child labourers in the 5-14 age group has decreased by 10% and the number of children in hazardous work by 31%, there has been an alarming 20% increase in the number of child labourers for the 15-17 age group from 52 to 62 million.

[3] Minimum Age (Industry) Convention; Convention Fixing the Minimum Age for Admission of Children to Industrial Employment (Convention 5), adopted 28 November 1919, entered into force 13 June 1921, revised in 1973 by Convention No. 138, available on http://www.ilo.org/ilolex/.pl? cgi-lex/convde C005 (Visited 15 March, 2010).

[4] Minimum Age Convention (C138); convention concerning minimum age of admission to employment, adopted by the 58th session of the ILO, Adopted 26 June 1973, entered into force 19 June 1976, article 2, available at http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138.

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

The Protocol to prevent, suppress and punish trafficking in persons, especially women and children, otherwise known as the "Palermo Protocol" (2000), identifies trafficking as one of the worst forms of child labour. Article 3 of the Protocol defines the trafficking in persons to mean:

(a) "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) the consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) "Child" shall mean any person under eighteen years of age".

Even though child trafficking is a common phenomenon, trafficking does not apply only to children and women; it cuts across all sexes and age groups. Nevertheless, the main concern here is the trafficking of children below 18 years.

While the ILO is recognised as the authoritative and most comprehensive international institution when it comes to setting standards for the labour market, child labour´s touching upon human rights is also reflected in the work of other international institutions.

This is echoed by Grimsrud (2002) who realises that in the past, child labour was seen merely as a labour issue, but with the adoption by the United Nations (UN) of the Convention on the

Rights of the Child (CRC) in 1989, it has taken on a more human-rights approach (Grimsrud, 2002). The *Universal Declaration on Human Rights* recognises that all human beings are born free and equal in dignity and rights and recognizes the need for special care to be given to women and children.[5] The United Nations Convention on the Rights of the Child (CRC) from 1989 fully articulates the standards to which governments must reach in protecting the human rights of children.[6]

1.3   Methodology

In this section, I describe my research area and how the whole research work began, how I got access to my respondents, the methods I used in collecting the data, and both the insider and outsider roles I played during my fieldwork. This work is mainly a qualitative one, although a bit of quantitative information (descriptive statistics: maps, tables and charts) was used to support the qualitative method. The methods used included interviews, photo elicitation and participant observation. I used both the structured and unstructured interviews. The ethical issues surrounding this work will be discussed, as well as the reliability and validity of the data. No matter how well or perfect we might have conducted a research, there are bound to be some challenges or limitations; things we wish we had done differently or had not done at all, thus, the limitations of this study are also discussed in this section. Finally, the relevance of the study is discussed.

The Study Area: Madina

Madina is a fast growing suburb in Accra, the capital city of Ghana. According to the Ghana Population and Housing census (2000), the inhabitants of Madina number 76,697 comprising 39,072 females and 37,625 males (Ghana Statistical Service, 2000).

It is located in the southern part of the country and is bounded by Adenta, Ashaley-Botwe, East Legon and Haatso. It is only a few miles away from the University of Ghana in Legon. Among all these suburbs, Madina can be said to be the busiest and most developed. It has a big and busy market which serves its surrounding suburbs, and has as its market days

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[5] See the Universal Declaration of Human Rights, adopted 10 December, 1948.

[6] See UN Convention on the Rights of the Child (44/25 of 20 November, 1989, entered into force 2 September 1990). The Convention has been ratified by all countries in the world except the United States and Somalia, who nevertheless are signatories to the Convention.

Wednesdays and Saturdays.[7] Madina can boast of several banks, clinics, day care centres, primary, junior, technical/ vocational and secondary schools, one post office, a police station, and a community centre. In addition, it has a major lorry station which transports people to and from the area, and to areas in and around Central Accra, and other parts of the country.

People from diverse ethnic, religious, national and cultural backgrounds inhabit Madina. Ethnically, Madina is made up of Ga-Adangmes, Ewes, Akans, and nationalities from neighbouring countries such as Togo, Liberia, Nigeria and Cote D'Ivoire, most of whom have been displaced by civil wars in their countries of origin. Religious groups include adherents of Christianity, Islam and African Traditional Religion. The high number of mosques sprawling in the area, and the proliferation of *zongos* attests to the fact that there is a high populace of Muslims in the area, who are mostly migrants from the Northern parts of the country.[8] There are equally a high number of Christians in Madina. This can be deduced from the high number of churches and prayer centres in the area.

1.3.1 Access to research area and respondents

I lived in Madina from September 1999 to November 2000, and my house was only a minute's walk from the market. Presently, my residence in Ghana is only ten minutes drive from the market. Whiles in Ghana, I used to buy foodstuff and other items there each and every other week. I employed the services of female head carriers to carry my goods from the market to the transport station. At the transport yard, I encountered young boys who were "driver's mates", as well as children who were hawking all types of goods from one car to the other. This implies that I was already familiar with the place and some of the traders and children before I went there in 2009 to conduct my research. Thus, the necessary rapport and some level of trust needed to conduct a successful research had been established.

When I began shopping at the Madina market, I had no intention of conducting academic research there. But after shopping in the Madina market for almost a year, and after listening to the children talk about their work and continuing struggles for survival, I began to think about the possibility of using the area as an academic research site and including the children as participants. My research was therefore informed by the children's descriptions of working experiences, and my sustained interest developed in these children over time. Researching

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[7] Market days are busiest days of the market, on which people bring foodstuff from villages and farming communities to sell at cheaper prices.

[8] Densely populated areas, mostly inhabited by Muslim youth.

children and youth in third world countries is more often than not considered unworthy of research and is almost always taken for granted. However, as has been noted by Scheyvens and Storey, children constitute "a less powerful group in society whose voices deserve to be heard if their interests are to be served" (Scheyvens and Storey 2003: 173).

One week after my arrival in Ghana, I made my first visit to the market and talked to one of the market women I knew about my intention to conduct some interviews on working children in the market. I asked if she could introduce me to the queen mother of the market. She quickly agreed and led me to the queen mother's shelf. After introducing myself, I scheduled a date on which we could meet.[9] The queen mother asked me to wait for some minutes and sent one of her women to call someone for her. After about five minutes, a woman of about 26 years old came carrying a baby on her back. The queen mother introduced me to her as a Ghanaian student from Norway who was doing some research on working children

She then introduced the woman to me as Fati, the leader of the head porters, who was going to help me get access and talk to some of the working children. She hailed from the Northern Region, specifically Damongo. She spoke Dagbani, Wala, Twi and Pidgin English. I was not proficient in any of the Northern languages, but I was very proficient in Twi and Pidgin English. The queen mother became my gatekeeper. Gatekeepers are defined as "those individuals in an organisation that have the power to withhold access to people or situations for the purposes of research" (Miniechelo et al., 1997 in de Laine, 2000: 123, in Scheyvens and Storey, 2003:153).

Fati played the role of key informant in my fieldwork. She took me to a place within the market, which was mainly occupied by children. She was very supportive because she took me directly to some children to be interviewed. However, I decided not do any interviews on that day. Rather, I took some time to get acquainted with them. We spoke about their lives, family and work in general, without necessarily conducting any interviews. The reason for this is that as children, I needed to gain their trust and confidence by building some rapport with them, so that they can feel free to talk to me openly about anything. At the end of the conversation, I told them I will be coming again in two days to talk about my research with

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[9] A "queen mother" here refers to the leader of all the female traders in the market. She is responsible for relaying all the grievances and concerns of the market women to the local authorities.

them, and audiotape some of the things they will say, and if necessary, take pictures with them.

They were happy about this, but some said they would be working at the time, to which I told them not to worry since we can meet again at a time convenient to them. I used the snowball sampling technique to gain access to the desired respondents. I used the networks I had just formed with my gatekeeper and key informant to gain access to the rest of the head porters, and subsequently the other child labourers I interviewed: the male truck pushers and drivers' mates. In a very interesting way, there seemed to be a direct kind of relationship between all these groups of people. Their leaders knew each other and were "each others' keepers", as they call it.

1.3.2 My Role during the fieldwork: Insider or outsider status?

According to Scheyvens and Storey (2003), how we self-position ourselves during fieldwork either as an insider or outsider has great consequences on the final outcome of our work. To them, it is of crucial importance to strike an appropriate balance between being insider and an outsider. As Herod (1999) puts it, one must be able to move up and down the sliding scale of intimacy. The presumption I get from this is that being an insider or outsider comes along with its own roles and responsibilities. That said, my position, as a student researcher was to ask questions in order to get information for my academic work. Also, I found myself in the position of an insider who belonged to the same group I was interviewing, coming from Ghana myself; meaning that to some extent, I had an upper hand in gaining access to certain types of information. As realised by Mullings (1999), outsiders are not related in any way to the group they are studying, have little knowledge of them, making it difficult to gain any meaningful information about them before commencing the study.

Being a student and being able to communicate with most of my respondents in Pidgin English and "Twi" facilitated the interview process.[10] However, there was the need to employ a Research Assistant / translator since a cross section of the children could only speak their mother tongue.[11] Where I needed the translator to translate something they had said to me, the children saw me as an outsider. I was seen as an insider when they realised that I speak a

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[10] The "Twi" language is widely spoken and understood in southern Ghana.

[11] Most of the children from the North spoke Dagbani, Wala and Hausa.

common language with them, mention their names properly and know some of the places around.

Scheyvens and Storey (2003) draw our attention to inevitable power imbalances that may exist between a researcher and his or her participants. They put them into two categories: real differences related to access to money, education and other resources, and perceived differences which exist in the minds of participants who may feel inferior, as well as researchers who consciously or unconsciously show to their participants that they are superior to them. The first time I spoke to the children, I observed that some of them felt intimidated just by me saying that I was coming from Norway. By way of minimising this inferiority, I wore simple attires to my interview sessions, dressed in culturally acceptable ways and spoke to them in simple language, without use of any big jargons. During the interview sessions, I would let them handle the digital audio recorder or my camera. Some would even ask me if I can take group pictures of them and print it out for them later, to which I obliged and printed the hardcopies for them later on.

1.3.3 Sample population

Whereas every researcher would love to gain access to as much of the population they are studying as possible, time and other resources often limit us. There is therefore the need to select a sample - a smaller faction that is representative of the population. It is necessary that the sample be selected at random.

My sample population was made up of a total of 36 respondents; 18 boys and 18 girls from all parts of the country. I interviewed twenty-eight (28) of the respondents without a translator, and interviewed eight (8) with the help of a translator. I employed the snow balling sampling technique to get access to all 36 respondents interviewed. My gatekeeper introduced me to my informant who in turn introduced me to other head porters, and subsequently, through my initial informant (Fati), I was introduced to the other children whom I interviewed (truck pushers, drivers' mates and street hawkers).

1.4 Methods of data collection

Every research has a road map that should be followed to ensure that the findings it produces at the end of the day are credible. This research uses mainly the qualitative method.

According to Patton (2001:39, in Golafshani, 2003:4), "qualitative research uses a naturalistic approach that seeks to understand phenomena in context-specific settings, such as real world setting [where] the researcher does not attempt to manipulate the phenomenon of interest". I studied child labourers in their natural environments: in the market, at the transport station, and on major busy streets. The qualitative method was therefore the most appropriate for this study.

1.4.1 Interviews

All in all, representatives of four organizations were interviewed (list attached). Throughout these interviews, both the structured and unstructured forms were used. The structured questionnaire was administered to respondents of NGOs and government ministries and agencies.

I used both structured and unstructured forms to individually interview the children. I had already prepared the questionnaire for the structured interview before I went to the field. However, during the process of the interviews, it became necessary to also employ the unstructured form. I chose to do unstructured interviews because it offers more flexibility, which made it really easier for me to address the issues as and when they arose during the interview process, and enabled my respondents to give detailed explanations of the issue under discussion. All interviews were recorded with a digital audio recorder. The responses were transcribed immediately I got home from each day's interview session by playing back the voices I had recorded and putting it into writing.

Two main types of data were used in this work: the primary and secondary data. The primary data underpinning this research was made up of interviews with children, representatives of national and international NGOs and other governmental agencies and organizations working in the area of child labour. All in all, representatives of four organizations were interviewed (list attached). The structured questionnaire was administered to NGOs and government ministries and agencies. The secondary sources of data involved reviewing of relevant literature from the secondary sources of data involved reviewing of relevant literature from books, journals, magazines, articles, newspapers, policy and legal documents.

1.4.2 Photo Elicitation

There is a popular saying that "a picture is worth a thousand words". This means that situations or issues that are difficult to understand can be explained with a single still image. Visual imagery is becoming increasingly popular with researchers. According to Harper (2002), photo elicitation is the process by which a researcher inserts photograph(s) into a research interview. He argues that this method broadens the possibilities of empirical and conventional research, gives a totally different type of information, induces certain feelings and memories, and may add to the validity and reliability to a word-based only study. During my study on child labourers in Ghana, I used this method, and it helped me to gain a better understanding of certain things. Also, it helped make the entire work more organised. Sometimes after I had taken pictures of them, the children are always eager to look at them, and some are happy with the result. The photographs below were taken of working girls in Madina.

Plate 1: young girl carrying client's goods

Plate 2: Girl selling iced water by the road

After taking the picture in plate 1, I asked the girls to interpret it for me. This is what the one in Plate 1 said:

"*This is me carrying the goods of the woman in front of me. I was taking conveying it to the parking lot where she had her car parked. We had been shopping in the market for about 30 minutes*".

The photo in Plate 2 was interpreted by the girl as:

"*That is me selling water by the road. Today was a good market day for me. All my water is almost finished*".

From the above, it can be realised that this picture has given information about the whereabouts of the people in it, what they had been doing earlier on, whether they had had a profitable day and where they are heading to.

1.4.3 Participant observation

I lived close to my research area. This made it easy for me to sometimes go to my research area to observe the children at work, just to watch things as they happened naturally. This provided me with knowledge on children's daily routine, and I was able to verify what some of them told me during our interview, such as the way their customers relate to them.

1.4.4 Ethical Issues

According to Scheyvens and Storey (2003), obtaining informed consent is of utmost importance in any research, particularly so when the study revolves around children in developing countries. This is done by first giving out all information such as the purpose, aims, and research questions to prospective participants, in order to enable them decide whether to join the study or not. Since my study was focused on children, I sought the permission of their parents and guardians, or those who were acting in *loco parentis* (example grandparents, youth leaders) by telling them about all the characteristics of the research that may affect their willingness to participate and the right of the children to refuse to be part of the research. This was quite easy to do since most of the adults were traders in the market.

On the first day of interview, I introduced myself to the children by telling them my name, where I am coming from, and the research objectives and aims of my study. I told them that they (the children) were going to be the focus of my research so I needed their maximum cooperation. I made it clear to them that they had the right to refuse to be part of, or opt out of the research at anytime that they did not feel like participating again. Then, I gave them the opportunity to ask questions if they had any. To this, one boy raised the hand and said:

"*Sorry, I do not mean to interrupt, but anytime people come to do research here, they assure us they are going to convince the government to make our living conditions better. If I am not lying, about five people have come saying the same thing. But after that, we do not see them again, and our conditions get worse and worse. What is your own promise to us, (referring to me) and tell us if you are going to fulfil it*".

I responded by saying that my work is purely for academic purposes, that I am not working for the government and therefore cannot assure them that their lives will get better by this research.

I also assured them of anonymity and confidentiality; because most of them had made it clear to me that they did not want their faces to be seen on any newspaper or television. Since I needed to record the interviews, I sought their consent before using the audio digital recorder. With their consent, I took the photographs that have been used in this study. However, some did not want to be photographed, so I did not take any photos of them at all. Sometimes, I allowed them to record their voices themselves, and played back their voices to them after this. Some of the pictures used in this work were also taken by the children themselves with my digital camera. Because of the trust that they had built in me, they all volunteered to participate in the study.

1.4.5 Reliability and Validity

No matter how distinct disciplines may be from each other, or the methods used to collect data and analyse it, all scientific research strive for reliability and validity (LeCompte and Goetz, 1982). "While reliability is concerned with the replicability of scientific findings, validity is concerned with the accuracy of scientific findings" (ibid: 3). Thus, validity has to do with establishing the degree to which a research's conclusions effectively reflect empirical reality and assessing whether constructs devised by researchers represent or measure the categories of human experience that occur (Hansen, 1979; Pelto & Pelto, 1978, in LeCompte and Goetz, 1982). Internal validity addresses the extent to which scientific observations and measurements are true representations of some reality. External validity addresses the extent to which one can generalise findings of a study to a whole population.

In both interviews, I asked all the participants the same questions. This is to ensure consistency, by using the same standard for comparison and analysis. It is also to ensure that the results of the study are credible, and can be generalized to a whole population. The validity and quality of research information may be affected by the gender of the researcher.

As reported by Lagisa (1997:104, 106 in Scheyvens and Storey 2003: 172) in his interview in Papua New Guinea, women responded a lot more openly to him than he thought they would. This is similar to what I discovered. As a female researcher, my male respondents responded

more openly and it could be seen that they felt more at home with me than the female respondents.

1.4.6 Limitations and difficulties faced

In conducting this research, a number of setbacks were encountered. Firstly, resource persons were not too forthcoming with information. Also, the bureaucratic nature of the public sector in Ghana made the collection of information a strenuous task; the Ministry of Women and Children's Affairs (MOWAC), which has been given the legal mandate to intervene on children's issues in the country was not prepared to give me all the information I needed, classifying the information as highly confidential, and rather directed me to several other governmental ministries and departments, who in turn directed me to various NGOs working in the field.

At certain points in time, I felt that the translator was not giving me the exact responses from the children, because he would say something and ask me to delete it. This was a challenge to me. However, due to my versality in "Twi and Pidgin English, I was able to directly interview 28 respondents out of the 36, leaving only 8 respondents whose responses had to be translated to me. It was also observed that there was shyness on the part of some of the children; so I had to crack jokes to do away with their shyness and establish the relevant rapport with them.

I have done everything possible to reduce the effect that these shortcomings will have on my study, and balance out the problems that I encountered. The methods used in collecting and analysing my data, which includes participant observation, interviews, photo elicitation; and, most of all, interactions with my respondents revealed to me what they see as reality in their own eyes.

1.5   Relevance of the study

Child labour and child trafficking have been recurring topics on the political agenda in Ghana. Research on Child labour in Africa has received some research attention in recent years, and there is still a growing body of related literature. However, most of the research has been done by non-Africans. This thesis represents one of the very few attempts at writing on child labour in Ghana by an African. Also, most of the research has focused on the

relationship between schooling and working (See Canagarajah and Coulombe 1997; Ray, 2002; Boozer and Suri, 2001; and Heady, 2003). This study will look at the causes of child labour in Ghana, and try to identify some of the reasons the problem still exists in the country.

It is necessary for policy makers to have much knowledge on child labour in the country, what types of child labour currently exist and why government and NGO policies and programs have failed to have any impact, since research in this area is very limited. This research will inform policy makers on what future policies and programmes to employ to help solve the problem of child labour in the country, and if possible, how to totally eradicate it. This research then aims at contributing to knowledge on child labour in Ghana.

1.6 Operationalization and definition of key concepts.

A word or concept may have more than one meaning. This creates ambiguities in language. It is therefore imperative that in any research work, operational definitions be given to terms and concepts used, to avoid uncertainty.

Ghanaian laws differ on the different cut-off ages for the term "**child**". Each age is tailored to suit the particular subject in question. For the purposes of this study however, the term "child" shall refer to any person below the age of 18 years in conformity with the Ghana Constitution as well as international standards.

This study shall adopt the definition by the Ghana Child Labour Survey (GCLS), which defines **economic activity** as any work or activity performed during a specified reference period for pay (in cash or in-kind), profit or family gain. All other activities are considered non-economic, including all household chores or work of a domestic nature performed within the household, voluntary and charitable activities.

Hazardous work: According to the ILO Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (2006), this refers to any activity or occupation that, by its nature or type, has or leads to adverse effects on the child's safety, health (physical or mental) and moral development. Excessive workload, physical conditions of work, and/or work intensity in terms of the duration or hours of work could lead to hazards.

1.7 Organisation of the study

The study is structured into five chapters: Chapter two takes a look at the nature and extent of child labour in Ghana, tracing the history of child labour in the country, looking at the current situation of children in Ghana with regards to education, health, water and sanitation, social services and Children in Especially Difficult Circumstances (CEDC). It also describes the worst forms of child labour in Ghana and the type of work undertaken by children. Moreover, the chapter discusses the various national, regional and international legal provisions that have been put in place with regards to eliminating child labour from the country. The chapter also discusses the roles of government and Non-Governmental Organizations (NGOs) in a bid to reduce and if possible eradicate child labour from Ghana. The concluding part of the chapter gives some explanatory reasons for the failure of these efforts.

In Chapter three, I have made an attempt at reviewing literature that is relevant to my study, thus the various theoretical perspectives on child labour.

This is followed by the fourth chapter which presents the data from the study and focuses on discussing and analysing the results of the study. Additionally, this chapter discusses the reasons that my respondents gave for resorting to work. The fifth and final chapter encapsulates the conclusions of the study and recommends appropriate action.

CHAPTER TWO

Introduction

This chapter focuses on child labour in Ghana. The first part traces the history of child labour in the country. The second part takes a look at the present situation of children in Ghana. The third section is concerned with the extent and nature of activities that endanger the rights of children in the country. The respective role of government and NGOs is then discussed, and then finally, the chapter gives some of the reasons why child labour is still rife in the country.

Child Labour in Ghana

2.1 A brief history of child labour in Ghana

Van Hear, (in White 1982) presents an interesting trace into the history of child labour in Ghana. According to him, there are three phases that began the trend of child labour in Ghana, namely; the amalgamation of children into the cocoa economy during the colonial period, pawning and fostering as establishments for the recruitment of children into work, and lastly, the employment of children in capitalist agriculture that emerged in Northern Ghana from the late 1960s.

Child labour in Ghana dates back to as far as the colonial period when the British were still ruling the then Gold Coast. This period saw development in many aspects of the economy; however, the most significant development was in cocoa production which was mainly in the hands of African farmers who sold the produce to trading companies based in Europe. There was also a major boom in the volume of cocoa produced. During this period of boom, labourers required to work on the cocoa farms came from all over the country, mainly from the North. Thus, Northern Ghana came to be known as the reserve for labourers. This may probably be the root of underdevelopment which has plagued Northern Ghana up to date. With increase in cocoa production, there was demand for people to head-load cocoa from the producing point to the transport depots, and as time moved on, more people were needed to cultivate the crop as well. Labour on cocoa farms began with young unmarried men, but later, women and children became involved, and children were found to be suitable for this job. "As the cocoa industry boomed, so the number of children employed in carrying increased" (Van Hear, in White 1982: 500). The author notes that cocoa farmers benefited indirectly from the labour of children, because they worked as part of their families, they were not employed directly by the farmers. With the expansion in the hiring of labour, the abuses that

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were meted out to children were coming to light, but nothing was done about this by the then Guggisberg-led government. It was only in 1930 that there were reports of children being directly recruited by farmers to work on their farms. These children came from the Northern part of the country. Family members of children who lived in major cities such as Tamale, Kumasi and Salaga were involved in the trafficking of children from the North to the southern part of the country. Most often, these children are transported to the South without being told they were being sent to work but only get to know when they are there and can do nothing about their situation. According to White (1982), the conditions under which children aged around 13 and 14 were transported was appalling. With time, some of these children mostly aged 10 and 11 made the journey to the South by themselves, with money stolen from their parents. The author mentions the colonial administration at the time giving the reason for the high migration of children as children wanting to "see the world". However, another factor could have been that these children were lured by the stories told them by other children who had been to the South.

The author mentions pawning and fostering as another factor that contributed to the development of child labour in Ghana. He refers to pawning as the practice of parents "selling" their children's labour for money. This happened with former slaves who still owed their masters a favour; for instance, it was found that Northern labourers would pawn their children to Ashanti recruiters in exchange for food during famine. Frequent contact between Northerners and Ashantis during this period led to inter-marriages, and the development of what we call today as "Ashanti-Muslims".

It is interesting to note that this practice has lived on to date. There are still cases of girls under eighteen years being brought from the North to Kumasi to work mainly in the local restaurants (what is popularly known in Ghana as "chop bars"), which is manned by Kumasi women. Their male counterparts are engaged in truck pushing.

On the development of capitalist agriculture in Northern Ghana, the author recognised that from the 1950s farming became more commercialised, and instead of young migrants moving from the North to the South to work on cocoa farms, they moved to the Brong Ahafo Region. Also, he continues, capitalist agriculture became common in the North, thanks to huge scale subsidies and friendly credit terms. This means that there was no need for young people to migrate to other regions. The author reports that these factors facilitated the growth of private rice farms which took place in the 1960s in the Dagomba district and surrounding areas. This development saw the use of children, both boys and girls as casual labourers on cocoa farms,

and employed older persons as permanent labourers. Young boys were responsible for the cultivation of rice, whiles the girls helped older women, mostly their mothers to carry and process the harvested crops. With time, when the older labourers became aware of the exploitative behaviour meted out to them, they left to start their own farms, leaving rice labouring in the hands of women and children.

2.2   The Present Situation of Children in Ghana

The Ghana Statistical Service (2000) estimates that there are approximately 18.9 million people living in the country. Of this, the number of children aged 5-17 years is estimated to be about 6.4 million; children aged 5-9 years constitute 41.8 percent, the 10-14 age group makes up 39.5 percent, with the 15-17 age group constituting about 18.7 percent (Ghana Child Labour Survey 2003: xii-xiii). Going by the survey, there are more males than there are females in the country. The data above implies that the number of children in the country far outnumbers that of adults aged 18 years and over.

Education

The principal financier of education in Ghana is the government. Parents, donors and civil society meet the rest of the cost of basic education. Nevertheless, continuing high cost of education and the high cost of standard of living have meant that parents are either finding it difficult funding their wards' education or are completely unable to send their children to school. Formal education in Ghana usually starts from the nursery and kindergarten, where one is expected to spend at least three years. Primary school education starts from the age of about 5 to 15 years, on average, with the total duration of time spent being six years. After this, one is expected to go through the Junior Secondary School for three years, then to the Senior Secondary School for three years. Tertiary (undergraduate) education in the country takes one four years to complete. The mean age at which one should have completed tertiary education is 24 years, then that person can decide whether to continue to higher education or not.

According to Tengey and Oguaah (2002), about 60 percent of the total number of children of school-going age attend school, but when children complete primary school, (primary class six), about 45 percent drop out. The rate for girls is higher than for boys. Educational opportunities therefore vary across the different sexes. Whereas boys are often enrolled in

schools, girls are always at a disadvantage, because they are expected to take care of the home and do domestic chores such as washing of dishes and clothes, cooking, fetching water and taking care of younger siblings. This is so because it is widely believed among some communities that sending a girl child to school is a waste of resources, since she will eventually end up in someone else's (her husband's) home.

Access to education also varies across rural and urban areas. The inadequacy of basic educational infrastructure in rural areas means that its children have less access to education than those in urban areas. It has been observed by Tengey and Oguaah (2002) that school attendance is related to seasonality of economic activities such as farming, fishing and herding of livestock. This problem is more prevalent in the North than other parts of the country.[12]

Health

Health care delivery for children is inundated with many problems leading to a lot of undesirable results. The two major problems identified are inability to get access to health care, and the high cost of health services in the country. The Ghana Child Labour Survey notes that there are two forms of health care systems in the country- the traditional and the orthodox health care systems. The traditional health care system provides services to about 70 percent of Ghanaians, especially those living in rural areas, whereas only minority of Ghanaians receive orthodox health care. Most people also combine both (Ghana Statistical Service, 2003). Health care facilities in rural areas are unequally distributed, with most of rural folk having to walk several kilometres to seek medical attention. Where there are health care centres, the adequately qualified personnel that are needed to man them are unavailable. Not only are qualified personnel absent, the facilities, resources and supplies needed to care for the sick are just not enough. As at 2007, the Ghana Health Service Annual Report indicated that the doctor population ratio stands at 1:13,683; whiles the nurse population ratio is 1: 1, 1451 (Ghana Health Service 2007). Malnutrition is in most cases the cause of sickness among many children in Ghana; the fundamental causes including insufficient food and nutrient intake, poor environmental sanitation, poor hygienic practices, low breast feeding practices and high population growth among others.

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[12] The 'North' as used here refers to the three Regions located in the Northern part of Ghana, which are the Upper East, Upper West and Northern Regions.

Social Services

Socialization has a big role to play in the full human development of the child. Children in Ghana do not enjoy a lot of social services. Facilities such as libraries, playgrounds and recreational centres are limited and considered the preserve of the rich folks living in urban areas.

Plate 3: Children at play. *Children have a right to play and interact with their peers.*

Social institutions such as the family, marriage and kinship provide the needed social networks that children need to grow effectively (Ghana Statistical Service, 2003). In spite of the fact that there are different cultural practices and beliefs, languages, religions, ethnicity and moral and aesthetic values in the country, children learn by helping their parents at home by performing certain domestic roles which are considered to be a vital vehicle for the transmission of socialisation and/or tradition from one generation to the other. Thus, young girls from the age of about five will be required to help their mother in cooking or fetching water and boys will be required to wash the car, help on the farm, cut the grass, and run some basic errands.

Plate 4: Children on their way to fetch water. *It is normal for children to help with petty chores in the house.*

A child who cannot perform these basic chores is thought of as lazy and receives constant mockery from parents and other children. It is important to note that these activities performed by children are not beyond their physical strength and as such do not interfere with their schooling.

In formal education, opportunities for physical activities by pupils are very limited, with some schools entirely scraping Physical Education from the school's timetable. In cases where physical education is part of the timetable, it does not take more than two hours before the children are expected to go back to their classrooms and continue with mind-cracking lessons.

Children in Especially Difficult Circumstances (CEDC)

These include physically challenged children and street children. Civil and ethnic wars, rapid population growth and urbanisation have resulted in a large number of children on the streets. These are children who live on the streets and do everything there. Children in this category are mostly from neighbouring war-torn countries such as Niger, Mali, Sierra Leone and

Liberia. They are found on busy streets begging every passer–by for money. Sometimes they are there with their parents and other siblings.

Disabled children are another visible group to be seen on the streets of Ghana. Their case is even more serious given the fact that they are both children and disabled at the same time. It is difficult to give an exact statistic on the number of disabled children in the country, since they are mostly counted among the disabled adults. Another reason is that there is no national database on the number of disabled children in the country. The most vulnerable among disabled children are those from poor households. The Ghana Federation of the Disabled (GFD) has defined disability to mean difficulty in seeing, moving, learning, hearing and speaking, strange behaviour, fit or epilepsy, and finally, loss of feeling in hand or foot. Physically challenged children (those with difficulty in moving) are the most visible on the streets of Ghana. Only a small section of them are literate, and others have never been to school. Those who had ever been to school have had to stop because of the non availability of special facilities to make learning conducive for them.

In Ghana, a section of the people view the disabled as "punishment from God," people with bad luck. In some traditional societies, it is considered an abomination to marry a disabled person. The blind and those with hunchback are generally treated with sympathy and understanding, whiles those with conditions such as epilepsy are often avoided for fear of infection. Deaf children are usually teased by their peers because of their difficulty in communication. Mentally challenged children face the worst form of societal rejection.

The stigma linked to disability forces families to confine these children indoors. They restrict their movements and are not allowed to interact with other children. This affects the development of their social skills and limits their freedom to engage in recreational activities. The absence of disabled-friendly infrastructure in the country also makes it difficult for disabled children to access library facilities, and other forms of media such as television, radio and newspaper. With the society not having enough facilities to support these children, begging for alms on the streets has been the only option left to them.

2.3   The extent and nature of work that endanger children's rights in Ghana

The Ghana Child Labour Survey (GCLS) reckons that child labour is predominant in the country (Ghana Statistical Service, 2003). Its estimates reveal the number of children engaged in usual economic activity to be around 2.5 million for the age group 5 to 17 years,

of which 1,590,765 were attending school while working. With respect to current economic activity, 31.3 percent of the children between ages 5 and 17 were estimated to be in economic activity. On the contrary, about 68.7 percent were not in work, 80.5 percent of these were full-time students. Although the GCLS does not give any information on the worst forms of child labour in the country, available evidence suggests that children are increasingly being trafficked on a large scale and becoming involved in such activities as commercial sexual exploitation, customary or ritual servitude (trokosi), head carriage of heavy loads (*kaya*), truck pushing, small scale mining (galamsey) and stone quarrying, fishing, and cash crop agriculture. Significant numbers are also found in the begging business, urban informal economy, transportation, traditional restaurants ("chop bars"), and most often petty trading. Child labour is widespread in all regions of the country. Below, some types of activities that undermine the rights of children in the country are discussed.

Child trafficking

Trafficking in children falls under the broad category of the worst forms of child labour. Principally, the three criteria used to identify trafficking are:

- the intervention of an intermediary;
- the realisation of a transaction, and
- the motive to exploit.

Recent media reports both nationally and internationally on incidents of this practice have alerted people to the menace in the country. There have been numerous reports and cases of child trafficking in the country. In August 2010 alone, there have been more than 12 reported cases of alleged child trafficking attempts in all parts of the country.

For instance, The 26th June 2010 edition of the Daily Guide Newspaper reported the arrest of two persons who had allegedly attempted to transport children from some communities in the Upper East region to the southern part of the country. According to the Northern Region Police Command, the car on which the traffickers were travelling with the children was intercepted on its way to Tamale. The Accra-bound bus was carrying children whose ages ranged from 2 to 18. However, upon a tip-off, it was stopped on the way and taken to the Regional Police Headquarters where the victims were screened. About 30 were said to have

been trafficked. When interviewed by the newspaper, some of the children who claimed they were visiting relations in Accra could neither provide the names nor contact details of those relatives. Others said they were going to work to help them cater for their families. The two persons were picked up to assist the Police in its investigations, and plans are underway to send the children back to the North (www.myjoyonline.com).

Quite recently, 284 children suspected to be victims of human trafficking who were found onboard three buses at Prampram near Accra. They were rescued by the anti-human trafficking unit of the Criminal Investigations Department together with the Regional Police. According to the police, the victims with ages ranging from five to fifteen were being transported to Yeji to do menial jobs and other fishing activities. Some of the children who spoke to the journalist who covered the story said they were on vacation and were travelling to Yeji to visit their family; but said they were hungry after being starved since morning.

In connection with the alleged trafficking, 50 people were arrested and are being prepared for the courts. The Deputy Superintendent of Police (DSP) said however that the children will be housed temporarily by the Police whiles a decision is being taken (www.myjoyonline.com).

Kinship and sociological terminologies make it difficult to tell a child who is being sent into labour from one who is going to live with a true relative. A report by the African Centre for Human Development notes that use of terms such as "auntie" and "uncle" to refer to any woman or man, whether a close relative or not; brother or sister to any boy or girl whether related by blood or not makes it very difficult to determine the real identity of children's biological parents and any act of trafficking (African Centre for Human Development Report, 2000). In many instances, once the stranger is seen with the parents, he is a relation. This is reaffirmed by local expressions such as "if you see a stranger with your mother or father, know that he or she is a relation".

It has been taken for granted all the time so it has found itself entrenched in the social fabric of the society. It has become more acceptable because some of the trafficked children have been seen to be "successful" later on in life. Eyebrows are only raised and questions only asked when it is known that open, and explicit financial transactions are being made for the transfer of a child from a parent or another relative to an "unknown buyer". There is no questioning at all about an "uncle" or "auntie" sending a "nephew" or "niece" to the city. Few members of the immediate family and even fewer of the extended family are hardly in

the know of such activities. A report by the African Centre for Human Development in 2006 reports of the following results in the table below:

Table 1: Level of Family Involvement in Child Trafficking

Family Involvement	Percentage (%)
Involved	46
Not involved	33
Do not know	21
Total	100

Source: African Centre for Human Development Report 2003.

The table above indicates that the decision to send children to into work is most often made by close family members and not strangers as we are often made to believe.

Types and methods of trafficking

Two main types of trafficking have been identified in Ghana: internal trafficking and external or cross-border trafficking.
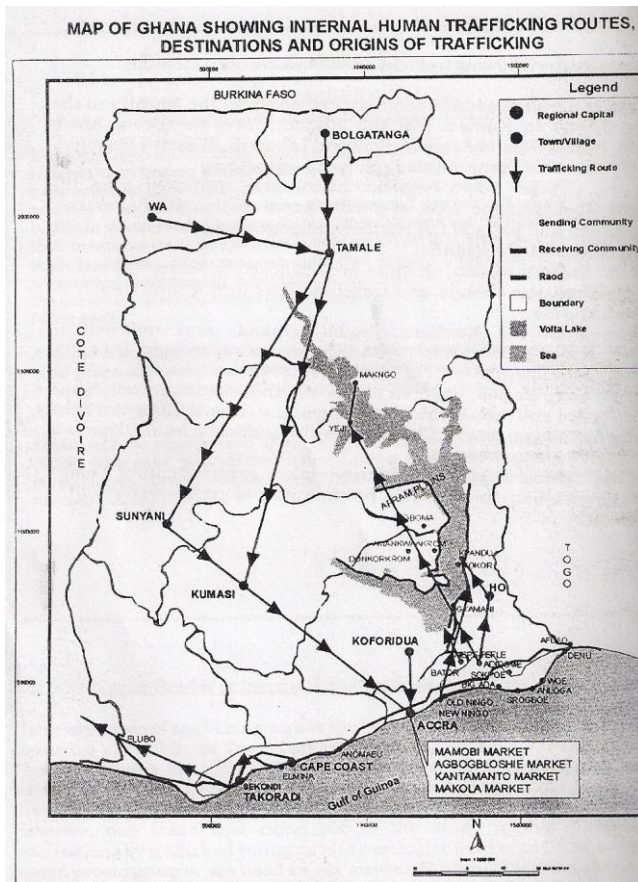
Internal Trafficking

Here, the movement of children is within the country. There are several directions in which this can take place. Firstly, children could be trafficked from rural areas to urban centres. In Ghana, children are trafficked from rural areas which are characterised by poverty, high rates of illiteracy, lack of social facilities, unemployment, high infant and adult mortality rates, and taken to urban centres such as Accra, Kumasi and Sunyani, and also to the viable fishing communities along the banks of the Lake Volta. A story captioned "Child Trafficking booms in Kumasi" carried out in the 16th July, 2002 edition of the Daily Graphic attests to this. "Every week, a vehicle arrives with a load of young children, mostly girls and traders of all sorts, from the Northern, Upper East and Upper West regions of the country ", (discloses Mr Kofi Jumah, Kumasi Metropolitan Chief Executive). He noted that on arrival, chop bar operators go to the lorry station to select the children they want in much the same way as one

would go to the market place to select tubers of yam for retailing. Trafficked children could also be sent from one rural area to the other.

Internal Trafficking routes

Within the country, the following trafficking routes have been identified: children are trafficked from the northern sector of the country to the south, mostly to Accra (Greater Accra Region), Kumasi in the Ashanti Region, Sunyani in the Brong Ahafo region, and Takoradi in the Western Region. Children from the Brong Ahafo region eventually end up in Accra. From the Greater Accra Region, children are trafficked from the Dangbe East, Dangbe West and from Accra to the Volta, Eastern, Brong Ahafo and parts of the Northern Regions along the banks of the Volta Lake and on the Islands. Children trafficked from the Ashanti Region find themselves in Accra. On arrival, some children join friends and travel to other urban cities such as Ho and Takoradi. Children from the Northern Region are trafficked to Kumasi, Accra and Sunyani. Children are also brought from the surrounding cities to work in Tamale, the capital city of the Northern Region. From the Volta Region, children are mainly trafficked from North and South Tongu, and the Anlo Districts to villages and islands along the Volta Lake such as Yeji, Bakpa, and Kpando. Also, children are trafficked from all parts of the Volta Region to Accra. Trafficked children from the Central Region are sourced from the Elmina and Winneba districts to fishing communities along the banks of the Volta River. The map below shows the internal trafficking routes in the country:

Map 1: Map of Ghana showing Internal Human Trafficking routes, Destinations and Origins of Trafficking.

MAP OF GHANA SHOWING INTERNAL HUMAN TRAFFICKING ROUTES, DESTINATIONS AND ORIGINS OF TRAFFICKING

Source: African Centre for Human Development Report (2002).

External /Cross border trafficking routes

There are also numerous cases of trafficked children being sent outside the country to neighbouring countries such as Togo, Cote D'Ivoire, Nigeria, Gambia, Guinea and Gabon. Thus, in instances of cross-border trafficking, Ghanaian children are trafficked to these countries, and vice versa. It has been observed that girls who have been trafficked across borders especially to Cote D'Ivoire are forced into prostitution or are used as sex slaves. In cases of abduction or outright sale, the strange behaviour of the abductees gives them away to the law enforcement agencies who then intervene and rescue the children. Those who are lured by strangers or relatives may be sold. From Ghana, children are taken through the Western Region (through border towns such as Half Assini and Elubo) to Abidjan in Cote D'Ivoire. Few children are also trafficked from Cote D'Ivoire to Ghana. Children from the Volta Region are also trafficked to Togo. Illustrated below is a map of West Africa showing the cross border trafficking routes of trafficked children:

Map 2: Map of West Africa showing Cross Border Trafficking of Children
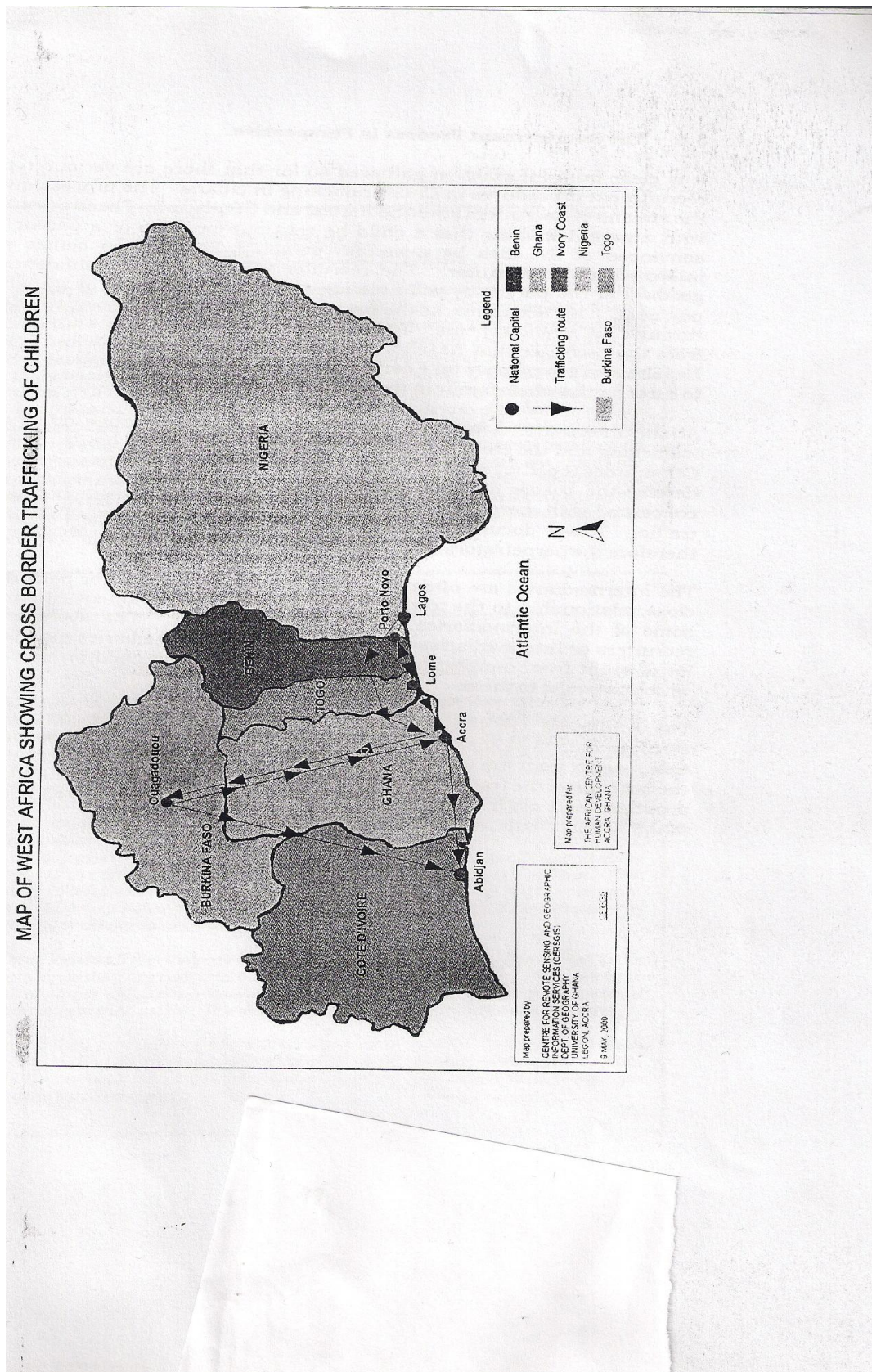
Source: African Centre for Human Development Report (2002).

The recruitment of trafficked children

The nature of child labour recruitment, which initiates the trafficking in children, is complex and discreet. It is even more so because of the establishment of the Human Trafficking Act in Ghana in 2005 which has criminalized the trafficking process. In cases where parents or relatives give away their children to other relatives or strangers as a result of genuine poverty and financial crisis at home, the negotiations and transaction processes tend to be more open and transparent. Usually, the departure/separation is characterised by intense emotional outbursts of crying and good-byes. The recruitment process is made up of recruiters/intermediaries and employers. The process starts with a parent deciding to sell off their children or being convinced to do so by a third party. This person is the recruiter or intermediary. Most often, the recruiter wins the trust and confidence of the parent by paying some money in advance. This marks the beginning of the recruitment process. The child is then handed over to the recruiter who firmly assures the parent/guardian that everything is in place to find the child a good job with good pay. The following are some of the methods through which recruiters traffic their child victims:

At the international borders, recruiters sometimes arrange cross-border trafficking and the children are taken through unapproved border crossings. The recruiters sometimes pose as the victims' relatives and are able to deceive the immigration officials. Recruiters also have in place opaque networks with transport owners who take the children to the border and assist them to cross it.

Traffickers recruit children by the use of force, thus abduction. Children could also be trafficked through bonded placement, which is the practice of placing children for reimbursement of a debt. Temporary placement, whereby the child is handed over to a third party who places him or her for a token sum paid in cash or kind is also common. Through coercion, traffickers succeed in forcing teenagers in agreeing to be trafficked. Of late, more sophisticated mechanisms are used in recruiting these children. These include using simple agents to crime syndicates through travel or placement agencies who distribute the children for employment. With regards to the mode of transportation to the destination areas, the main form used is road transport: by bus, taxis or mummy trucks. River transport is also common. Here, children are transported in boats to their destination areas.

Commercial Sexual Exploitation

Children involved in this kind of activity work as prostitutes in hotels, bars, in the streets, and are made to engage in several forms of pornography. Culturally, prostitution is unacceptable in Ghana. The 1960 Criminal Code of Ghana defines prostitution as an illegal activity. Article 34 of the CRC prohibits all forms of sexual exploitation of children and exposure to pornography. It is difficult to have an exact knowledge about the scope and extent of child prostitution due to the illegality of the trade. However, there is growing evidence on the existence of this trade in Ghana's cities. In Accra for instance, the streets around the around the Kwame Nkrumah circle, Orion cinema and Hot Fm are thriving areas for this business. Child prostitution involves offering the services of a child to a person to perform sexual acts for money. Young girls trafficked internally and externally are forced by pimps to exchange their bodies for money after. These girls return all the money they gain to their "madams".

Trokosi

Trokosi means "slave of the gods" (Boaten, in Rwomire, 2001:91). According to Boaten (in Rwomire 2001), the advocates and adherents of trokosi consider it an African Traditional Religion. It is a traditional practice of ritual bondage of virgins, usually female children. Females are confined to fetish shrines as reparation for the alleged sins of their fathers and mothers who are alleged to have engaged in stealing, adultery or committed murder. This practice first evolved among the Ewes of North and South Tongu Districts and the Akatsi and Anlo Districts, and is also practised in other places such as Nigeria, Benin and Togo. Victims of trokosi are made to undergo rituals of committal against their will. In extreme cases, they are married off as second, third or fourth wife to the chief priest. Trokosi denies the girl child the right to form an identity, to acquire an education and prevents the child from developing their physical and mental abilities as well as their talents.

Plate 5: children in ritual bondage: *Source: www.myjoyonline.com*

Children in Agriculture

Agriculture serves as the highest income earner for the country. The Ghana Child Labour Survey estimates that the Agricultural sector has the highest percentage of child labourers in the country (Ghana Statistical Service, 2003). In all, 1,131,773 children were estimated to be in Agriculture/Fishing/Forestry. Children in the fishing sector are used for harvesting food crops during the lean season. Contrary to popular notion that children used in farming work are usually made to work on large, commercial farms, research has shown that most children work on small family farms. Some of the children work as cowboys, especially in the northern part of the country where cattle rearing is predominant.

Children in Fishing

These children are found in towns and villages along the coast. Children 3 years are required to scoop water from the canoes used in fishing. Children of ten years and above dive under the water to disentangle fishing nets caught up in tree stumps under the lake. Also, they remove fish from the nets; pull nets and canoes to shore. The young girls collect, prepare and smoke the fish. They mend the fishing nets on daily basis in readiness for fishing the following day. The image below depicts some children working on the high seas:

Plate 6: Children working on the high seas

Head Porters and truck pushers

In Ghanaian terms, female head porters are called "kayaye" whiles their male counterparts are known as "kaya". It is mostly children who have migrated from the northern part of the country to the southern parts such as Accra and Kumasi who are engaged in this type of business. The females are usually girls aged between 7 and 16 years. They are engaged in carrying heavy loads on their head to a specified destination for other people who pay them a fee. They are mostly found at market places in the big cities. The Agbogbloshie, Maamobi, Kantamanto and Madina markets in Accra are some of the big markets in the capital where most of them are found. Some are also lured by the bleached skins of the "returnees" and are also motivated to acquire the same "sophistication". This practice has become a tradition for these young northern girls. The older girls either come because of peer pressure or follow friends without informing their parents. They live and move in ethnic groups.

On the other hand, the "kaya" boys carry the heavy loads on trucks and push them to their destination. They walk several kilometres before reaching their final destination. This is shown in the photo below:

Plate 7: Male truck pusher

Street vending

Many children are found on the streets of major cities hawking all sorts of merchandise ranging from rat traps to toothpaste. Research indicates that most of these children have homes to retire to at night; only few of them live and work in the streets. Periodically, some are knocked down by high speeding cars and if luck is not on their side, lose their lives in the process.

Domestic Servitude

Children work primarily for economic reasons. The poor and uneducated happen to have large families and cannot cater for them, so they are relieved when somebody offers to help them cater for some of their children. Children in domestic servitude are often young girls who work as pantry girls for their "madams" who own the restaurants. They do the actual

preparation of food in intense heat and smoke-filled kitchens, while the owners supervise them. Since there are no written contracts between employers and child domestic workers, the children live at the mercy of their employers.

Illegal Mining and Stone Quarrying

Young boys between the ages of 10 to 16 are lured to diamond winning areas to engage in illegal diamond mining. Small-scale illegal mining, known as "galamsey" involves extraction of minerals such as gold and diamond from the earth. Children are used to explore minerals in deep holes of about 40 – 70 feet down, as well as sieving of gold dust. Mining areas are located mostly in the Western, Ashanti and Eastern regions. Some children are mostly found hawking at the mining sites, whiles some are used as errand boys for the foreign workers, and also sieving of gold dust. Those used in stone quarrying break stones into smaller pieces for long hours in the hot sun. Pieces of stones that could get in the eyes of these children pose a great challenge to their long-term health. There are frequent reports of "galamsey" operators being trapped in collapsed pits and numerous deaths have resulted out of this.

2.4 The role of government in tackling the problem

To the extent that there is a problem in the country regarding child labour, successive governments of Ghana have taken appropriate steps to stamp out this problem. Ghana has ratified several international conventions which touch on the rights of children, and in addition, has developed its own policies and programmes backed by a legislative, policy and structural framework.

2.4.1 Legal framework

Ghana was one of the first countries to ratify the UN Convention on the Rights of the Child (UN-CRC), which was adopted at the 1990 World Summit on Children. The National Programme of Action dubbed, 'The Child Cannot Wait', in June 1992 was a follow up to the CRC. Government's commitment to meeting the urgent needs of children is reflected in the plan's strategies and programmes.

Children's Rights are protected under the Constitution of Ghana. Promulgated by PNDC Law 282, the Ghanaian Constitution came into force on January 7, 1993. Chapter five of the Constitution covers fundamental human rights and freedoms that should be accorded all

Ghanaians including children. However, due to the special attention and care needed by children to develop, Article 28 is wholly devoted to them. This article calls on parliament to enact laws to ensure that every child has the right to the same measure of special care, assistance and maintenance as is necessary for its development; that every child, whether or not born in wedlock, shall be entitled to reasonable provision out of the estate of its parents. It also calls on parents to undertake their natural right and obligation of care, maintenance and upbringing of their children in such manner that in all cases the interest of the children are paramount; that children and young persons receive special protection against exposure to physical and moral hazards. The Article further recognizes that every child has the right to be protected from engaging in work that constitutes a threat to his health, education or development. Article three recognises that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Similarly, Article four (4) proclaims that a child shall not be deprived by any other person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs.

In June 2000, the government ratified the ILO Worst Forms of Child Labour Convention (No. 182).

Although Ghana has not as yet ratified the ILO Minimum Age Convention (No. 138) of 1973, the country's main provisions have been reflected in the Children's Act. Also known as Act 560, the 1998 Children's Act of Ghana consolidates and reforms the law relating to children by providing for their rights, maintenance and adoption. The act also regulates the conditions under which children work. The rights enshrined in the Act are grouped under six main parts. Part one deals with, among others, the issue of non-discrimination on the grounds of gender, race, disability, religion, health status, ethnic origin, rural or urban background, birth or other status. It also touches on the right of every child to a name and nationality, to education, protection from torture and degrading treatment, right to refuse betrothal and child marriage. The Act recognizes that some children usually fall foul of the law. It therefore calls for the establishment of Child Panels for these children to be corrected and reformed.[13] The functions of these Child Panels are to mediate in criminal and civil matters concerning the child, which is prescribed under the Act. The Act also calls for the establishment of Family Tribunals. These Tribunals shall have jurisdiction in matters bordering on parentage, custody,

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[13] Children's Act, Sections 27-32.

access and maintenance of children and shall exercise the powers conferred on them by the Act or any other enactment.[14]

Part III of the Act deals at length with Parentage, Custody, and Access and Maintenance of children. In all these circumstances, it is important to note that the best interest of the child is the overriding factor. The law imposes the duty on every parent and any person who is legally liable to maintain a child, to supply that child with the necessities of health, life, education and reasonable shelter or accommodation.[15] Part IV deals with the procedures to be followed for a child to be put in foster care and adoption as well as the rights of that child.[16]

Recognizing that some children are necessarily obliged to work, Part V is dedicated to child labour in both the formal and informal sector. It provides for situations where children may or may not be employed. It especially prohibits exploitative child labour as well as engaging a child in night work. The Act sets the minimum age for employment at 15 years, which coincides with the age for completion of basic education.[17]

With regards to apprenticeship in the informal sector, the Act makes it clear that the minimum age for a child to begin apprenticeship is fifteen years or after completion of basic education. The law imposes a duty on the craftsman to train and instruct the apprentice, to be responsible for any harm caused to him and to generally protect his best interest.[18]

The final part of the Act deals with the establishment of Institutionalized Care. It lays out the procedures under which the government, Non-Governmental Organizations (NGOs) and persons may establish homes for the care of children as well as conditions under which children may be admitted to these homes.

The Criminal Code (Amendment) Act came into force in August 1998, and amends the 1960 Criminal Code. The Act increases the age of criminal and sexual responsibility. For example, all children under the age of 12 are under the law considered incapable of giving their consent in the performance of certain acts such as stealing. [19] In addition, the Act bans the practice of "customary servitude", in this case the practice of *trokosi*. It also doubles the mandatory

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[14] ibid, Sections 33-39.

[15] Ibid, Sections 40-61

[16] Ibid, Sections 62-86

[17] Ibid, Sections 87-90

[18] Children's Act, Sections 97-104

[19] Criminal Code (Amendment) Act, 1998, Act 554, Section 14 of Act 29 Amended.

sentence for rape, criminalizes forced marriages, and makes severe the punishment for incest, defilement and prostitution involving children.

The act further strengthens the legal framework for protecting children from exploitation. However, weak institutional capacity within the law enforcement agencies and effective enforcement of the applicable laws and regulations remain an important challenge. For example, it is a great challenge to get children to witness at the law courts against people who have sexually abused them. This is for fear that the offender might kill him or her if they reveal the act to anyone.

As a way of strengthening its domestic legislative efforts in protecting the rights of its children, Ghana passed the Domestic Violence Act in May 2007; the Act seeks to protect women and children from domestic violence. To summarise, it prohibits people from engaging in acts that are likely to result in physical abuse, including the forcible confinement or detention of another person and deprivation of another person of access to adequate food, water, shelter and rest; sexual abuse which humiliates and degrades a person's dignity and places that person at a risk of contracting HIV/AIDS; economic abuse which deprives one of economic or financial resources which a person is entitled to by law.

Also known as Act 694,the most recently enacted Human Trafficking Act of Ghana (2005) could perhaps be said to be the single most comprehensive document on child trafficking in the country. It criminalises the process of trafficking in children, and discusses in detail other important areas such as the meaning of trafficking, rescue of trafficked persons, and counselling of victims of trafficking. Also, section 20 of the Act establishes a human trafficking fund. Moneys from the fund could be used to support the basic material needs of victims of trafficking, for the skills training of victims of trafficking, for tracing the families of the victims of trafficking, and for the rehabilitation and construction of reception shelters for victims of trafficking, among others.

Government has taken some efforts to better the lives of disabled children in the country. The passage of the Persons with Disability Act (715) in 2006 and the subsequent formation of the National Council on Persons with Disability show that government is concerned about the rights of disabled children in the country. The Disability Act emphasises among others the right of the disabled to family life and social activities, and prohibits any form of discrimination among the disabled. On children, Article 16 calls on all parents, guardians and

custodians of disabled children of school going age to enrol them in school. The formation of the National Council on Persons with Disability is to ensure the enforcement of these laws.

In terms of education, the GFD reports that there are 24 public institutions presently offering special education for over 5,000 students. There are also 6 second-cycle and post second-cycle institutions offering education to mostly visually impaired students. An education strategy policy from 2003-2015 emphasises goal inclusive education, and envisages that by the year 2015, all children with "non-severe special education needs" will be integrated into mainstream education schools (www.gdfgh.org).

2.4.2 Institutional and Policy Framework

Government efforts also come in the form of setting up institutions to ensure that the above laws are enforced. These include ministries and agencies that are to ensure that children are safe from harm, and that their rights are ensured or protected. Below are some of these institutions and their functions.

Child Labour Unit (CLU)

The CLU falls under the Ministry of Manpower, Youth and Employment. It was established in 2000 to handle cases of child labour

The Child Labour Unit of the Labour Department, which is under the Ministry of Manpower, Youth and Employment, was established in the year 2000 as an ILO requirement for Ghana's admission into the International Programme on the Elimination of Child Labour (IPEC). The Unit is responsible for ensuring an effective national programme for the elimination of the worst forms of child labour (WFCL). It is the oldest agency involved in child labour monitoring activities with regards to ILO support programmes in the country. Its mandate includes policy and legislative development, training, advocacy and sensitization, coordination and monitoring of all child labour elimination programmes. It also has the duty of fostering collaboration and networking among partners and stakeholders, and monitoring the child labour situation in the country; as well as advancing collaboration among regional and sub-regional units and international partners for the complete elimination of child labour from the country. Among some of the major programmes that the Unit has been involved are social mobilization and capacity building activities, establishment of a central child labour

tracking database, collaborating with ILO/IPEC/Child Trafficking Project from year 2000 to 2007, production of sensitization materials in 2003, establishment of tripartite National Advocacy Strategy for child labour elimination in 2005-2006, capacity building of stakeholders, social protection and awareness raising/social mobilisation.

Quite recently, the government has put in place the National Youth Employment Programme (NYEP) to cater for the employment needs of its youth. It is the first programme of its kind in the country. The programme is in different modules; with youth being trained as police wardens who help ease the traffic situation in the country's cities, teacher's assistants who are trained to supplement teachers in the basic schools; health extension workers, and environment and sanitation workers. Even though this programme has yielded much success in terms of the number of youth who have been employed, it still faces challenges of viability and sustainability. The National Youth Policy which was out-doored in August 2010 is not yet functional, which makes it difficult to track the success of the programme or compare it to other youth policies, which have or have not worked in the country. Also, the absence of an entrepreneurial element in any of the modules is a minus. It can be observed that in all successful economies, entrepreneurs are the ones who hold the country, in that they make significant contributions to the national Gross Domestic Product (GDP). Given that the NYEP does not have any module based solely on encouraging the youth to start their own businesses, it is hard to think of the country achieving increased economic growth in the near future.

Ghana National Commission on Children (GNCC)

The GNCC was established by statute in 1979 on the recommendation of an ad hoc committee that was set up to observe the International Year of the Child. The GNCC is mandated among others to:

- See to the general welfare and development of children and coordinate all essential services for children in the country, which will promote the CRC.
- Make proposals to government from time to time for the enactment or review of legislations in areas of children's rights, privileges and benefits.
- Encourage and assist in regulating the establishment of crèches, day care centres and homes for disabled children.

In line with its mandate as the key government organisation responsible for coordinating and monitoring children's issues as enshrined in the CRC and national laws, the GNCC focuses on the area of advocacy and education. The first and most remarkable achievement of the

GNCC as a follow up to the World Summit on Children (WSC) and the ratification of the CRC was the preparation of the National Programme of Action (NPA) by name "The Child Cannot Wait", which is a working tool for the implementation of the CRC and WSC into a working document. It pays particular attention to phasing and prioritizing specific actions and includes targets for all relevant government ministries such as the Ministry of Health (MOH) and the Ministry of Education (MOE) in ensuring the best interest of the child. The main goals of the NPA include universal access to basic education by at least 80% of children and widespread acceptance of the CRC. These goals are at varying stages of accomplishment. The UNDP reports that access to basic education and completion of primary education is 72.5%.

The GNCC was also involved in putting together national laws affecting children, and ensured the total understanding and acceptance of the CRC. It did this by setting up an advisory committee to review existing laws that affect children. This culminated in the Children's Act of 1998, and the Criminal Code (Amendment) Act.

The GNCC was also responsible for advocating for the inclusion of children's rights in the 1992 Ghanaian Constitution as well as encouraging the formation of a parliamentary caucus group on children to advance their rights at the parliamentary level.

Additionally, with the help of UNICEF, the GNCC has been active in developing the capacity of District Assemblies at the local level by educating the relevant Social Affairs Committee and personnel on legislation and policies on children. Training sessions on the CRC for over 40% of district assemblies have been held so far.

Through workshops, seminars, the print and electronic media, the commission publicizes the CRC to the general public, governmental and other NGOs. The GNCC also monitors the implementation of the CRC by producing a biannual report on the situation of children in Ghana.

In addition to the above, the commission is responsible for the abundance of children's events in the country. This includes the setting aside of August 31 to advocate and educate the general public on the CRC. Many regional capitals and district assemblies have designated certain areas as playgrounds for children.

From the above, it is obvious that the GNCC has been up to the task in protecting the rights of children in Ghana. However, it has faced some challenges in achieving maximum success. As an autonomous body which does not fall under any government ministry, it faces

challenges in coordinating CRC related activities with and between the various ministries because the commission has no authority to force the ministries to act in accordance with its requests.

The GNCC has also been constrained by staffing problems. For instance, at the regional level, the commission is only represented by regional coordinators who act as contact persons for children's issues. It has no district offices. This is inadequate, considering the amount of work that needs to be done in disseminating the legal provisions on children's rights. Another problem facing the GNCC is inadequate funding. Reporting directly to the office of the president, the commission is supposed to draw about 75% of its funding from the Consolidated Fund and the remaining 25% from international organizations and the private sector. However, government is unable to meet the financial obligations it owes the commission. Constrained by inadequate funding, the GNCC is prevented from translating its goals and objectives into reality.

The National Poverty Reduction Programme (NPRP)

Activities under this programme are not directly targeted at eliminating child labour, but rather at poverty alleviation, which has been noted to be the root cause of child labour in the country. In 1996, the Government launched the "Policy Focus for Poverty Reduction" in which it outlined key areas of national priority. The government in collaboration with the United Nations Development Programme (UNDP) identified a number of interventions based on the national priorities. These were meant to be funded from both national and external resources. These interventions were packaged into the NPRP, which is aimed at improving the standard of living of the poor in society. The areas of emphasis include management capacity building, technology development and social development planning commission and skills development.

Ministry of Women and Children's Affairs (MOWAC)

Section 29 (1) of the Human Trafficking Act mandates MOWAC to handle all cases of human trafficking in the country. An inter sectoral management board comprising the Department of Social Welfare, ministries of Health, Education, Interior, Local Government and Rural Development, the private sector and civil society is to provide the necessary technical support for the expected management to handle all matters of human trafficking in the country.

Department of Social Welfare (DSW)

The Department of Social Welfare (DSW) represents the most significant of all the state agencies with the mandate to ensure that children's rights are respected in the country. The DSW is responsible for attending to any matters regarding the rehabilitation and reintegration of victims of trafficking and child labour in collaboration with the Ministries of Health, Education, Science and Sports and the Department of Community Development. As part of the rehabilitation process, the Ministry of Health provides health screening as well as psychological counselling to rescued victims of trafficking and child labour.

The DSW currently faces a number of challenges which puts the realisation of its goals and objectives into jeopardy. First of all, inadequate institutional, financial and human resource capabilities limit the functions of the department. The budgetary allocation given the department is not enough to cater for its needs.

Formerly, the DSW was under the Ministry of Employment and Social Welfare, but ever since the name was changed to the Ministry of Manpower Development and Employment, the DSW seems to have lost its ministerial influence. This has negatively affected the role of the department as an implementing agency of the current ministry with regards to governmental attention to its plight.

Domestic Violence Victims Support Unit (DOVVSU)

This unit formerly known as the Women and Juvenile Unit (WAJU) was established under the Ghana Police Service in October 1998 in response to increasing domestic violence and abuse against children. The unit is mandated to work in close collaboration with the DSW and the Commission for Human Rights and Administrative Justice (CHRAJ), Federation of International Women Lawyers (FIDA) and the Legal Aid Board. The functions of WAJU include preventing, protecting and prosecuting perpetrators of domestic violence and all cases children related offences, to handle cases of child abuse, juvenile offences, child delinquency and to prosecute all such cases where necessary. Among the support services it provides to the public are providing free service to members of the public, providing advice on crime and prevention in schools, churches, markets and referring victims for medical services and/or counselling and other support services in the community.

Parliament

A Social Service sub-committee of Parliament facilitates and assists in the lobbying of Parliament to pass legislations to protect women and children from harmful practices including the worst forms of child labour. For instance, parliament has passed major laws like the Human Trafficking Act, the Disability Act and the Domestic Violence Act. Others like the Capitation grant, free education up to the junior high school level, and the free school feeding programme under which all school children in public schools from kindergarten to junior high school receive free lunch every day. Priority has been given to areas where poverty is prevalent and where child labour is likely to emerge.

2.5 The role of NGOs

Faith-based Organisations

Faith-based organisations and other community-based organisations have been equipped with knowledge on human trafficking and child labour. These organizations have created platforms and ready audience who have been targeted for the dissemination of the law, and other activities to prevent and protect children from falling victims to child labour and trafficking. For instance, the theme for the Christian home week celebrations (organised by the Christian Council of Ghana) in 2009 was "Child Labour and Trafficking, a challenge to the Family and the Ghanaian Society". During the celebrations, one week was devoted to educating church members on child labour and trafficking in the country. On each of the seven days, church members were educated on an entirely different topic relating to child trafficking or child labour. Some of the topics tackled were the biblical exposition of the ills of trafficking, understanding child labour and trafficking in the country, what causes child labour and trafficking, what the law says about child labour and child trafficking, the effects of child labour and trafficking on the family, and how child labour and trafficking can be addressed effectively. The celebration was climaxed with a children's bazaar at the national Children's park in Accra.

UNICEF

UNICEF started operating its Ghana office in 1982. It is mandated by the UN General Assembly to advocate for the rights of children, to help meet their basic needs and to expand

their opportunities to reach their full potential. In line with these mandates, UNICEF provides support to both the fulfilment of basic needs as well as the broader agenda of child development and protection, systems development, capacity building and empowerment. UNICEF has been up to the task of reducing the disparity in education by region and gender. Through its community-based approach, UNICEF helps district officials, school heads, teachers and community members to improve the intellectual development of children, school enrolment and maintaining children within the school system as well as the importance of enrolling girls in school.

Catholic Action for Street Children (CAS)

CAS was officially inaugurated in 1993, with a mission to improve the lives of street children and protect their rights. It runs a refuge centre in Accra, which children use as a home to relax, play games, wash their clothes, and take their bath. It also serves a counselling, health, training, literacy and numeracy classes where services are offered free of charge. The centre has also set up a crèche for the children of *kayaye* and operates an apprenticeship scheme under which it sponsors boys and girls to receive training in various vocations.

2.6 Why does Child Labour still prevail in the country?

From the above, it can be ascertained that the Government and NGOs have put in a lot of efforts to ensure a sufficient and synchronised legislative and institutional framework for ensuring children's rights, welfare and protection in the country.

Putting legislation aside, the issues of enforcement, of merging policy and practice to conform to international standards still remain a serious concern within governmental and NGO domains.

On the issue of child abuse, the important question to be asked is who takes responsibility for what? The very people who are supposed to enforce the laws are violators of it. There have been cases where law enforcement agents who are supposed to protect child victims take bribes from violators and let them go unpunished. This is one major hindrance to elimination of child labour from the country.

People in the country have been made to believe that it is too harsh to prosecute parents or other family members who send children into work at very young ages, or who give their children away to traffickers. Some have also felt that it is more appropriate to deal quietly

with abuse at the family or community level than take it on to the appropriate body. This explains why incidents of incest and other forms of sexual abuse are still on the increase in the country. To cite an instance, on 27th March of this year, a 44-year-old man was arrested for reportedly having sexual bouts with his 15 year old daughter, and this had been going on since the girl was 13. According to the story, the suspect took custody of the girl from the mother when she was one and a half years old; and started making sexual advances at his daughter after a divorce with his second wife. The sources stressed that the suspect would often beat the girl and deny her food anytime she refused to give in to his demands. The victim however could no longer take the abuse, thereby reporting the matter to the police. The police confirmed the story and indicated that the victim had been given a form for medical examination whilst the suspect was being prepared for court (www.myjoyonline.com).

CHAPTER THREE

Theoretical perspectives on child labour

Introduction

There appears to be a growing theoretical and empirical literature concerning the causes of child labour. This chapter will discuss the various ways in which diverse researchers have explained the causes of child labour in the light of newly emerging theoretical and empirical evidence.

The term 'child labour' is often associated with work done by children that is harmful to their physical and mental development. This sort of work usually gets in the way of the child's education and as a result negatively affects the child's prospect for career development (Kooijmans 1998, in BAT Report 2002).

In the introductory section to *Child Labor and Human Rights*, Weston (2005) defines child labour as work done by children that is harmful to them because it is abusive, exploitative, hazardous, or otherwise contrary to their best interests" (Weston, 2005: xv). Bourdillon (2006) notes that Weston's definition calls for the abolition of employment instead of removing harm. Close to the end of his book, Weston encourages human rights organizations to respect the rights of working children to form their own organizations and/or to join trade unions in fighting against exploitation, abusive and poor working conditions (ibid, 433). A conclusion can therefore be drawn that Weston does not necessarily support the idea that children be totally withdrawn from work.

When asked who a child labourer was, a child participant from the study replied:

> *"Children who have been abandoned by their family, and must struggle everyday to feed themselves".*

Transition from childhood to adulthood can take several forms. In some cultures, rites of passage are performed to usher children into adulthood. For instance, among the Krobo people of Ghana, young girls become adults when they have undergone the "dipo" ceremony.[20]

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[20] "DIPO" is a puberty rite performed for females in the Yilo-Krobo (Somanya) District of the Eastern Region of Ghana. It is done to keep the virginity of the females intact till they are of age and ready for marriage; a girl is considered a "woman" after going through this rite no matter her age (Ashong, Okai and Kunfaa, 2005).g

Legally, a child becomes an adult once he or she attains the age of 18. With regards to employment of children, the ILO stipulates that the minimum age for admission of children to employment shall not be less than the age of completion of compulsory schooling, and in any case, shall not be less than 15 years. However, it states, a member whose economy and educational facilities are not sufficiently developed may after consultation with the organisations of workers and employers concerned (where they exist) may initially specify a minimum age of 14 years (Article 2, ILO Convention 138).

According to the ILO, the minimum age for admission to any type of employment which by its nature or the conditions in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall be 18 years or more. Nevertheless, a child of 16 years or more may be employed on condition that the type of employment he or she is entering into is not likely to jeopardise the health, safety and morals of the young persons concerned (Article 3, ILO Convention 138).

In a paper presented on child labour, Basu and Van (1998) propose two central hypotheses: the luxury axiom and the substitution axiom. The luxury axiom stipulates that a family will only send the child to work only if that family's income from other sources other than child labour does not add up to a certain and sufficient amount. Here, the child's contribution to the income of the household is just enough to reach this level of subsistence, thus poverty drives families into sending their children to work.

The substitution hypothesis on the other hand assumes that as is seen by firms, adult labour and child labour are substitutes. Firms will always prefer employing children instead of adults if adult's wage market is higher than children's wage market (Bhukuth and Ballet, 2006).

A study by Diamond and Fayed (1998) lends support to the substitution axiom. Mixed results from the study reveals that child labour is indeed substitutable for female adult labour; nevertheless, child labour and adult male labour complement each other.

Bhalotra (2000) argues that girl children are substitutes for their mothers; this is explained by the fact that girl children are employed to undertake household chores so that their mothers are freer to be employed in more productive activities outside the house.

Levinson et al (1998), in their study of the carpet industry in India, clearly show that the aim of employers in having recourse to child labour is to reduce the cost of production in a competitive international market (cited in Bhukuth and Ballet 2006).

However, another line of authors argues differently.

In their paper, Bhukuth and Ballet (2006) argue that child labour is complementary to adult labour, and that child labour is not always a perfect substitute for adult labour when it comes to some specific market-oriented activities. They refer to a specific market-led industry like the brick kiln industry. In a research conducted on brick workers in India, it was found that the brick kiln industry is a labour intensive one, in which migrant labourers are recruited through agents. These agents employ the advance system, and since the labourers are migrants who find themselves in unfamiliar environments with high adult unemployment rates, they have no choice than to take the advance in order to survive. Once the advance is taken, the labourers become bonded. This debt has to be paid for through work by any means possible, so the labourers are forced to send their children to work in the brick kiln industry. . That is to say that for parents, child labour primarily prevents the household from falling into bondage. In order to clear these debts that they have incurred over time, they put their children to work. As children increase household productivity, child labour serves as a kind of insurance for both parents and brokers. Without child labour a lot of families will fall into bondage. In this regard, child labour becomes complementary to adult labour (Bhukuth and Ballet, 2006).

Similar results are found in other studies. In his doctoral thesis, Cockburn (1999) makes the point that the probability for a child to work is high when the household owns an asset like land or a family business, and that in these kinds of ventures, child labour is not in competition with adult labour. Therefore, parents in home-based activities use child labour to increase the overall earnings of the household. Thus, in activities like home-based enterprises, child labour is complementary to adult labour. All the family members' labour is used to increase the household productivity. He contends therefore that Basu and Van's (1998) hypothesis of substitutability appears weak in terms of domestic activities, but may only be valid in market-oriented enterprises that have a special vocation to export their product in the international market (cited in Bhukuth and Ballet, 2006).

According to Ranjan (1999), the failure of parents to replace the forgone earnings of their children due to the non-existence of a market for loans against future earnings is the major source of child labour. He explains further in his paper that if the poor households could have access to loans, they will be prepared to send their children to school instead of sending them into work as they will gain high returns from their children's education. However the absence of plausible borrowing opportunities has forced parents to send their children into work instead of school. Ranjan (1999) therefore concludes that child labour is the result of the combination of poverty and a missing market for loans against future earnings.

Most researchers have argued that poverty is the major cause of child labour (Fallon & Tzannatos 1998; Blunch & Verner 1999; Ranjan 1999; Chakroborty and Lieten, 2004; Edmonds & Pavcnik 2005; Bass 2004; Basu et al 2003).

There is a widespread agreement that poverty is the major cause of child labour. According to Bradshaw (2007), poverty is defined as the lack of necessities such as food, shelter, medical care and safety.

To Valentine (1968, in Bradshaw 2007:4), "the essence of poverty is inequality".

The poverty hypothesis assumes that child labour is prevalent where poverty exists. This means that the practice is more prevalent in developing countries. In poor societies, irregular incomes often result in parents withdrawing their children from school to work. It may be because the family's income is seasonal, or because of crisis in the family such as loss of the breadwinner in the family (Bourdillon, 2006).

Nevertheless, some studies have described the counterintuitive relationship between poverty and child labour. Contrary to popular assumption, Bhalotra (2001, in Kielland and Tovo, 2006) show that in Ghana, child labour participation rates increase with the size of farmland owned by the child's family. That is to say the richer a family is, the more likely its children are engaged in child labour. She called this the wealth paradox. The same is the case at the community level: child labour prospects on farmland owned by the others in the community increase child labour participation, even for children of families without lands.

Burra (1997) argues that child labour is the cause of poverty.[21] Child labour emerges as the weak and vulnerable are exploited, and it is always the case that the poorest members of the society are most vulnerable to this exploitation. According to the author, when children start

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[21] See also Grimsrud and Melchior (1997: 40); European Commission Staff Working document (2010: 4).

working at a young age, they remain illiterate, unskilled and unable to demand their rights for equal wages and better working conditions; therefore as adults, in situations like these, they are mostly heavily indebted. The circumstances of unemployment coupled with the inferior position in terms of caste and class, predispose them to placing their children into work, and the downward spiral of poverty lives on. Forced into accepting poor conditions of work, long hours of work and less than minimum wages, the poor find themselves in a state of "false consciousness", and come to believe that their exploiters are their benefactors. Therefore, child labour becomes acceptable to those most affected by it. Most often, we are made to believe that child labour cannot be tackled without eradicating poverty, but we fail to take into account that children's salaries are only meagre, and that is because of the large number of working children that adult wages are depressed (Burra, 1997:10).

Various authors discuss the household decision model, which assumes that the roles assigned by parents or guardians to children at a very tender age at home introduce them in a way to child labour. Grimsrud (2002) groups working children under three categories. The first group is children who do non-economic activity. They perform normal activities at home; these activities are defined by the ILO as non-economic. The second group of working children are those who work the family plot or land. As noted by the author, these children are normally not regarded as being economically active, and are therefore not captured in the indirect labour market (pg 12). There are also children who work in the direct labour market but still in households.

According to Basu et al (2003), neoclassical models of household decision-making are common in the analysis of child labour. They group models of household bargaining into two broad categories: those in which children have no bargaining power and those in which children have some essential value in the family. When children are viewed in terms of their worth as household assets, parents firstly compare the benefits that will arise from investing in the education of their wards, vis-à-vis the benefits they will get from putting their children to work. Becker and Lewis (1973) call this the quality-quantity trade-off, and argue that parents who choose to have a large number of children are probably less likely to send their children to school, otherwise, parents may choose to have many children in order to spread out risk, formally educating some and engaging others in work (the diversification hypothesis).

There is a common notion that children are better suited to do some types of work than adults. An example is the use of children in the weaving industry, as has been particularly

found in the Indian carpet-weaving industry (Grimsrud and Melchior 1997). It is believed that the "small" or "nimble" fingers of children enable them to weave tighter and finer knots than adults in the production of carpets. However, a study conducted by the ILO has questioned the nimble fingers hypothesis. Results from the study indicate that children were no more likely than adults to make the finest knots.

In fact, Levison et al (1996) find that adults make some of the best carpets, woven with the greatest manual adeptness.

As part of the bringing up of children particularly in Africa, young children are required to perform household activities such as fetching firewood, fetching water, caring for younger siblings and cooking for the household. This contributes to a smooth and successful transfer of skills especially from mothers to their daughters, and hence, facilitates the socialization process of children. These children may or may not be attending school, but are made to work for long hours non-stop. Because of the domestic nature of the work, it is often very difficult to determine that it is harmful to the child.

The practice of child fosterage has been known to lead to child labour. This is most predominant in Africa, where children are 'placed' under the care of extended family members other than their biological parents. This practice has become almost a ritual, because almost every African child has stayed with an auntie, uncle or grandparent before. As reported by Van Hear (in White, 1982) in a study of child labourers in Ghana, fostered children are expected to carry out a number of time-consuming but essential household chores, and foster parents are in turn expected to provide the child with care, attention and discipline. The practice of fostering is not only common with the real relatives of children and extended family members. Children are often adopted by 'masters' and 'madams' to learn a trade. He notes that this practice is very common among Kumasi workers who employ children from various ethnic groups. The 16th July, 2002 edition of the Ghana Daily Graphic reported that "every week, a vehicle arrives with a load of young children, mostly girls and traders of all sorts, from the Northern, Upper East and West regions of Ghana to Kumasi", Mr. Kofi Jumah, Metropolitan Chief Executive disclosed. He noted that upon arrival in Kumasi, chop bar operators go to the stations to select the ones that they want, in much the same way as one will go to the market to select tubers of yam for retailing. [22]

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[22] 'Chop bar' is the Ghanaian word for local restaurant. The operators of these restaurants are the owners who employ young children to work for them in intense smoke-filled kitchens for long hours.

When one or both parents die, especially in Africa, children are often left at the mercy of other extended family members. If the incomes of these family members are not enough to cater for these children, they are often left to cater for themselves. This problem is particularly pronounced in Africa, which has the world's highest number of HIV-AIDS patients. Statistics from UNAIDS indicates that there are over 33 million people worldwide living with the disease, with around 22 million in sub-Saharan Africa alone (UNAIDS, 2008). The continuous rise in the number of HIV-Aids related deaths of parents has led to a massive increase in the number of AIDS orphans. According to Kielland and Tovo (2006), most double-orphans are put in the households of relatives, and more often than not, single orphans do not continue to live with the surviving parent, (especially where the survivor is a man), but are rather made to live with grandparents, aunties or uncles. The attention given these children is not enough, because aunties or uncles may have their own children to care for, thereby driving these orphans to earn a living for themselves and sometimes their younger siblings.

Boyden et al (1998) delve into the psychosocial motivations for children entering into work. Most working children said they work in order to contribute to the family income. Although some of these children start working themselves, most of them said they were encouraged by their families to work. As compared to child workers in developed economies, working children in developing countries are more interested in helping to sustain the family economically and maintaining family unity. Some of the children claim that they are emotionally satisfied when they help contribute to family income and solidarity. However, whether they enjoy the work they do or not is outside the scope of this paper. Whereas these children may be economically independent, most of them are so emotionally 'tied' to their families that they find it difficult to live without them. Children work when their families ask them to because they fear their families might abandon them if they refuse. The fear of losing family affection and harmony and having to provide for themselves drive these children into work (Boyden et al 1998).

Even if there was no more poverty on earth, and children were not forced to work against their will, some children would still want to work.

According to Boyden et al (1998), children see work as a means to achieve their self-actualisation and esteem. This explains why in some industrialized economies, massive numbers of middle-class children seek part-time work. The ILO explains that work is a vital

aspect of life; it is an end in itself, and serves as a means of participating in the economy and society at large (ILO, 1997, cited in Boyden et al 1998: 117).

Many children view non-exploitative work as a means by which they can demonstrate their maturity and self-efficacy. From interviews conducted with children, it was reveal that working children actually liked what they do, and feel that their work helps them to grow and develop toward their own aspirations in life. They are however quick to note that this is not true for all types of children and work, it applies mostly to those remunerative economic activities that children do not find too strenuous; children in more laborious jobs tend to have a more negative view of their work.

Another reason advanced by the authors is that just like adults, children would also love to be able to buy some things for themselves as and when they wish to.

Research from Northern Europe and North America suggests that the income earned by children is primarily used to acquire fashionable clothing and other luxuries, with far less going into savings.

Similarly, reports from developing countries point to the fact that even children from poor households work in order to buy non- essential items that are in vogue among their colleagues; thus, there appears to be a trend linked to the globalisation of markets, consumerism, and the culture of the youth.

Kielland and Tovo (2006) realise that it is not only economic factors, which may lead children to work. They contend that social and cultural factors could push children into work that is inappropriate for their age. They explain that as hierarchies are defined by gender, position and age, who will do what tasks and at what times very much depends on who is available at the time. In some cultures and societies, some tasks are considered low status, and are reserved for women to do, but when children are around, they share the burden with the woman. Only when children are unavailable (because they are in school) are men forced to perform that assignment. Thus, the child is introduced to child labour at a tender age.

Contrary to most perceptions, children see their work as empowering; a platform on which they can demonstrate their individualism. This has left most child rights advocates and researchers in a dilemma as to what extent they should respect working children's desire to work, particularly in situations where their survival is not the principal concern (Kielland and Tovo 2006).

CHAPTER 4

4 DISCUSSION AND ANALYSIS

Introduction

This chapter dwells on the discussions and analysis from the study conducted. The first part presents the data from the study. Deriving from the data presented, the factors that were found to cause child labour in the country are presented and analysed, compared and contrasted with existing literature.

DATA PRESENTATION AND ANALYSIS

General Characteristics of Respondents.

In this study, the social characteristics examined include the following variables: age distribution of respondents, the size of household of respondents, reasons for working, and type of work engaged in.

4.1 Age Distribution

The table below depicts the age distribution of children interviewed.

Table 2: Age Distribution of Respondents

Age Range (years)	Number of Respondents	Percentage (%)
5-8	10	28
9-12	11	30
13-16	15	42
Total	36	100

Source: Fieldwork 2009.

In all, a total number of thirty-six (36) children were interviewed; 18 boys and 18 girls. The ages of the children ranged from 5 to 16. From the table above, it can be discerned that for the age group of 5 to 8, a total of 10 children (representing 28%) were interviewed. For the 9

to 12 age group, a total of 11 children were interviewed (representing 30%) of total number of children interviewed, and finally, 15 children aged from 13 to 16 were interviewed (representing 42%) of total number of children interviewed. Thus, the bulk of working children fell within the 13 -16 age group. On a general basis, this is in accordance with statistics by the Ghana Child Labour Survey which states that 2 in every 5 children aged 5-17 years is involved in some form of economic activity (Ghana Statistical Service, 2003:xiii).

With regards to the gender characteristics of children interviewed, 18 (50.0%) were male and 18 (50.0%) were female.

4.2 The Size of Households of Respondents

The household is defined as "a person or group of people who live together in the same house or compound, share the same housekeeping arrangements and are catered for as one unit" (Ghana Statistical Service 2003: 9). Carter (in McC et al, 1984) however recognises that the term 'household' is not only defined in terms of age, sex or the number of people living in a house, but also notes that in much the same way as household members have equal claims to the support provided by its members, they have an obligation to contribute toward its upkeep. This explains why I chose to interview children on the characteristics of their household. Simply put, the size, educational level and occupations of various households are central in the decision to or not to send children to work.

The table below indicates the size of the household.

Table 3: The Size of Household of Respondents

Household	Number (Absolute)	Percentage (%)
5- 9	4	11.1
10-14	10	27.8
15-19	12	33.3
20-24	10	27.8
Total	**36**	**100**

Source: Fieldwork 2009.

The table above indicates that 11.1%, 27.8, 33.3 and 27.8 of the respondents have large household sizes of 5-9, 10-14, 15-19 and 20-24 respectively. This implies that respondents typically live in large households, with the most group being the 15-19 group. This clearly depicts that most of the child labourers live in large households. This can be explained by the fact that most respondents live with their extended families, and also due to the prestige that comes with a woman having more children that prevails in the country. The impact this will have on the children is that in a case where the household income is not enough to cater for its members, children are denied the opportunity to attend school. And this will normally be at the peril of the female child, who would have to forego their education for the male child.

REASONS FOR WORKING

One of the aims of the study was to find what reasons children had for working. The reasons given were diverse. Table 4.3 below gives a summary of those reasons.

Table 4: Reasons for Working

Reason	Number of Children	Percentage (%)
Supplement family income	16	44.4
Cannot afford school fees	9	25.0
Preparation for future (marriage, career)	6	16.7
Not interested in school	2	5.6
Education not useful	2	5.6
Others	1	2.7
Total	36	100

Source: Fieldwork 2009.

The results indicate that 44.4% of children who work do so to enable them contribute to the economic welfare of the household; 25% said the inability of their parents to pay their school fees informed their decision to work. 16.7% said they were working so that they can

adequately prepare for their future. The gender disparities noted here could not escape my attention: almost all the females interviewed (about 97%) said they were working in order to buy the necessary cooking utensils for marriage. It must be noted here that this reason was mostly given by female head porters, or the *kayayee*. On the other hand, most of the males said they were working in order to help them prepare for their future careers. For the males, this reason cut across all types of children interviewed. One boy, a truck pusher, even told me that he has saved money to start a small newspaper business which he runs at dawn along the Shiashie - Legon road before coming to do truck-pushing later in the day. Other boys were saving to enable them earn the money required for apprenticeship in one trade or the other in a few years, whiles others had saved enough money to buy their own trucks. Yet, some boys said they were working to gain money to make them feel like "men", so that they do not depend on anyone for their livelihoods.

It was quite interesting to note the response given by 2 boys for dropping out of school. One said that he was being punished all the time, and he even showed me scars at his back which he had sustained from persistent caning. Probing further, I asked him what he did to warrant all those lashes. He answered:

"Sister (referring to me), the teacher just hated me. I could not take it anymore so I just dropped out of school. After all, here, I am also my own boss"

Asiedu, 11 year old truck pusher.

Another boy told me he is no more interested in school because his teachers would always make him feel he is the dumbest person in the whole class, and his classmates will not stop teasing him, because he was also the oldest pupil in the class.

Two of my respondents, a boy and a girl said they did not think school was useful, that is why they rather chose to work. The girl said the father told her that school was not meant for girls but for boys. The boy said he did not know why he should attend school for so many years, when what he wanted to be in future (a welder) had nothing to do with schooling.

The girl on the other hand said most of her predecessors in school who had continued on to higher education were still jobless. In her words:

"I have grown to see that most of my seniors in school are still unemployed; what surprises me is even the most intelligent ones are jobless too. With this in mind, I do not think it is worth wasting my time in school" Ama, age 14.

Type of work done by children

During the study, I interviewed children who were engaged in different types of labour. The table below gives a summary of the type of work done by the children.

Table 5: Type of Work done by Children

Type of Work	Number Interviewed	Percentage (%)
Street hawkers	13	36.1
Head porters	11	30.6
Drivers' mates (Conductors)	5	13.9
Truck pushers	7	19.4
Total	36	100

Source: Fieldwork 2009.

The table above shows that street hawkers (36.1%) constitute the largest number of children interviewed, followed by head porters with 30.6%. Truck pushers make up a total of 19.45 of my respondents, and the smallest group interviewed were drivers' mates with 13.9%. All of the head porters interviewed were girls whiles all of the truck pushers and drivers' mates were boys. This suggests that head porterage is predominantly a female job; whiles truck pushing and drivers' mates are a preserve of males.

4.3 Educational Background of Children

The educational background of the children is generally poor. Most of the children interviewed said they were illiterates. Illiteracy here is defined as the ability to read and write. A higher proportion (about 62%) of those interviewed had no formal education. A smaller

percentage (38%) said they attended primary school up to some level, whilst only 8% of the total number of children interviewed said they were still attending school.

About 2% said they went on to Junior Secondary School (JSS), vocational or technical school. For those combining school with work, all of them were attending public schools using the shift system. When they are on morning shift, they work in the afternoon (from 12:30 pm to about 5:00pm).When on afternoon shift, they work from as early as 7am to 11:30 am. Asked if their work did not interfere with schoolwork, they answered in the affirmative. Some said they were unable to do their school assignments at home because they are so tired, and also, distractions in the home make it difficult to concentrate on their school work. Hence, they always do their assignments at school.

Thus, almost all of the children interviewed either had no education at all, or had nothing more than a primary education. The impression I got from the discussions I had with them seems to suggest that majority of the 28% who went to primary school did not complete successfully. They dropped out along the line. This is what one of my respondents (a female) said in response to the question why she did not finish Junior Secondary School (JSS):

"I was attending school in East Legon. I had gotten to my final year and had two more exams to write in order to complete. Then all of a sudden my father became very sick. My mother begged me to let her use my school fees money for my father's hospital bills. It was painful, but I had to agree. At the end of the day, I got sacked from the school, and my father too died. Now here we are with no father, no school for me. My mother is also not working. So I have to sacrifice again and hawk on the streets"

Larisa, 15 years.

At this point I had to let her go because she was getting very emotional. I had wanted to ask her more about her siblings but I could not.

Child labour and Leisure

Children who attend school reported that the only time they get to play and mingle with their peers is during break time at school, there is nothing like play for them at home. Illiterate children however reported that they barely have time for play and social interaction. They are always on the go. However, observations made on my field trips indicated that some of the

children who hawked on the streets, could be seen putting their goods down and resting under the shades of trees. Most of them were seen in groups with their peers engaging in play and probably sharing experiences for the day.

Role of Parents' job on Current job of children

Results indicate that children whose parents had been working as children themselves were more likely to be working now than those whose parents had not been child labourers. Also, parents' level of education determined whether their children would work or not. Results from my interview show that parents had no more than elementary education. Their highest level of education was primary school. This might explain why so many child labourers had lower level of education.

This finding is in conformity with the BAT study (2002) on Child labour in Tobacco growing areas in Uganda which states that children whose parents were involved in agricultural self-employment are more likely to work than other children.

Gendered differences in goods sold

An interesting trend was noticed in the gender dynamics of the sample interviewed. With regards to child street hawkers, some particular wares were sold by boys only, with females selling a different thing altogether. Except apples and water which could be observed to be sold by both genders, boys could mostly be seen selling non-edible items such as dog chains, books, DVDs, key holders, Ghana souvenirs, tourist maps, among others. On the other hand, girls sell mostly edibles in the likes of all types of pastries, plantain chips and biscuits or cookies.

Complementarity versus Substitutability

My study revealed that girls' work was complementary to their mothers'. This is in line with Bhukuth and Ballet's (2006) argument that child labour complements adult labour. The interviews revealed to me that most girls performed the house chores in order to allow their mothers do something else - most often engage in income-producing activities outside the house. Most of these parents were petty traders. There was however no evidence found for male child labourers

4. 4 DISCUSSION OF FINDINGS: CAUSES OF CHILD LABOUR IN GHANA

Poverty

The general picture I got from interviewing the children was that they are working not because they want to, but because it has become a must for them. When I asked one boy why he is working and not in school, he answered by asking me a question back:

> *"Why should I not work? If I stop working, who will give me food to eat?*
>
> *Kudzoe, 13 years.*

The above response denotes that the respondent is working in order to be able to provide three square meals a day for himself. This is similar to many responses I got from children. Out of the thirty six (36) children interviewed, 21 said they were working due to household poverty. The following is what another girl told me is the reason for her selling iced water on the streets of Madina:

"I have had to stop schooling temporarily due to inability of my parents to pay my school fees. My mother is a food vendor and my father a security man. We have pleaded with the teachers to allow me but they said the money we are owing is too much. Now I sell iced water on the streets to supplement the family income. I am still waiting to go back to school when things are better".

Ama, 10 years.

Children said inability of their parents to take adequate care of their basic needs has left them with no other option but work. The above response by Ama means that she has stopped schooling without knowing when she will resume. The question remains: what if the household money is never enough to pay for her school fees? Does that mark the end of her education? Will she continue working forever? This is the situation in which most children in Ghana find themselves. When they carried out a study of household demand for schooling in Ghana, Awedoba et al. (2003, in Akyeampong, 2009) discovered that economic shocks and small changes in a family's condition was an important factor in determining if a child would attend school or drop out temporarily or permanently. Similarly, when Bøas and Hatløy (2008) asked children on the streets of Accra what their reasons were for leaving their homes to work, most of the answers were found to be economically driven. However, most of the girls interviewed revealed that they needed the money in order to prepare for their trousseau (bridal chest). This is similar to the results I got from interviewing a number of *kayayees* at the Madina market in Accra, mostly females who had migrated from the northern to the

southern part of the country. About 90 % of them said they needed the money to buy cooking utensils for use when they get married.

Akyeampong (2009) notes that education reforms in Ghana have not lived up to expectation. He cites the introduction of the Free Compulsory Universal Basic Education (FCUBE) in 1995, enhanced through a Capitation Grant Scheme strategy in 2004/05 (UNICEF 2009), which guaranteed universal education by 2005 by putting an end to all forms of fees and significantly reducing the indirect costs that come with attending school. Despite all these efforts, school enrolment keeps dwindling. This challenges the result by Ravallion and Wodan (1999) who observed that in Bangladesh, subsidies on school enrolment reduced the incidence of child labour significantly. These enrolment subsidies are given to poor households to reduce current and future poverty, in cash or in kind, but this was only conditional upon children staying in school.

Thus, there seems to be a direct link between poverty and child labour in Ghana. This reinforces the luxury axiom advanced by Basu and Van (1998) that says that a household will only send their children to work when it is unable to cater for their needs. According to the ILO, the incidence of child labour worldwide has decreased, albeit modestly. The new estimates reveal a ten percent reduction in the four year period (2004-2008) covered by the report in 2010. With more than half of the country's population living below the absolute poverty line, parents are forced to depend on the income gained from their children's work for survival. Also, the inability of the labour market to pay the minimum wage to adults has made children an obvious alternative. According to UNICEF (1997), this is because children are "more malleable to do what they are asked to do without questioning authority, they are more powerless because they are less likely to organise against oppression, and can be physically abused without striking back" (UNICEF, 1997: 28).

Bruscino (2001) notes that when unemployment is on the increase and adults project that they will lose their jobs, they send their children into work as a form of "insurance" to protect against future poverty hitting the whole household.

However, UNICEF makes a point against the poverty hypothesis, saying that the idea that child labour will continue to exist unless worldwide poverty is eradicated is not true. In his undergraduate dissertation on the causes and effects of child labour in Ghana, Ayitey - Quaye (1996, in Bruscino 2001) reminds us that even the rich who are supposed to know better have come to accept child labour, with some sending small boys for errands on the University of

Cape Coast campus. "The fact remains that when a child is engaged in hazardous labour, someone– an employer, a customer or a parent – benefits from that labour. However poor their families might be, children would not be harmed by work if there were not people prepared and able to exploit them. And child labour, in fact, can perpetuate poverty, as a working child grows into an adult trapped in unskilled and badly paid jobs. …, the end of hazardous child labour does not have to – and must not – wait for the end of poverty" (Ayitey Quaye, T., 1996, in Bruscino, 2001:18).

In addition to the pervasive poverty reigning in the country is the issue of unemployment. There are far too many adults who remain unemployed, and for those who are employed, their salary is barely enough to feed themselves. This forces some parents to begin "sieving" their children, to assess who is already doing well in school and who is not. This is done in order not to waste parents' hard earned money on a child who is not bright. Only the best gets access to education. Children are withdrawn from formal classroom teaching and are placed in one type of apprenticeship or the other to learn a specific skill, vocation or trade. It therefore becomes a must for children in these situations to learn a trade in order to work and supplement the meagre family income.

Cultural beliefs and practices

Some cultural beliefs and practices existing in the country encourage child labour. Ghanaians cherish their culture and tradition and consider it part and parcel of their very being. This is reflected in a local proverb that is literally translated to mean "we do not throw away our tradition". It is not easy to convince people to discard some aspects of their cultural beliefs and keep others. Modernisation has not been a tangible excuse for people to abandon their beliefs, rituals and practices. This makes efforts to eliminate child labour all the more difficult. As echoed by UNICEF, "bringing about a change in the ethical climate in which such opinions flourished was, and in many case still is, the most difficult part of the long struggle for a more just society"(UNICEF, 1991:27, in Bruscino, 2001:18).

Traditionally, it is believed that having more children means having less work to do. Therefore, parents who have no money to pay for external labour to work on their farms decide to have more children to make the burden distributable.

Early Marriages

Throughout the world, marriage is thought to be one of the most important stages of a person's life because it denotes entry into adulthood and maturity. In Ghana, young children are made to enter into marriages without their consent. In most cases, it is the female who is denied this opportunity. This goes against Article 16 of the Universal Declaration of Human Rights which states that:

(1)"Men and women of full age, without any limitation due to race, nationality or religion,

have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending parties"

The probability that these children will have less or no education is higher than for those who marry later. This makes them enter the labour force earlier, and for girls, begin childbearing earlier. Not having access to formal education, these children are unable to gain the needed technical - knowhow and professional skills that can guarantee them better jobs in future. During my interview, it came to light that a number of female head porters or *kayayee* were victims of early marriages. Asked why she is married and not in school, one of the girls responded:

"For me, I was forced to marry when I was 13, to a man old enough to be my father. It is my father's fault, he sees marriage to be more important than school"

Afi, 15 years.

From my interviews, 2 of the girls mentioned early marriage as the cause of their migrating from the North to the South to find work to do. One girl (aged 13) said that she was not interested in the person she was supposed to marry; the other (aged 12) said she felt she was too young to enter into such a venture. Indeed, the problem of child labour and rural-urban migration go hand in hand.

Some traditional practices of some ethnic groups in the country have forced some children to move from other parts of the country to the capital. Rural - urban migration occurs when people migrate from rural to urban areas, mostly in search of greener pastures. Parents who

leave for the cities in search of better jobs for their families leave behind their children for others, who may be facing financial difficulties themselves. This leads to the neglect of these children who find must find their own means of survival.

Children in rural areas also migrate to the urban areas. Some of them return after acquiring the requisite capital to start life on their own. Directly or indirectly and through their open display of acquired wealth, these children are able to convince others to join the migration flow. The existence of relatives and friends in urban towns and cities has facilitated child labour. 22 of the girls interviewed said they already knew people in the cities when they arrived.

"Before I arrived here, I knew one friend here in Madina. She was always encouraging me to come to the 'big' city, because there are a lot of things to do and see; she also said she will help me find a good job"

Ajo, 12 years.

Caldwell (1968) shows that there is a very strong link between the presence of some rural household members in urban areas and the likelihood of other members either visiting the town, (an act which preludes ultimate migration), or actually migrating there. In what Caldwell (1968) calls chain migration, children who move to cities are accommodated for a short while at other relatives' or friends' homes, after which they must find their own accommodation. When they are a bit settled, they are also ready to receive other children who are coming from the rural areas, some even foot the transport of their friends or relatives to join them in cities. This does not apply to migrants from the Northern Regions alone; it cuts across all regions of Ghana.

Gendered roles in the household

Right from the tender ages of about 2 to 3, girls and boys in a household become aware of the roles they are expected to play. Thus, traditionally, girls are more inclined towards all household chores that have to do with childcare, cleaning, washing, cooking, and fetching water; whiles males are made to wash the cars, mow the grass, and cut firewood into pieces. Nonetheless, Fant (2008) notes that among the Bimoba people of Northern Ghana, female children are expected to do all the domestic work; boys can only help when there are no females around. The Bimobas consider it a social stigma for a male to cook his own food.

Parents tend to believe that putting children to work is a way of preparing them for their future roles in society. For the female child, it is thought that performing domestic chores constitutes learning the basic skills necessary for marriage and management of the home. Boys on the other hand lend the extra hands needed by the father on the farm, wash cars, cut grass, and so on. The interviews conducted by Fant reveals that families hesitate in sending especially their females to school because they fear they will learn new values and ideals and for that reason become less willing to help with domestic chores at home.

Traditional System of Inheritance

The matrimonial system of inheritance which is practised by some tribes in the country fuels this problem. In the matrimonial system, children inherit from the mother's line, while the father is supposed to take care of his nephews and nieces. For this reason, fathers pay more attention to their nephews and nieces, neglecting their children altogether, only viewing them as "properties" of the woman. If the mother's financial position is weak and not enough to support these children, as is usually the case, the children are compelled to resort to any kind of labour if they fail to get some help from elsewhere. With a large number of children, this problem becomes aggravated.

Child Fosterage

It is widespread practice for children in Ghana to live with relatives other than their biological parents. As a traditional practice, children have always been sent to relatives or other people with whom the family has close ties. This is especially so in the case of children being sent to wealthy relatives. Thus, child relocation is recognised to be a factor causing child labour in the country. Children relocate for a variety of reasons, a major reason being to find work. For instance, the ongoing conflict prevailing in the Northern part of the country has separated some children from their families, making it impossible for them to trace their family members. Many people have died as a result of this internal conflict, leaving people with no prospect of acquiring any knowledge about the fate of their families. In a bid to forget about the past and move on, others have made new families and have completely forgotten about their old ones.

Isuigo-Abanihe (1985) argues that as societies continue to grow more complex, fostering has become more prevalent in West African societies. In his words, fostering refers to "the

relocation or transfer of children from biological or natal homes to other homes where they are raised and cared for by foster parents" (Isuigo-Abanihe 1985: 53). However, he notes that fostering evolves not only when a family is perceived not to have the necessary means to raise their children, as it happens in both stable and unstable families, wealthy as well as poor families and both rural and urban families.

Illness and death of parents/relatives

In the event of a parent, sibling or other relative becoming extremely sick, the finances of the household become woefully inadequate to cater for the other members. This might mean a child sacrificing his or her education for the sick person. Foster and Williamson (2000) argue that parents' illness makes children assume new responsibilities long before they are orphaned. These responsibilities include taking care of younger siblings, cooking, fetching firewood, bathing and toileting, giving medication and taking relatives for treatment. The alarming rate at which HIV-AIDS is causing so many deaths on the African continent is very alarming. According to the DFID, Ghana is making inroads in the number of HIV/AIDS deaths in the country (DFID 2009).[23] Nevertheless, there are quite a good number of children who have lost one or both parents to HIV/AIDS.

Gachuhi (1999) notes that the effect of HIV-AIDS is most likely to take a greater toll on children than adults. Children are the ones who would be forced to drop out of school, live with and cater for sick relatives and be expected to work in order to replace lost family income as a result of high cost of anti-retroviral drugs. Emotional and physical stress on these children will not allow them to concentrate on their schoolwork, leading to poor school performance and eventually dropping out. This is particularly true for females.

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[23] The DFID draws our attention to the fact that the overall HIV prevalence in Ghana is stabilizing and prevalence is low compared to other sub Saharan African countries (stabilizing at 2%).

CHAPTER FIVE

Introduction

This chapter summarises the entire study, and principal findings from the study. In view of the findings made and problems identified as impediments to the realization of children's rights in Ghana, some recommendations are made in the final part of the chapter.

SUMMARY AND CONCLUSIONS

This study has focused on the link between children's work and their rights. It has attempted to find out the nature of child labour in Ghana, what kinds of work children in Ghana are currently doing that is impeding the progress to ensure their rights, protection and welfare, what efforts have been made by both Government and NGOs in realising that these rights are ensured, and why in spite of these efforts, child labour is still prevailing in the country.

In this final chapter, I summarize the entire study and findings, and make some concluding remarks for policy planning within the domain of the topic of the study.

5.1 Summary of study

The research conducted showed that child labour is predominant in Ghana. It shows that children as young as 5 work as labourers on farms, fishers (where they are made to scoop water from canoes, and made to dive under deep waters to disentangle trapped fishing nets), commercial sex workers, head porters, truck pushers, street vendors, domestic servants, illegal miners, drivers' conductors, and child beggars. Trafficking in children was identified as a major factor around which child labour revolves. Also, the study showed that certain traditional practices and beliefs have sustained child labour in the country. The research also identifies children in ritual bondage (trokosi) as a form of cultural practice that undermines the rights of children.

5.2 Summary of Principal Findings

Household Poverty was found to be the main factor causing child labour in the country. This, coupled with the high unemployment rates in the country has made the economic conditions of most households such that parents have had no choice than to let their children work to

support the entire household. Inability of parents to pay school fees of their wards has led to their children dropping out of school and working to save money and enter into one form of trade or the other.

It was revealed by the study that certain cultural beliefs and practices fuel child labour. Traditionally, some parents believe that it is better to send their girl children into marriage very early; thus, these girls are often married off to men old enough to be their fathers. Because they are denied their education and usually have no employable skills, they live at the mercy of their husbands who are not able to take care of them and their children. When this happens, the young girls are forced to work.

The system of inheritance of some ethnic societies in the country, where children inherit not from their fathers but their uncles seems to have contributed to large numbers of neglected children in the country. Fathers abandon their responsibilities as caretakers of their children and leave the burden on their wives alone. Neglected children have no choice but to work to survive.

Child fostering was found to be another reason why children work. Sometimes, due to economic hardships, children may be sent to live with other relatives or friends of their parents, who may use children for work.

Finally, the study realised that illness of parents renders them unable to work and thus the burden falls on the child to work to complement family income. Children whose parent/s might have died have an obligation to work and look after their ones.

The thesis indicates that indeed government has put in a lot of efforts to ensure that children's rights are protected. Government has ratified a number of international conventions and other legal provisions bordering on the rights of the child, the major one being the CRC. In addition to this, the country has instituted its own laws, policies, and programmes geared towards ensuring the rights of children. Moreover, institutions have been set up to coordinate affairs of children in the country and ensure their well being and welfare. In spite of these efforts, minimal success has been achieved. The study identified some of reasons this is so to be unwillingness and fear on the part of some parents and children to testify against offenders in the law courts and the shortage of trained personnel on children's issues. People are also not aware of the various laws prohibiting children from doing economic activities. Ignorance of the law was also seen as a major reason why some children are forced into work.

5.3 RECOMMENDATIONS

In view of the above problems identified, the following recommendations are given.

Child labour indeed is a big problem to the realisation of children's rights in Ghana, and as such should be addressed without any further delay.

In the first place, since poverty has been found to be the main cause of child labour in the country, the most efficient way to avert it is to establish a poverty reduction programme, to ensure that household poverty is radically reduced, if not totally eliminated. For instance, the Livelihood Empowerment Against Poverty (LEAP) programme instituted by the previous government in 2008 must be taken seriously by the current government. LEAP is meant to benefit orphans and other vulnerable children, the extremely poor aged 65 years and above, and persons with severe disability without the capacity to produce.

It is meant to be a five − year programme which covers 25,000 households each year. It is to serve as a "spring board" to help the poor "leap" out of extreme poverty, and in the long run empower them to contribute to socio-economic development. Each household receives an amount of cash totalling between GH¢8 and GH¢15.

In order to benefit from this programme, beneficiary households will have to enrol and retain all school-going age children in public basic schools, register all members of the household under the National Health Insurance Scheme (NHIS), and register all newly born babies.

In addition to these, they will be required to ensure that no child in the household is trafficked or engaged in any activity that amounts to child labour.

However, the problem with successive governments is that they fail to implement policies that have been put in place by the previous administration, particularly when they are not from the same political party. This is a major factor that continues to entrench poverty in the Ghanaian society.

To add to this, parents whose children are not in school should be questioned on why this is so, and if the reason is not tangible enough, should be prosecuted. Those who are genuinely unable to send their children to school can be relieved of some of their burden if government reduces drastically the cost of school fees and books. Even though government and other civil

service organisations have instituted various programmes that subsidise school fees and the cost of textbooks for school-going children, this gesture has been restricted to some regions only, leaving others out. As is always the case in many matters of social development, speedy growth in dealing with child labour and improving levels of education has more often than not been achieved in population groups that are within or near the mainstream, whilst those at the margins need additional and steady efforts to overcome the much bigger problems faced by them. In this direction, communities in the northern regions and many rural and urban areas throughout the country can be said to be deprived areas that need special attention if we are to attain child labour goals and educational level goals in time. There is therefore the need for government and other civil organisations to tackle the underlying problems which make children in these deprived areas who are most vulnerable to the worst forms of child labour and exploitation.

There is the need to make this a nationwide gesture, to enable children in the remotest of regions (who need the help most) get access to basic education. Thus, there should be some form of quota scheme to help those children.

Also, Government should see to it that all communities have schools which are adequately resourced and give joy to children.

In view of the optimistic attitude towards education by most parents and children, sustainable arrangements must be made to cater for the education of children already in employment, even if it is on part time basis.

In addition, there must be programmes put in place to sensitize parents, farmers, communities and the children themselves on the ills of child labour and how they can involve themselves in overcoming this problem.

Even though there seems to have been a lot of advocacy on children's rights and a lot of education on the laws prohibiting child labour in the country, a lot more still needs to be done, and particularly so in the rural parts of the country, where child labour is most prevalent. Sheer ignorance is what drives some parents to give their girl children into marriage instead of sending them to school. This could be better achieved if an outfit like the National House of Chiefs or the National Commission on Culture (NCC) takes upon itself to encourage people to do away with the negative sides of their culture. Practices such as

"trokosi" should be the main focus of their programme, since it severely undermines the rights of children.

There should be adequate training of personnel to handle children's matters. There is the need to train drivers of the Ghana Private Road Transport Union (GPRTU) to be on the high alert for any person found to be transporting large numbers of children from one area to the other, as this could possibly be a trafficker transporting children from one point to another. This can help in curtailing child trafficking.

Even though there has been much talk about child rights in the country, there is nothing like a separate children's budget to fund children's programmes. The establishment of a special children's budget by government will not be out of place, since children make up the bulk of the country's population. In reality, children are hardly ever mentioned in the annual budget. The closest attempt has been an attempt to examine what resources government is allotting to programmes that benefit children, and whether these programmes adequately reflect the needs of children. This will enable both government and civil society to monitor the performance of government departments in an effort to meet policy commitments, such as the NPA, towards children.

Also, there is the need for children's advocacy groups and public officials working in the interest of children to put pressure on the government to re-prioritise its spending plans in favour of children.

The National Youth Policy that has been recently outdoored by the Government of Ghana identifies 19 priority areas to bring development to the lives of the Ghanaian youth. Towards the end of the policy, it is said that "the National Youth Policy will be implemented through an ACTION PLAN, which will outline comprehensive strategies, projects and activities, time frame with respect to immediate, short, medium and long term and the budget lines that will achieve its desired objectives". But in actual fact, there is no action plan attached to the document. This renders the policy somewhat not usable or not implementable. The onus now lies on the government to come out with an action plan as soon as possible because without it, the lives of its children continue to be in jeopardy.

If child labour is to be totally eliminated out of the country, then the GNCC needs to make conscious efforts to link up with civil society to co-ordinate implementation of the CRC both at local and National levels.

Also, the GNCC needs to co-ordinate its work with state institutions, such as the Commission on Human Rights and Administrative Justice (CHRAJ) and the Legal Aid Board to give it more authority to attend to institutionalised abuses such as "Trokosi".

Knowledge of the provisions of the Intestate Succession Law is practically non-existent. In especially matrilineal societies, children and widows are constantly being thrown out of the matrimonial homes upon the death of the father. Educating the public on the Interstate Succession Law will ensure that widows and affected children know about their rights to inherit their husband and father's properties respectively.

Finally, I suggest that more platforms where children can air their views on matters affecting their welfare be provided. Ideally, this should start from the family level and community levels where children are made part of any decision affecting their welfare.

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APPENDICES

APPENDIX 1

TOPIC: UPHOLDING THE RIGHTS OF CHILDREN IN DEVELOPING COUNTRIES: A CASE STUDY OF CHILD LABOURERS IN GHANA.

The researcher is working on the above topic. Please it would be appreciated if you could fill out this questionnaire as truthfully as possible. Information given would be treated as confidential and is purely for academic work. Please tick where appropriate and answer where necessary. Thank you very much for you cooperation.

QUESTIONNAIRE 1

I talked to 18 boys and 18 girls, all child labourers at the Madina market in Accra, Ghana, with ages ranging from 5 to 16. For the sake of consistency, I asked each of them the same questions, as follows:

1. What is your name?

2. How old are you?

3. Are you originally from Madina?

4. If not, where are you from?

5. Why did you move to Madina?

6. Did you know anyone from here before deciding to move here?

7. How many people are in your family?

8. How many of those people are working?

9. What work do your parents do?

10. Do you work?

11. What work do you do?

12. What time do you start? Finish? How many days a week?

13. At what age did you start working?

14. Do you eat when you are working? If so, what times do you eat?

15. Do you keep the money you make (if money is earned), or do you give it to your family?

16. Have you ever been in school?

17. If yes, why did you stop?

18. Do you attend school now?

19. If yes, how does your work affect school? Do you work before/ after? Does it make you tired?

20. If no, when did you stop? Why? Do you plan to go back? Do you want to? Can you?

21. Which do you like more: work or school? Why?

22. Can you read and write?

23. What do you want to do in future?

APPENDIX 2

In order to find out what role the government, national and international NGOs are playing in upholding the rights of children in the country, I conducted several interviews with

representatives from these organizations. For the sake of consistency, I asked each of them the same questions:

1. Which year was your organisation established in Ghana?
2. What are the objectives/missions for which it was founded?
3. What are some of the child-labour related programmes that this outfit is involved in?
4. In particular, any child-labour related projects/ activities that you are involved in?
5. Have you made any legislation on Child Labour?
6. Since its establishment in Ghana, how many child labourers have you rescued? Who are some of the stakeholders you work with? Have you organised any workshops/trainings on child labour? Has your organisation been at all successful in upholding the rights of the child in Ghana?
7. What are some of the challenges (e.g. staffing, resources, etc) faced by your outfit in trying to combat child labour in Ghana?
8. What in your view are some of the solutions to the problem of child labour in Ghana?