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Negotiating change: working with children and their employers to transform child domestic work in Iringa, Tanzania

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Keywords

Negotiating, change, working, children, their, employers, transform, child, domestic, work, Iringa, Tanzania

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Negotiating change: working with children and their employers to transform child domestic work in Iringa, Tanzania

Abstract

This paper documents the practical and action-oriented findings of an investigation into child domestic work undertaken in Iringa, Tanzania from 2005 to 2007. It provides an overview of the experiences of both child domestic workers and their employers, before discussing their suggestions for how child domestic working arrangements may be improved. The latter sections of the paper relate the attempts to regulate child domestic work that emerged from such dialogue. In providing detailed information on that process, the paper is positioned within the field of action research and resists the boundary frequently applied between academia and activism. It also moves beyond the tendency - observed in many existing studies of child (domestic) work - to document problems without proposing solutions. The regulatory focus of the project is theoretically supported by a social constructionist reading of the situation facing (child) domestic workers in Iringa (and elsewhere). Domestic workers have been discursively constructed as 'one of the family' rather than employees. This paper posits that the exploitation of child domestic workers relies on such constructions, and that improved regulation of this employment sector may offer an opportunity to discursively and tangibly reconstruct child domestic work as 'real work'. Although formulated in the Tanzanian context, the recommendations are of broader geographical relevance.

Key words

Child domestic work, social constructionism, action, participation, regulation

Introduction and background

Child domestic workers are ‘children under the age of 18¹ who work in other people’s households doing domestic chores, caring for children, and running errands’ (UNICEF 1999, p. 2). They are paid in cash or kind, are employed by adults who are not their parents and typically live in their employers’ homes (Kifle 2002). The International Labour Organisation (ILO) has identified child domestic work as the most common occupation for teenage girls in the Majority World² (ILO-IPEC 2004). The scholarly literature has paid increasing attention to child domestic work over the last decade (Camacho 1999, Jacquemin 2004 and 2006, Blagbrough 2008, Bourdillon 2009), although it remains dramatically under-investigated in comparison to its prevalence.

This paper is based upon a participatory, action-oriented and youth-led investigation into child domestic work conducted in Iringa Municipality, Tanzania, from February 2005 to September 2007 (see Figure 1). It is located within a growing body of literature, in children’s geographies, that seeks to avoid the imposition of Minority World ‘standards’ that uniformly identify children’s work as a harmful aberration (Punch 2000, Robson 2004, Ansell 2005, Skelton 2008, Bromley and Mackie 2009). This paper recognises that many children throughout the world depend on work for their survival. However, it avoids casting working children as passive ‘victims’ (of poverty and/or exploitation), recognising that they exercise varying degrees of agency in their working lives (Ansell 2005, Klocker 2007, Bourdillon 2009, Bromley and Mackie 2009).

[INSERT FIGURE 1 HERE]

This article differs from the existing literature in important ways. First, although it is based on a study that was particularly concerned with inviting child domestic workers to reflect upon their experiences, it was also determined to incorporate their employers' perspectives. Employers have, with few exceptions (see Camacho 1999), been excluded from existing studies of child domestic work. This research was conceived with that scholarly gap in mind. Second, this paper joins a small body of literature on child (domestic) work that has begun to move beyond problem identification (see Camacho 1999, Kifle 2002, Jacquemin 2004 and 2006). It reports on an action research process that asked child domestic workers, employers and local leaders to suggest strategies for improving that occupation. Although some existing studies have made policy recommendations (Camacho 1999, Jacquemin 2004, Mansoor 2006, Erulkar and Mekbib 2007, Blagbrough 2008), these have typically been of insufficient detail to have practical relevance for communities, practitioners and academics. This paper documents an attempt to tangibly improve child domestic workers' circumstances.

Although theoretical support is provided for the practical recommendations made in this paper, extensive theorisation is not its intent. Many prominent scholars have expressed concern that 'much social science research goes little beyond simply describing the world' with 'few tangible benefits' (Cameron and Gibson 2004, p. 316; see also Harvey 1974, Routledge 1996, Kitchin and Hubbard 1999, Valentine 2001, Pain 2003 and 2006). There have, in this vein, been calls for 'more moral, caring and politically aware human geographies' which create a potential for individual and collective action (Pain 2003, p. 650). This paper is situated within this action-oriented body of literature, whilst recognising that action can co-exist with a poststructuralist worldview (Cameron and Gibson 2004).

Social constructionism, childhood and action research

A social constructionist approach to identity and representation is concerned with the ways in which categories are used to 'structure our experience and analysis of the world' and rejects the notion that particular descriptive categories are inherently 'natural' (Jackson and Penrose 1993, p.2). It conceives of the subject as 'produced through discourse', rather existing 'prior to language' (Pratt 1999a, p. 217). Children and childhood have often been excluded from this worldview, instead considered to be 'biologically defined' and marked by 'chronological age' (Holloway and Valentine 2000, p.2). Children's geographers have identified childhood as a socially constructed phenomenon (Holloway and Valentine 2000, Panelli, Punch and Robson 2007), recognising that the labels attached to children affect how they (and others) perceive their capabilities and roles (Pratt 1999a).

A social constructionist perspective underpins this paper, and the research on which it is based, in three ways. First, it forms the basis for challenging dominant Minority World discourses that denaturalise children's work (Woodhead 1999, Punch 2000, Robson 2004). Second, social constructionism informed the participatory action research methodology that was adopted, by highlighting how constructions of children's 'incompetence' have excluded them from research processes investigating their own lives (Matthews, Limb and Taylor, 1998). It places an onus on children's geographers to incorporate children in such research. Third, on the basis of the information contributed by local stakeholders, this paper argues that regulatory mechanisms can be used to *reconstruct* the popular (and harmful) discourses that surround child domestic work in Iringa, and elsewhere. It adopts an active form of social constructionism (promoted by Pratt 1999a and Cameron and Gibson 2004), which identifies the need to move beyond deconstruction by strategically introducing alternative, more

empowering, representations of disadvantaged groups. These issues are discussed in greater detail throughout this paper.

The legislative context of child domestic work in Tanzania

Tanzania is a signatory to the *1989 United Nations Convention on the Rights of the Child (UNCRC)*³ and the *1999 ILO Convention on the Worst Forms of Child Labour (WFCL) (No. 182)*⁴. In keeping with its obligations under those instruments, the Tanzanian Government has created legislation targeting children's work. When this study was undertaken, child domestic work fell within the ambit of two pieces of federal legislation - the *Employment and Labour Relations Act 2004* (the Act), and the *Regulation of Wages and Terms of Employment Order 2002*⁵ (the Order).

The Act sets provisions for children's employment and the Order specifies working conditions and entitlements (including for 'domestic servants'). The utility of these instruments has been limited by a number of shortcomings. In line with international standards, the Act prohibits all work for children under 14 years of age, and all but 'light work' for children between 14 and 15 years of age. It mirrors the opposition to children's work expressed in international law, and suffers from the use of intangible concepts such as 'light work' and work 'which is not likely to be harmful' to children.

The Order's ability to protect child domestic workers from exploitation is also limited. It does not limit the *types* of work that a 'domestic servant' can rightfully be expected to undertake, allowing almost any task to be drawn within her ambit of responsibility. Second, the Order does not distinguish between the wages of 'live-in' and 'live-out' domestic workers (see Table 1). This is problematic because (as became apparent in this study) few employers

are capable of paying a live-in (child) domestic worker the minimum monthly wage specified *in addition to* full food and board. The legislation has set an unrealistic target. Third, the Order fails to provide guidance on processes of ‘hiring and firing’ and on employers’ and employees’ rights and responsibilities. Crucial details are absent from both pieces of legislation, making it difficult for employers and employees to have an unambiguous picture of how (child) domestic work should operate. Neither regulatory instrument contains provisions for enforcement, or specifies complaints procedures for violations. Most of the interviewees involved in this study were not even aware of the existence of such labour laws.

INSERT TABLE 1 HERE.

Methodology

A team of researchers was engaged in this project including a Tanzanian research assistant (Esther John Malifedha) and a Tanzanian children’s rights activist (Paul Mbenna). Three former child domestic workers were also recruited, trained and employed as co-researchers. Faidha Mlossi, Vaileth Mvena and Amina⁶ were aged 17, 15 and 14 (respectively) at the commencement of the research. A description of the participatory processes employed is beyond the scope of this paper (see Klocker 2007 and 2008).

Data were collected from June 2005 to October 2006. The information presented in this paper is based on: 30 interviews with current child domestic workers and 34 interviews with former child domestic workers; 25 personal narratives written by former child domestic workers; 57 interviews with employers of child domestic workers; and four focus group discussions with 29 local leaders (including ‘street chairpeople’ and ward executive officers⁷) in Iringa Municipality. All data were collected in Kiswahili. As the only non-Tanzanian member of the research team, I was not present during interviews in order to encourage the

interviewees to interrogate their own views of child domestic work, not to defend them because a foreigner was in the room. The questions asked of respondents did not constrain them in their assessments of child domestic work. They were phrased in a non-judgemental manner and gave respondents scope to discuss both positive and negative facets of this occupation. In keeping with the action-oriented intent of the research, the various stakeholders were also asked what (if anything) should be done to improve this occupation.

Through the varied perspectives of the informant groups mentioned above, it was possible to gain a complex and nuanced understanding of child domestic work. Even current and former child domestic workers often expressed contrasting views, with those still employed tending to portray it in a far more positive light. The former child domestic workers may have over-represented the negative and exploitative potential of child domestic work as they had already left employment, often because of hardships they had experienced. Conversely, the current child domestic workers likely over-represented the positive and beneficial potential of this occupation. They were recruited for interview with their employers' permission, suggesting that they were being treated well enough for their employers to have nothing to fear from allowing them to be interviewed. Although confidentiality was ensured, some current child domestic workers may have felt unable to provide a full account of their experiences. The inclusion of current *and* former child domestic workers is a unique approach. Their discrepant accounts highlight the importance of including both groups in future studies.

Child domestic work in Iringa: the young employees' experiences

Child domestic work is a highly feminised sphere of employment (Camacho 1999, Forrester-Kibuga 2000, Jacquemin 2004, Rubenson *et al.* 2004). All of the current and former

child domestic workers in this study were female and predominantly (70%) from rural areas. The majority (73%) became domestic workers when aged 15 or over. Almost all (86%) had completed their compulsory primary education but none had attended secondary school.

The current and former child domestic workers interviewed explained that they began working for a number of reasons: poverty, familial responsibility, parental pressure, a lack of educational opportunities, the desire to build a better future, survival, an attraction to the excitement of city-life, family problems (e.g. divorce and abuse) and orphanhood. Reasons for becoming child domestic workers, rather than engaging in other occupations, included: a lack of career opportunities for uneducated girls, peer pressure, active recruitment by employers, and informal trafficking. Although poverty was the most frequently offered explanation for entering child domestic work, informants' responses were indicative of the interplay between structure and agency in working children's lives (Klocker 2007, see also Ansell 2005, Bourdillon 2009, Bromley and Mackie 2009).

The young interviewees were asked to provide an overall assessment of their occupation (see Tables 2 and 3). Whilst almost all current child domestic workers described their job as 'good' and indicated that they derived benefits from it - less than half of the former child domestic workers concurred. Similar discrepancies were evident when these respondent groups were asked whether they had experienced any hardships (see Table 4).

[INSERT TABLES 2, 3 & 4 HERE]

The young interviewees were also asked to *describe* benefits they had incurred, or problems they had experienced, whilst employed. Whilst several studies have documented the difficult circumstances faced by child domestic workers, illuminating their experiences of

exploitation and abuse (UNICEF 1999, Erulkar and Mekbib 2007, Forrester-Kibuga 2000, Rubenson *et al.* 2004, Mansoor 2006), it is rare for academics and/or practitioners to note how child domestic workers may also benefit from their occupation (for exceptions see Bourdillon 2009, Bromley and Mackie 2009, Camacho 1999). Such benefits are often ignored in reports designed to promote abolition of children's work (Nieuwenhuys 2007, Bourdillon 2009).

Benefits identified by the young interviewees involved in this study included: good working conditions (reasonable hours, tasks and pay), good living conditions (quality food and sleeping environments), being cared for, earning an income, provision of basic needs, survival, being given gifts and future opportunities. Problems associated with the job included: physical and sexual abuse, psychological abuse or mistreatment (e.g. discrimination and segregation), isolation and loneliness, pay-related problems (delayed-, low- or non-payment), being overworked, difficult and/or dangerous tasks, withholding of food, a lack of access to medical care, poor sleeping arrangements, and a lack of educational opportunities.

Further details on the living and working conditions of Iringa's child domestic workers are available in Klocker (2008) and will not be reproduced here, as their stories overlap substantially with those documented in other geographical contexts (Camacho 1999, UNICEF 1999, Kifle 2002, Jacequmin 2004 and 2006, Rubenson *et al.* 2004, Bourdillon 2009). Broadly speaking, the data collected reveal that the experiences of child domestic workers are not uniform. This is a complex occupation which cannot be automatically or solely identified as harmful. Although child domestic workers experience many serious problems, their 'work itself is not necessarily dangerous or inhumane' (UNICEF 1999, p.2). Whilst it is easy to focus on horrific reports of mistreatment, such experiences are not universal and should not be the sole basis upon which decisions over this occupation are

made. On the other hand, whilst many young employees spoke positively about their work, this should not negate the serious risks involved. The multifaceted nature of child domestic workers' experiences, in Iringa and elsewhere, necessitates a complex response.

Child domestic work in Iringa: the experiences of employers

The majority of employers interviewed in this study were female (68%) and were between 20 and 40 years of age (64%). Employers from a range of socio-economic backgrounds were interviewed – 44 per cent lived in wealthy neighbourhoods of Iringa Municipality, while the remainder lived in considerably poorer areas characterised by crowded streets of small and often dilapidated mud brick houses with corrugated iron roofs. Many lived under considerable financial strain, but 'employed' child domestic workers nonetheless.

The literature on child domestic work has paid scant attention to the perspectives and experiences of employers (for an exception see Phlainoi 2002). This study sought to counter that trend. Employers were interviewed and asked to provide an overall assessment of their experiences. Over 94 per cent admitted that they, and their peers, benefit from child domestic work. The most common motive for hiring domestic workers was 'needing help' with domestic chores and childcare. This 'help' was also recognised as the primary benefit of having domestic workers. Other benefits included: being freed to engage in paid employment, home security and extra income-generation when employees conduct non-domestic tasks. The most commonly cited reasons for hiring *children* as domestic workers were their 'submissiveness' and the low cost of their labour. Additional reasons for employing children, and the resulting benefits, included: children's trustworthiness (including the perception that they would not have affairs with male employers), the opportunity to 'help' poor children,

children's availability and willingness to be *live-in* domestic workers and their perceived lack of other commitments.

The negative or problematic experiences of employers who bring child domestic workers into their homes have been almost entirely omitted from existing studies (Phlainoi 2002 is an exception). There is a general assumption that the children are 'passive victims' and 'the adult employers are at fault' (Bourdillon 2009, p.14). In reality, individual working situations are far more complex. When employers were asked whether they and their peers experience hardships as a result of child domestic work, 77 per cent responded in the affirmative. By far the most common problem cited was 'being robbed' by child domestic workers. Other problems included: child domestic workers leaving without notice, abuse of employers' children, poor job performance, laziness, not knowing what to do if a child domestic worker becomes sick or dies⁸, arrogant and argumentative child domestic workers, and pregnancies. Other problems listed by fewer employers included: breakage of household items, affairs between child domestic workers and male employers, 'uncivilised' behaviour or 'dirtiness', the need for extensive on-the-job training, and the financial burden of an extra person in the household.

A more detailed discussion of employers' experiences is presented in Klocker (2008). By presenting employers' concerns, this paper does not suggest that the difficulties they experience approximate (in severity or frequency) those reported by child domestic workers. The inequitable power relations inherent to (child) domestic working arrangements have been well-documented (Romero 1988, Mendez 1998, Anderson 2000), limiting the extent to which employers can justifiably be positioned as 'victims'. However, these observations draw attention to the complexity of child domestic work, and the frequently conflicting interests of

child domestic workers and their employers. Notwithstanding the intrinsic value of such knowledge, the research team actually had a strategic objective in mind. Little can be done to improve child domestic workers' circumstances unless their employers are engaged (Black and Blagbrough 1999, Bourdillon 2009). Understanding employers' concerns is strategically crucial to implementing an agenda for change, as most employers will only be amenable to change if they gain something in the process. Ensuring that attempts to improve the circumstances of child domestic workers incorporate measures to address (at least some of) their employers' fears, may prove a useful tactic for garnering compliance. Their dependence on child domestic workers also generates a strategic position from which to negotiate over the future of this occupation.

Moving beyond problem identification

In keeping with the action-oriented nature of this research project, it was important to go beyond documenting the experiences (whether positive or negative) of child domestic workers and their employers. Kitchin and Hubbard (1999, p.165) have criticised the tendency for geographers to 'survey (and 'map') the exclusionary landscape' without doing anything to change it; while from beyond geography, hooks (1994, p.67) has argued that we need to do more than understand 'the nature of our contemporary predicament' and instead highlight the means by which realities can be transformed. A small section of the literature on child domestic work has moved beyond problem identification to proposing solutions (Camacho 1999, Kifle 2002, Jacquemin 2004 and 2006, Mansoor 2006). However, such studies rarely offer detailed recommendations, relying instead upon broadbrush propositions that we must 'exten[d] the scope of existing laws and advocat[e] a comprehensive legal framework' (Mansoor 2006, p. 169), 'regulate working conditions' (Jacquemin 2004, p. 395), 'address the harmful conditions under which such girls live and work' (Erulkar and Mekbib 2007, p. 255)

and 'change society's low regard for domestic workers' (Camacho 1999, p. 57). Although these important studies have raised the profile of child domestic work, more detailed explorations of how the circumstances of these young employees can be improved are now required.

Early in this project, brainstorming sessions were held with the three former child domestic workers who were employed as co-researchers, to gather their perspectives on what (if anything) should be done to improve the circumstances of children employed in this sector. My own ideas (as a white, middle-class, western researcher) were not divulged to the young researchers. They independently proposed that a contract or other legal instrument be developed to regulate child domestic work in Iringa.

During the data collection phase of the project, the interviewees were asked for their thoughts on how the problems experienced by child domestic workers, and their employers, could be overcome. Their responses were broadly categorised as abolition-oriented or change-oriented, with the latter being mentioned at much greater frequency across all respondent groups⁹. This provided evidence that the people directly engaged in child domestic work in Iringa did not desire abolition. Whilst abolition may seem a compassionate response to the dramatic stories told by many young employees (including some in this study), there are powerful arguments against it and increasing support for responses that do not exclude children from employment entirely (Woodhead 1999, Miljeteig 2000, Jacquemin 2004 and 2006, Bourdillon 2006 and 2009, Bromley and Mackie 2009).

The most obvious argument against the abolition of children's work (including child domestic work) is that most Majority World children work because of poverty, thus abolition

risks undermining their wellbeing (Woodhead 1999, Jacquemin 2006, Bourdillon 2009).

Second, expectations that childhood be a period of play, education and innocence are Minority World constructs that do not fit easily with the reality of Majority World childhoods, where children's work is not only a necessity, but a familial responsibility and an important part of the socialisation process. An extensive body of literature has critiqued attempts to portray Minority World childhoods as a universal norm and superior form of child-rearing (Fyfe 1989, Woodhead 1999, Punch 2000, Robson 2004, Ansell 2005, Nieuwenhuys 2007, Bourdillon 2006 and 2009, Skelton 2008, Bromley and Mackie 2009). Third, children are the only group of workers whose exploitation is usually addressed by attempts to remove them from the workforce, rather than by efforts to protect them at work (White 1994). Their vulnerability is increased by the tendency for prohibitive legislation to focus on the formal sector, pushing them into (often more precarious) informal sector occupations (Woodhead 1999). Finally, and perhaps most crucially, prohibition may not match the wishes of working children.

Children are often positioned as objects of adults' decision-making rather than as social actors, and working children have regularly been sidelined in debates over their appropriate relationship to work (Alderson and Goodwin 1993, Miljeteig 2000, Bourdillon 2009). There is increasing scholarly recognition that working children have the right (and capacity) to make decisions about their working futures, and to participate in the development and implementation of solutions to their problems (Woodhead 1999, Miljeteig 2000, Bourdillon 2006 and 2009, Skelton 2009). Children's geographers have been at the forefront of this shift towards (working) children's engagement in research on their lives (Matthew, Limb and Taylor 1998, Holloway and Valentine 2000, Panelli, Punch and Robson 2007, Beazley *et al.* 2009, Robson *et al.* 2009, Skelton 2009). The young interviewees involved in

this study made it abundantly clear that abolition was not their preference. Their requests for changed working conditions are typical of working children's reactions across sectors and throughout the world (Camacho 1999, Woodhead 1999, Miljeteig 2000).

The changes suggested by the study participants fell into four broad categories. First, education and/or skills training should be provided to child domestic workers to improve their future prospects. Second, knowledge should be improved around child domestic workers' rights, so that they are armed with the information required to defend those rights, and so that employers have a basis against which to judge (and improve) their own standards of treatment. Third, employers and employees should change their behaviour – the former by being more caring and the latter by being hardworking and well behaved. Fourth, greater regulation and monitoring of child domestic work via legal mechanisms is required. More explicit suggestions included: official registration of child domestic workers and employers, the establishment of a contractual system overseen by local leaders (street chairpeople), and the enforcement of minimum wages. Interviewees made these suggestions without prior knowledge that the research team was interested in exploring a regulatory approach. After their 'raw' opinions had been obtained, the research team asked more targeted questions about a contractual system.

Exploring the strengths and limitations of a contractual approach

The vast majority of current and former child domestic workers (89% and 80% respectively) felt that a contractual system would offer them, and their peers, protection. Most employers (70%) concurred. Some interviewees felt a contract would protect wages:

[It] will make sure I get my wage properly and I'm not being harassed (Former child domestic worker#20).

She [the domestic worker] will trust that 'I will definitely get my money' because...if they write it down [in a contract], [the employer] must pay her (Employer#50; Female)

Others noted that a contract would improve child domestic workers' knowledge of their rights and ensure access to recourse:

[There should be a contract so that] if I go there as an employee, and if I find the employer is doing bad things to me, it means...I have a contract, the contract is telling me I should do this...and where the legal institutions are. Already she [the child domestic worker] has rights...(Employer#8; Male).

It [a contract] can [protect child domestic workers] because if you go to complain somebody *must* listen to you (Child domestic worker#7).

Some interviewees remarked that a contract would enhance the status of child domestic work, with flow on effects for the treatment of young employees:

It [a contract] will protect [her]...I'm telling you the girls will be respected...like the way other people are respected (Employer#10; Female).

[I]f these laws...will be put in place, well, this employment will appear like employment with big goals, and a person will be working the same as if she is working in the government (Former child domestic worker#33).

These comments suggest that a contract would solve what has been identified, within the literature (Rollins 1985, Mendez 1998, Anderson 2000, Jacquemin 2004, Keklik 2006, Blagbrough 2008), and by the participants in this study, as one of the key problems facing domestic workers - the failure to recognise what they do as 'real work'. This issue, and the capacity for a contractual system to remedy it by destabilising exploitative constructions of child domestic workers, is discussed in a later section of this paper.

Most employers (70%) felt that they would also be protected by a contractual system, arguing that it would be more difficult for child domestic workers to steal from them, and/or

leave without notice. Recognition of how a contractual system can be structured to benefit employers, offers a strategic opportunity when working towards change.

Despite the support expressed for a contractual system during interviews, the research team was cognisant that such an approach has significant limitations. In order for a contract to be effective, child domestic workers and their employers must avail themselves of the protection offered. There are real difficulties in applying employment contracts within the private sphere (Pratt 1997, Anderson 2000). Domestic work is characterised by highly inequitable power relationships (Romero 1988, Mendez 1998, Anderson 2000), with live-in domestic workers being dependant on employers for work and shelter. It is questionable whether young employees would feel able to report contract violations and thus benefit from a contractual system.

Notwithstanding these concerns, children's geographers have, in recent years, increasingly challenged popular constructions of the 'incompetent' and disempowered child (Matthews, Limb and Taylor 1998, Holloway and Valentine 2000, Holt 2004, Klocker 2007, Panelli, Punch and Robson 2007). The research team was wary of making a blanket judgement on child domestic workers' 'incapacity' to make use of regulatory mechanisms. Capacity is likely to vary between individual employees, and across working relationships. By making regulatory mechanisms available, it may be possible to catalyse a process of change and to take a first step toward establishing more tolerable working and living conditions. If child domestic workers were made aware of their rights via a contractual system, if they were told where to report mistreatment, and if they were assured that somebody would take their concerns seriously, they might become (even slightly) more empowered to defend themselves. Some support for these observations is found in Pratt's (1999b) study of Filipina domestic

workers in Vancouver, Canada. Once they were made aware of their legal entitlements they began to stand up for themselves, telling employers who demanded too much, ‘No, it’s not my job. It is not in my contract’ (Pratt 1999b, p.34). This is where the main value of a contract may lie.

A related concern surrounding regulatory instruments, such as contracts, pertains to their enforceability. The consensus, among interviewees, was that Iringa’s street chairpeople should be responsible for overseeing the proposed system. Their preference for a locally implemented and enforced regulatory instrument was supported by the apparent inability of the existing federal legislation to generate change. The unique Tanzanian local government structure (a relic of socialist rule from 1961 to 1983) extends enforcement capabilities to the ‘ten-cell’ level. The role that could be played by ‘local’ (street and ten-cell) leaders in monitoring an issue like child domestic work should be given greater consideration in other contexts where similar forms of local leadership exist.

A third concern relating to a contractual system is that it may be unable to fulfil the emotional needs of child domestic workers. Many young interviewees expressed a desire to be ‘loved’ by their employers, which cannot be contractually enforced. Non-regulatory means of promoting greater respect and caring must also be pursued¹⁰. What a contractual system can achieve, however, is to position child domestic workers as *employees*. If they conceptualise themselves as employees (rather than quasi family members) their need to be ‘loved’ by employers (and their pain when they are not) may be lessened. The potential for a contractual system to *reconstruct* child domestic work(ers) is explored below.

Constructions of child domestic workers: ‘one of the family’ or employees?

Domestic work has been denied ‘real work’ status because of its association with femininity, family and the private realm of ‘unproductive’ work (Radcliffe 1990, Mendez 1998, Anderson 2000). It continues to be viewed as something that women and girls properly do without remuneration, as a labour of love and as a duty to their ‘families’ (Mendez 1998). The extent of this entanglement is evident in the use of kinship terms (such as child, daughter, father and mother) within domestic working arrangements (Young 1987, Pratt 1999a and 1999b, Arnado 2003). In this study, employers regularly made references to ‘kinship’, claiming: ‘I do not employ her, I live with her like my child’ (Employer#18; Male). Traditionally, the kinship idiom was accurate as many child domestic workers were related to the wealthy urban kin whose households they maintained. However, kinship networks are playing a declining role in child domestic work worldwide (UNICEF 1999, Anderson 2000, Jacquemin 2004). Despite this shift, the discourse of ‘kinship’ has remained relatively intact (Radcliffe 1990, Jacquemin 2004, Keklik 2006), to the benefit of employers. In this study, employers regularly justified child domestic workers’ poor working conditions on the basis that they were ‘family members’ whose activities could not be identified as ‘real work’. Many child domestic workers were also fluent in these discourses:

[B]ecause I am like a child of the house...I don’t get a wage or anything...I just live with her like a person of the house (Child domestic worker#28).

Constructions of familial belonging proved a convenient way of exploiting and maintaining control over child domestic workers whilst denying them access to the benefits available to ‘real’ family members (Glenn 1985, Rollins 1985, Romero 1988, Mendez 1998). They attained neither the benefits of familial membership (protection, security, love, nurturance and access to education) nor the advantages of being an employee (set working conditions and wages). Similar observations have been made in the literature on domestic work in various

countries (Rollins 1985, Mendez 1998, Anderson 2000, Keklik 2006, Blagbrough 2008). The contribution of this study lies in its active attempt to move beyond recognition of these problematic constructions, to the processes of *deconstruction* and *reconstruction*.

Social constructionism and action research can easily be considered antithetical in intent. While the former has been critiqued for having ‘little relevance to the ‘real world’’ (Cameron and Gibson 2004, p. 317), the latter demands that we take action. Further, while social constructionism insists that no interpretation of a situation, or representation of a group, is more correct than any other; action research requires us to advance one ‘reality’ in preference to another. Cameron and Gibson (2004) have argued that common ground between participatory action research and a poststructuralist worldview can be forged. That common ground lies not in an assertion that one interpretation of a phenomenon is more ‘true’, but a conviction that the research process has revealed one interpretation to be more beneficial for the purposes of redistributing power (for instance between child domestic workers and their employers). The act of shifting disempowering constructions, and strategically replacing them with less harmful ones, can be an important task for participatory action researchers (Pratt 1999a, Cameron and Gibson 2004). Deconstructing the ‘one of the family’ idiom, and simultaneously building up an understanding that domestic workers are *real* employees, is essential to improving their working conditions. Yet, as Pratt (1999a, p.233) has acknowledged, shifting the boundaries placed on domestic workers by popular stereotypes requires more than ‘small instances of decisive wordplay’. This paper posits that regulation is crucial to the process of redefinition as it actively challenges the construction of domestic work as ‘non-work’ and of domestic workers as ‘part of the family’. Standardised employment contracts offer a means for *reconstructing* child domestic work as ‘real work’ and for improving employers and employees’ knowledge of their rights and responsibilities.

A number of interviewees involved in this study recognised the potential for this, as indicated in their comments on the potential benefits of a contractual system presented earlier in this paper, and in the quote included below:

Yes, if there is a contract it will protect them...The employee will know that she is really at work and the employer will know now s/he has an *employee* and [that] s/he should make sure that s/he pays [that employee] properly (Employer#51; Female).

The remainder of this paper documents, in some detail, the process by which the research team sought to operationalise the stakeholders' requests for a contractual system and to engage with the process of reconstructing child domestic work. That process involved working closely with the various stakeholder groups to draft a contract and supporting by-law that were presented to Iringa Municipal Council. The final documents are reproduced in Klocker (2008), although considerable detail is included below.

Action research: developing a contract and by-law

The interviewees and local leaders were asked a series of targeted questions in order to collect their thoughts on what a contract governing child domestic work should 'look like'. Their suggestions are summarised in Table 5. Of course, not all interviewees were in agreement on each point summarised, and their inclusion here is not indicative of consensus. The information presented summarises the range of perspectives gathered by the research team.

[INSERT TABLE 5 HERE – long table will run over two pages]

Not all of the suggestions listed in Table 5 were included in the draft contract (and supporting by-law) developed by the research team, although the majority were. The research team opted to exclude those suggestions that would further disempower child domestic workers (such as

the requirement that they ‘obey’ their employers). This list of suggestions provides an indication of the breadth of issues that require consideration when academics and practitioners call for child domestic work to be regulated. It is not an exhaustive list, and several of the suggestions contained therein are contentious (and were debated extensively within the research team itself, let alone amongst the stakeholders). Nonetheless, this list provides a starting point for future attempts to regulate child domestic work in other contexts. Although imperfect, it provides a level of detail not present in other studies. Such detail is critical to improving the circumstances of child domestic workers because it offers practical guidance to employers and employees. It was highly apparent, when conducting this research, that the nebulous concepts of ‘light work’ and ‘avoiding harm’ provide an impractical foundation for behaviour change at the local level. The draft contract developed in the context of this study sought to leave as little as possible open to interpretation.

The bulk of the material contained in the draft contract and by-law aimed to improve the circumstances of child domestic workers. However, some clauses were included that would protect employers, in order to garner their support for the initiative. Specific clauses would protect employers against theft and prevent child domestic workers from leaving without notice. Broadly speaking, the draft instruments aimed to set realistic and achievable standards. They were structured to be sufficiently hard-hitting to improve child domestic workers’ circumstances, but not so tough as to be totally impracticable for employers. The research team and interviewees were aware that an unfeasible regulatory mechanism, if strictly enforced, would risk instigating the collapse of the sector or pushing it underground. Setting achievable targets in relation to wage levels was a particularly delicate issue as was the inclusion of age boundaries. Most interviewees (including current and former child domestic workers) argued that our contract should specify a minimum age of 15 years.

This stands in contrast to Bourdillon's (2009) observation that child workers generally do not support international standards on minimum ages for employment (see also Jacquemin 2006). If the age boundary suggested by the interviewees in this study were strictly enforced, it could have negative implications for younger girls with no means of financial support (Jacequemin 2006). Although I was concerned about the adoption of 15 years as the minimum age of employment, I was part of a team and the preferences of the team and the interviewees ultimately prevailed. I was, as a result, slightly relieved when the research team's efforts to implement this contractual system stalled, as discussed below.

Although our efforts to introduce a contractual system to govern child domestic work in Iringa had a high level of stakeholder support, this was not matched by the political will to enact change. In order to enforce a contractual system, the supporting by-law needed to be passed by Iringa Municipal Council. Although key Council officials had been engaged from the commencement of the research project, and had expressed their support for the initiative on numerous occasions, the Council declined to deliberate on the proposed by-law unless considerable financial 'incentives' were provided. Ethical concerns and financial limitations prevented the research team from providing such incentives. The success of our draft regulatory instruments hinged not only upon 'the willingness of more powerful individuals or organisations to acknowledge the need for change' (Pain and Francis 2003, p.52), but also on their commitment to making that change happen.

Conclusion

This paper has documented the outcomes of a participatory action research project that involved collaborating with local stakeholders to develop strategies for addressing a range of problems inherent to child domestic work. It has responded to a call, within human

geography, for engaged research that seeks to move beyond the identification of problems, to the development and implementation of solutions. It has reported on a research process that involved gathering stakeholders' suggestions for improving child domestic work, and working with those suggestions to develop a draft contract and by-law. Such regulatory instruments are crucial to *deconstructing* the harmful and exploitative notion that child domestic workers are 'one of the family', and to *reconstructing* them as employees. The anticlimactic conclusion of this research project should not dissuade others from attempting to improve the circumstances of child domestic workers, and there remains considerable potential to learn from the strengths and weaknesses of the efforts detailed in this paper. This paper calls for future academic work on the lives of working children to not only theorise about their predicament and draw attention to their difficult circumstances, but also to develop and (attempt to) implement strategies to improve their daily lives. Scholarly commitment to such change-oriented processes can only be ensured if space continues to be made, in the mainstream academic literature, for the publication of detailed and practical accounts of such action research processes.

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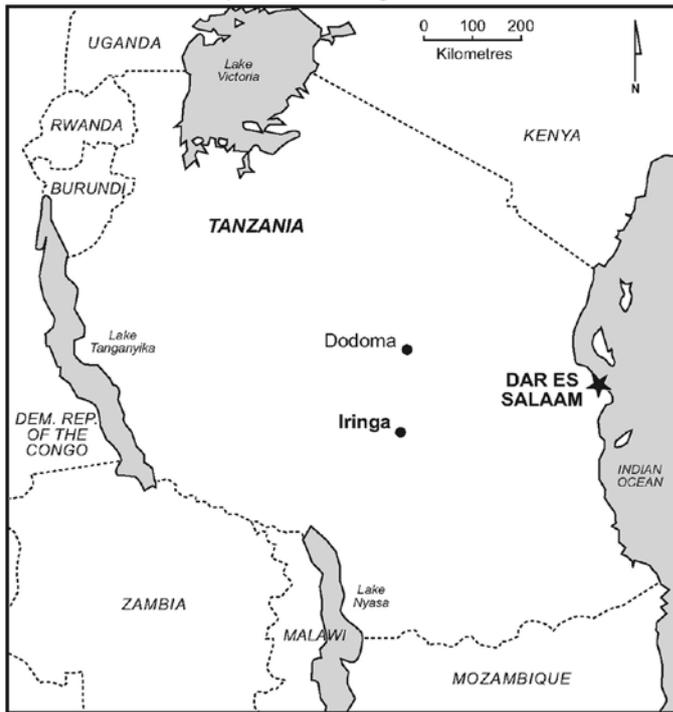
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Figure 1
Location of study area, Iringa (Tanzania)



Source: Klocker (2007, p.84)

Table 1: Minimum wage levels of ‘domestic servants’ in Tanzania

Rate	Over 18 years of age		Above 15 years, below 18 years of age	
	Tsh.	\$U.S.	Tsh.	\$U.S.
Monthly (urban)	48,000	39.12	33,600	27.38
Monthly (rural)	35,000	28.53	24,500	19.97

Source: Adapted from Government Ordinance No. 311, under the *Regulation and Terms of Employment Order, 2002*

Table 2: Overall assessment of child domestic work

	Good (%)	Mixed (%)	Bad (%)
Former child domestic workers			
How did you find your work? (n. 34)	41	12	47
Current child domestic workers			
How do you find your work? (n. 28)	96	0	4

Source: Interviews with current/former child domestic workers.

Table 3: Is child domestic work beneficial?

	Yes (%)	No (%)	It depends (%)
Former child domestic workers			
Did you get any benefits from doing child domestic work? (n. 34)	38	62	0
Current child domestic workers			
Are you getting any benefits from doing child domestic work? (n. 29)	83	14	3

Source: Interviews with current/former child domestic workers.

Table 4: Is child domestic work problematic?

	Yes (%)	No (%)
Former child domestic workers		
Did you experience problems as a result of child domestic work? (n. 34)	62	38
Current child domestic workers		
Do you experience any problems as a result of child domestic work? (n. 29)	10	90

Source: Interviews with current/former child domestic workers.

Table 5: Stakeholders’ responses to the question - ‘What should be included in a contract on child domestic work?’

Definitions	<ul style="list-style-type: none"> • The contract must specify who, under what circumstances, can be officially identified as a child domestic worker.
Wage conditions	<ul style="list-style-type: none"> • There should be a set minimum wage. • Separate minimum wages should be specified for live-in and live-out child domestic workers. • Child domestic workers should be paid higher wages than at present¹¹. • The monthly date of payment should be specified. • Overtime payments should be specified. • Child domestic workers should receive paid holidays. • Child domestic workers should receive paid sick leave. • Employers and employees should sign a monthly pay slip.
Provision of basic needs	<ul style="list-style-type: none"> • As child domestic workers are employed on a live in basis, employers’ obligations around the provision of basic needs must be clearly specified. • Food of adequate quality/quantity must be provided by employers. • Shelter of adequate quality must be provided by employers. • Appropriate medical care must be provided by employers. • Child domestic workers’ needs should be fulfilled as for employers’ own children.
Working hours and holidays	<ul style="list-style-type: none"> • A maximum number of daily working hours should be specified (c. 9 hours). • Child domestic workers should have at least one day off per week. • Child domestic workers must be given sufficient time to rest. • Child domestic workers must be given time to practice their religion. • Child domestic workers must be given annual holidays (c. 1 month).
Types of work	<ul style="list-style-type: none"> • The types of work expected of child domestic workers must be specified. • Only ‘normal’ domestic chores can be included in employees’ job description. • Employers cannot add tasks without employees’ agreement.
Education and future prospects	<ul style="list-style-type: none"> • Employers should provide child domestic workers with the time to engage in education. If possible, employers should contribute financially towards that education. • Employers who use a promise of education to recruit child domestic workers must fulfil that promise.
Discrimination and harassment	<ul style="list-style-type: none"> • Child domestic workers should be treated and cared for in the same way as employers’ own children. • Child domestic workers should not be segregated from family activities (e.g. meal times). • Employers’ families should share the domestic workload with child domestic workers.
Physical violence and sexual abuse	<ul style="list-style-type: none"> • Employers must not use corporal punishment against employees. • Employers who force child domestic workers to have sex with

<p>General responsibilities for child domestic workers</p>	<p>them must be punished.</p> <ul style="list-style-type: none"> • If members of the employer’s family make the child domestic worker pregnant they must assume financial responsibility for the child. • Child domestic workers should complete the work they agreed to. • Child domestic workers should respect and obey their employers. • Child domestic workers must be trustworthy (i.e. not steal). • Child domestic workers must have a guarantor who can compensate employers in case of theft.
<p>Duration of contract</p>	<ul style="list-style-type: none"> • The duration of the contract should be specified, and any party that breaks the contract prematurely (without due cause) must compensate the other party.
<p>Background information</p>	<ul style="list-style-type: none"> • Full names of the employer and employee must be stated in the contract. • Employers and employees’ home addresses must be stated in the contract.
<p>Minimum age</p>	<ul style="list-style-type: none"> • Children under 15 should not be permitted to do domestic work. • Child domestic workers’ ages should be noted in the contract.
<p>Compliance with and oversight of contract</p>	<ul style="list-style-type: none"> • Employers must ensure that the child domestic workers’ rights (as specified in the contract) are fulfilled. • Contracts should be signed in front of street chairpeople. • Street chairpeople should be officially recognised as the immediate point of contact for employers and employees. • Street chairpeople must maintain a full and up-to-date register of all the child domestic workers employed in their jurisdiction. • Witnesses must be present at the signing of the contract. • The contract must specify appropriate measures that will be taken in cases where the contract is violated by either party. • A by-law should be passed in Iringa Municipality in order to legally enforce the contractual system.

Source: Interviews with employers and current/former child domestic workers, discussions with street chairpeople.

Notes

¹I adopt the definition of children as people under the age of 18 years, but acknowledge the extensive debates within the literature (including children's geographies) over the appropriateness of delineating a specific age of transition to adulthood (see Fyfe 1989, Valentine 2003, Panelli *et al.* 2007)

²I follow Punch (2000) by using the terms 'Minority World and Majority World' rather than South/North, developing/developed, Third World/First World.

³Article 32 stipulates that children have a right to be 'protected from economic exploitation and from performing any work that is likely to be hazardous or interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development'.

⁴The *ILO Convention on the Worst Forms of Child Labour 1999 (No. 182) (Article 3)* identifies the WFCL as follows: '(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 in armed conflict; (b) the use, procuring, or offering of children 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'.

⁵The *Regulation of Wages and Terms of Employment Order* was updated in 2007, increasing the (adult) minimum wage to Tsh. 65,000 (\$U.S. 52.98) regardless of rural/urban location. U.S. Dollar conversions were calculated on exchange rates as at June 28th 2007. No information could be located on the updated wage for those aged 15 to 18 years.

⁶Amina is a pseudonym. She was the only member of the research team to indicate that she did not want her real name used in publications resulting from this research.

⁷Street chairpeople are elected representatives who live on the 'street' for which they are responsible. They are actually responsible for several streets, but it is a sufficiently small area for them to be very familiar with the households in that area. Street chairpeople operate at the level of government below ward executive officers.

⁸Employers indicated that they often did not have sufficient information about their child domestic workers' families to be able to contact them if the young employees became sick or even died. This distressed some employers enormously, as they felt it was their duty to inform these children's parents/guardians.

⁹Only 15 per cent of the suggestions made by employers, ten per cent of those made by former child domestic workers, and eight per cent of those made by current child domestic workers were abolition-oriented.

¹⁰In this research project, a radio programme was developed and aired on a local radio station in Iringa, in an attempt to address this issue (see Klocker 2008).

¹¹The data collected indicated that many of Iringa's child domestic workers were not paid at all. Those who were paid, typically earned Tsh. 5,000 (\$U.S. 4.05) or less per month. Most young interviewees (86%) suggested a minimum monthly wage of Tsh. 10,000 (\$U.S. 8.15), while 59 per cent of employers suggested it be Tsh. 20,000 or more (\$U.S.16.30).