

From Womb to Work: A Theological Reflection of “Child Labour” in Zimbabwe.

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Declaration

I, Sinenhlanhla Sithulisiwe Ngwenya hereby declare that this dissertation, unless specified in the text, is my original work. Furthermore, the vision and conclusion reached are my own and may not be attributed to any other individual or association.

Signature.....

Date.....

Sinenhlanhla Sithulisiwe Ngwenya

Abstract

The socio-economic and political crisis in Zimbabwe is breeding poverty which forces children to drop out of school and find a way to survive. Children in Zimbabwe no longer work for extra income to spend with peers or to pay for school fees, but they work for their survival. Therefore this is a study on child labour. Zimbabwe is signatory to the United Nations Convention on the Rights of the Child however, all these laws are not helping to mitigate against child labour. Despite the existence of child labour in Zimbabwe there has been little theological response. The current theological debates have overlooked the suffering of children through child labour. This argument refers to both academic and church theology. The basic theological argument in this study is that in order to protect children from child labour there is need to construct a liberative theology of children which focuses on; dignity, identity, love, justice and freedom.

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Dedication

I dedicate this project to my daughter Lisa and all Zimbabwean children suffering under the yoke of child labour.

Acronyms

CRC	Convention on the Rights of the Child
CLPA	Child Labour Programme of Action
ESAP	Economic Structural Adjustment Programme
EMCOZ	Employers' confederation of Zimbabwe
GAPWUZ	General Agricultural and Plantation Workers' Union of Zimbabwe
GDP	Gross Domestic Product
IMF	International Monetary Fund
ILO	International Labour Organisation
IRIN	Integrated Regional Information Network
PMTCT	Prevention of Mother to Child Transmission
S I	Statutory Instrument
UNCRC	United Nations Convention on the Rights of the Child
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children Education Fund

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Chapter One

Introducing the Study

1.1 Background to the study

“Suffer the little children”¹ is a phrase that is in many people’s minds when thinking about the current socio-economic and political situation of Zimbabwe. Zimbabwe has a population of more than 13.3 million people with children from 0-14² years of age forming 37.2 % of the population.³ The minimum age that at which a child may seek work is fifteen years in Zimbabwe.⁴ Zimbabwe is currently experiencing socio-economic and political instability. While the practice of child labour exists in the Zimbabwean history the current situation in the country has seen a considerable increase in this phenomenon.

Child labour has given rise to concern and controversy throughout the world.⁵ Many people justify employing children as a way of providing income for poor children and their families, or as a way of providing them with a decent life and shelter.⁶ Michael Bourdillon says in the Zimbabwean context employing children “is sometimes a route to providing poor children with a means of livelihood. Some children use their labour to fund the expenses necessary to complete their schooling”.⁷ For example, some children are forced to seek for work so as to put food on their family tables or to pay for their

¹ “Suffer the little children” is a biblical phrase on the Synoptic Gospels Matthew 19:14; Mark 10:14 and Luke 18:16.

² The Zimbabwe demography office shows 14 years as the maximum age of a child not allowed to seek for employment.

³ <http://www.zimstat.co.zw/index.html> accessed on 10 April 2008. See also Zimbabwe selected statistics <www.dol.gov/ilab/reports/pdf> accessed on 17 April 2008.

⁴ U.S. Department of State, "Zimbabwe," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 6d <<http://www.state.gov/g/drl/rls/hrrpt/2006/78765.htm>> accessed 18 April 2008, see also Embassy-Harare March 2007, Investigation and Prosecution of Traffickers Paragraph C, See also ILO Committee of Experts, Direct Request, Minimum Age Convention, 1973 (No.138) Zimbabwe (ratification:2000). <<http://webfusion.ilo.org/public/db/standards/normes/appl/>> accessed 18 April 2008.

⁵ <http://webfusion.ilo.org/public/db/standards/normes/appl/> accessed 18 April 2008.

⁶ Bourdillon, M. *Child Domestic Workers in Zimbabwe*. (Harare: Weaver Press, 2006), p xi.

⁷ Bourdillon, M. *Child Domestic Workers in Zimbabwe*. (Harare: Weaver Press, 2006), p xi.

siblings' school fees. However, the conditions under which children work in some areas of their employment or at home do not conform to the rights of children as outlined in the United Nations Convention on the Rights of the Child (UNCRC).⁸ In addition, children in Zimbabwe are oppressed by what Joyce Mercer terms the “violence of poverty” and they are caught in the interlocking oppressions of gender and class exploitation.⁹ Many employers prefer to employ a child rather than an adult because they are less likely to complain about working conditions or wages. Children in Zimbabwe are employed in both formal and informal sectors such as agriculture, domestic work, vending, mining and quarrying, manufacturing, construction and other types of work such as guarding cars and prostitution.¹⁰ This study focused on child labour in agriculture and domestic work.

Children are vulnerable to exploitation because in most cases they do not have a voice in their families, communities and society. As a result, Loewenson¹¹ observes that “while the victim is always the child, the oppressor is not only the employer.” Douglas Sturm¹² observes that “in part children are victimized by their own immediate caretakers” such as parents and communities that oppress children through different forms of work. Family work is not always exploitative but it becomes exploitative when it interferes with the child’s physical and psychological development.¹³ As a result, Mercer says children are exploited as forms of cheap labour and treated as objects for all kinds of gratification of adult desires.¹⁴ At home and at work children are sometimes expected to do work which is beyond their capabilities.

⁸ Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20, November 1989.

<<http://www.unhcr.ch/html/menu3/b/k2crc.htm> accessed 19 April 2008.

⁹ Mercer, Joyce. Ann. *Welcoming Children: A Practical Theology of Childhood*. (Missouri: Chalice Press, 2005), p ix.

¹⁰ Zimbabwe Central Statistics Office, *Child Labour Report, 2006*, Harare, (March 2007)

¹¹ Loewenson, Rene “ Child Labour in Zimbabwe and the Rights of the Child” in *Journal of Social Development in Africa* 6,1 (1991) pp, 19-31. p 25.

¹² Sturm, Douglas. “On the Suffering and Rights of Children: Toward a Theology of Childhood Liberation” in *Cross Currents*,. 42 (2) (1992), p 150.

¹³ Fyfe, Alec. *Child Labour*. (USA: Polity Press, 1989), p 14.

¹⁴ Mercer, *Welcoming Children* . p ix.

Vending is one kind of work and a survival strategy for Zimbabweans; this is due to the unemployment rate which is above 95%.¹⁵ Street vending is one of the few readily accessible avenues of employment open to children and women who need to earn a living. Some families use children as young as five years in their businesses, such as selling vegetables, cooked foods, sweets, fruits and handcraft.¹⁶ Some of these children begin working as early as 6 am when markets open to 7 pm when markets close. Along main roads mainly linking cities children can be seen selling fruits, cooked food and vegetables sometimes until midnight. This is mainly visible on the Bulawayo-Beit-Bridge-Johannesburg road where many children can be seen waiting for cars, buses and trucks in order to sell their commodities during the day and at night. These children are exposed to possibilities of sexual abuse, drugs, robbery and murder.

Also, girls in Zimbabwe are increasingly being exploited through sex work and drug trafficking in order to pay for school fees.¹⁷ Within Zimbabwe, “girls are trafficked from rural to urban areas for commercial sexual exploitation in brothels under false pretences of marriage or employment.”¹⁸ Due to economic hardships in Zimbabwe young girls are also trafficked to neighboring countries such as South Africa and Botswana for commercial sexual exploitation under false pretences of employment.¹⁹ This is exposing young children to the risk of HIV infection. The oppression of children has always been linked to that of women. Thus, for instance Beverly Carolease Grier²⁰ argues that child labour and women labour were closely linked in the pre-colonial and colonial African economy. This is because domestic work and farm work is gendered.

¹⁵ Zimbabwe, <<http://unstats.un.org/unsd/methods/inter-natlinks/refs3.htm>, see also Reserve Bank of Zimbabwe, *Monthly Bulletin* accessed 14 February 2009; see also Zimbabwe News Online, Zimbabwe News 14 February 2009 < <http://www.greatindaba.com/default.asp> accessed 14 February 2009.

¹⁶ Loewenson, R, “Child labour in Zimbabwe and the Rights of the Child,” p 24.

¹⁷ U.S. Department of State, "Country Reports- 2006: Zimbabwe," Section 6d.

¹⁸ *Zimbabwe Selected Statistics and Indicators on Child Labor*.

<<http://www.dol.gov/ilab/media/reports/tda/tda2006/Zimbabwe.pdf> accessed 17 April 2008

¹⁹ *Zimbabwe Selected Statistics and Indicators on Child Labor*

<<http://www.dol.gov/ilab/media/reports/tda/tda2006/Zimbabwe.pdf> accessed 17 April 2008

²⁰ Grier, Beverly Carolease. *Invisible Hands: Child Labour and the State in Colonial Zimbabwe*. (Portsmouth: Heinemann., 2006), p 12.

Children employed in agriculture can sometimes be employed in large scale farm sectors, for the reason that “farms employ seasonal and casual workers.”²¹ Rene Loewenson²² explains that children on these farms range from 5-15 years of age, and at some point these children work for long hours under very dangerous conditions despite their age. There is also job insecurity with little effective protection from pesticides and risk of child molestation. Children also help on family farms. Bourdillon²³ says that on family farms, agricultural work can be heavy for children, especially during peak seasons, and can interfere with school attendance and school work. He goes on to argue that agricultural work, even within families, can involve contact with pesticides and other chemicals particularly dangerous to children, as well as work with dangerous implements or insufficient protective clothing. Also farm work interferes with children’s play time.

Domestic work for children starts as a form of socialization in Zimbabwe. Bourdillon²⁴ describes domestic work as a form of playful imitation for children; the author however, explains that such work facilitates children to grow in competence and confidence. Domestic work is gendered. Household work such as caring for younger children, cleaning, cooking and fetching water is mainly done by girls. In some instances where there is an absence of girls, boys will also take part in household work. Paid domestic work is also gendered. Girls are mainly employed in household work “to relieve wealthy children of household chores freeing them for leisure and school.”²⁵ Boys in domestic work are involved in farming and cattle herding, particularly in rural areas.

The term “child labour” is widely challenged by scholars, and it has acquired many different meanings. While there is no universal definition of child labour, the International Labour Organisation (ILO)²⁶ defines child labour as “work done by

²¹ McCartney, Irene. *Children in Our Midst: Voices of farm workers' Children*. (Harare: Weaver Press, 2000), p 75.

²² Loewenson, R “Child Labour in Zimbabwe”, p 21.

²³ Bourdillon Michael.F.C “Child Labor” in Hugh Hindmand (ed.) *World Atlas: A Reference Encyclopedia* (New York: ME Sharpe "forthcoming"), p 5.

²⁴ Bourdillon, M “Child Labor” p 3.

²⁵ Bourdillon, M “Child Labor” p 4.

²⁶ ILO uses the term child labour in different ways, sometimes the organisation uses the term to mean any economic activity under the age for light work. Sometime it uses “harmful work” and “child labour” at the

children under fifteen. Exception is made for work done by children with their parents at home in so far as aid in the latter's work is concerned and the child is not deprived of the possibility of going to school.”²⁷ Most definitions by international organizations, non-governmental organizations, trade unions and other interested groups such as sociologists and psychologists suggests that child labour consists of hazardous work that is injurious to the child’s physical, mental, social or moral well-being.²⁸

Child labour has brought up a heated debate about its existence in Africa. Some scholars, such as Michael Bourdillon, suggest that black people in Southern Africa argue that “the concern about child labour is an imposition by people who do not understand the cultures and economic situations of families in Africa.”²⁹ Instead of the term “child labour” black Africans prefer the term “child work.”³⁰ This has raised concerns of whether to use the term “child harmful work” when referring to child labour in Africa or simply “child work.”

Child work on the other hand, as defined by sociologists, international organisations such as International Labour Organisation and United Nations Children’s Education Fund, is work that is not exploitative and can accommodate education.³¹ Irene Byrne explains that child work “plays a positive role in a child’s development if consistent with the child’s evolving mental and physical capabilities”.³² For this reason child work can be part of a

same time. Child labour’s discussion is found in Convention 138, Convention 182 and the Convention on the Rights of the Child.

²⁷ International Labour Organisation/ United Nations Children’s Fund. *Strategies for Eliminating Child labour: Prevention, removal and rehabilitation-synthesis document Geneva*. 1997. See also The International Labour Organisation’s definition of child labour <<http://nird.ap.nic.in/clic/rrdl110.html>> accessed 17 April 2008.

²⁸ Fyfe, A. *Child Labour*, p, 15, see also International Labour Organization, “Convention 182: Worst Forms of Child Labour, 1999.” Article 4;

Available from: <http://ilolex.ilo.ch:1567/english/convdisp2.htm> accessed 17 April 2008.

²⁹ Bourdillon, M. “Child Labour” in Southern Africa, (Unpublished paper).

³⁰ *Trade Unions and Child Labour*

<http://www.ilo.org/public/english/dialogue/actrav/genact/child/part2_a/tour_2.htm> accessed 17 April 2008.

³¹ *Trade Unions and Child Labour*, see also Fyfe A, *Child Labour*, see also Muzvidziwa, V. N, Child Labour OR Child Work? Whither Policy *Research Review* NS 22.1 2006.

<http://search.sabinet.co.za/images/ejour/inafstud/inafstud_v22_n1_a5.pdf> accessed 18 April 2008.

³² Byrne, I. *The Human Rights of Street And Working Children: A Practical Manual for Advocates*. (London: Intermediate Technology Publications . 1998), p 15.

child's socialisation.³³ In addition Alec Fyfe states that child work does not directly respond to economic forces but it reveals social and cultural patterns, including power relationships between adults and children.³⁴ Child work in Africa is understood from within a cultural setting where children work to grow in competence and confidence.³⁵ The difficulty is working out what is acceptable and what is harmful to children. Culturally accepted work may turn out to be harmful for children and illegal employment may turnout to be beneficial for children's wellbeing and wholeness. The debate on child labour and child work in Africa is discussed in detail in the study. The term "child labour' is used in this study to refer to any kind of work that is harmful and interferes with a child's physical, mental, social or moral well-being by overlooking the child's right to rest, play and education.

A further concern of this study is the fact that child labour is overlooked by theologians as well as the church throughout the world. The silence by Christian ethicists and scholars on child labour perpetuates this status quo. The study argues that there is a need to embrace children holistically within the Christian faith. The silence by Christian scholars on issues that force children to seek employment is tantamount to sinfulness.

Thus, this study examined the following key research question: What are the theological implications of child labour in Zimbabwe? In order to answer this question the following sub questions were addressed:

1. What is the church's understanding on children?
2. What are the implications of child labour in Zimbabwe for the Church?
3. What reflection is necessary in order to make a theological response to the situation?

The three key objectives of the study were:

1. To analyze the social teaching of the church on child labour.

³³ Muzvidziwa, V. N, Child Labour OR Child Work?, see also Cullen, H. "The right of Child workers to protection from Environmental Hazards" in Fijalkwski, A and Fitzmaurice, M (eds) *The Right of the Child to a Clean Environment*. (USA: Ashgate. 2000), p 37.

³⁴ Fyfe A, *Child Labour*, p 5.

³⁵ Bourdilon "Child Labor," p 3.

2. To contribute towards a contextual liberative theology on children for the church and academy.

3. To understand theological aspects important to children and their wellbeing

In order to achieve the set of goals I adopted a non-empirical approach to the study which I now go on to explain fully in the next sub-section.

1.2 Research Design

I adopted a non-empirical approach to the study using existing data. A non-empirical study involves philosophical analysis, conceptual analysis, theory building and literature review. The study used written material that is significant and relevant to the research question. Accordingly, data collection for this study focused on a literature review to address child labour from a sociological and theological perspective. The focus of the study was on children between five and fifteen years in domestic work and large scale farming.

The hypothesis of the study was that there is child labour in Zimbabwe, even though it has not been explicitly recognized, which has increased in recent years due to the socio-economic and political instability. Furthermore, there has been an inadequate theological response to this issue resulting in a lack of action within the faith community, thus perpetuating children's suffering.

1.3 Outline of Study

Chapter two examines how childhood is understood by different cultures. The chapter also engages in a debate of the terms 'child labour' and 'child work' in Africa. It also suggests when children's work becomes harmful and becomes child labour. The chapter provides a general overview of child labour in Zimbabwe by analysing the underlying causes and forms of child labour. In order to understand the significance of children in Zimbabwe chapter three analyses the legislation on children in Zimbabwe. The chapter does this by examining laws according to the United Nations Convention on the Rights of

the Child, and the legislation of children in Zimbabwe. With regard to the Zimbabwean legislation on children the chapter analyses the Labour Act [Chapter 28: 01] as amended on the 30th of December, 2005 and the Statutory Instrument 72 of 1997 (Employment of Children and Young Persons) Regulations, 1997. To answer the key research question of the study and to analyze the social teaching of the church on child labour, chapter four analyses children in the history of the church. The chapter does this by analysing the Patristic period and the Reformation period. In the Reformation period Martin Luther and John Calvin's theologies on children are examined. Also the current state of theological reflection on children is analysed. In this analysis focus is on theologians and the church's reflections. To contribute towards a liberative theology of children for the church and academy chapter five constructs a liberative theology of children. In order to do this the chapter analyses the concepts of identity, dignity, love, justice, and freedom as key themes in the framework of a liberative theology of children and as crucial when dealing with children's liberation. Chapter six are the key findings of the study, summary of the study and the challenges to the church.

Chapter Two

Child labour in the Zimbabwean context

2.1 Introduction

Chapter one discussed the background, research question and objectives of the study. The key research question of the studies: What are the theological implications of child labour in Zimbabwe? In order to address this question of child labour, there is a need to discuss different views of childhood. This chapter will discuss different views of childhood from a western and African perspective, particularly the Zimbabwean context. The use of the terms ‘child labour’ and ‘child work’ will also be critically analysed. Furthermore, the chapter will provide a general overview of children’s current situation in Zimbabwe by analysing the underlying causes and forms of child labour in Zimbabwe.

2.2 Different views of childhood

Understandings of childhood vary between different countries and cultures. Loretta Bass³⁶ says that it also differs between rural and urban areas, between social classes and sometimes in ethnicity. The western view also varies from country to country and culture to culture. However, some of the understandings of childhood are in line with Article 1 of the United Nations Convention on the Rights of the Child (UNCRC) which identifies a child as a person younger than 18 years of age.³⁷ Bass argues that historical research has established a link in western European societies between the emergence of childhood and child development as a distinct protected stage of life reserved for learning and play.³⁸

³⁶ Bass, Loretta Elizabeth, *Child labor in Sub-Saharan Africa*. (New York: Lynne Rienner Publishers. 2004), p 73.

³⁷ <http://www.childrensrights.ie/convention.php#05> accessed 17 April 2008. Article 1 of the United Nations Convention on the Rights of the Child defines the holder of rights under the CRC as ‘every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.’ The Convention clearly specifies the upper age limit for childhood as 18 years, but recognises that majority may be obtained at an earlier age under laws applicable to the child. The article, thus, accommodates the concept of an advancement of majority at an earlier age, either according to the federal or State laws of a country, or personal laws within that country. However, the upper limit on childhood is specified as an age of ‘childhood’ rather than ‘majority’, recognising that in most legal systems, a child can acquire full legal capacity with regard to various matters at different ages. <http://wcd.nic.in/crcpdf/CRC-2.PDF> accessed 21 of June 2008.

³⁸ Bass , *Child labor in Sub-Saharan Africa*, p 73.

This notion, which is in line with the UNCRC, is imposed in other societies, especially African societies, as ‘normal’. Afua Twum-Danso³⁹ argues that it is the western notions of childhood and child development underlying the Convention that led to proposals for an African Charter on the Rights and Welfare of the Child, which was to address the socio-cultural circumstances specific to the region, such as the importance of children having duties. As a result Jane Cowan *et al* says that the use of the western notion to describe children misinterprets other cultural depictions of children thereby demonizing them.⁴⁰ This is because there is a lack of a deeper analysis as to why different societies characterize children the way they do.

Childhood varies from culture to culture and context to context. Chris Jenks says that childhood should be understood as a social construction, because it always relates to a particular cultural setting and its status is constituted in particular socially located forms of discourse.⁴¹ In agreement Michael Bourdillon argues that “unless we look at children within their context, we are liable to make mistakes.”⁴² The UNCRC definition of childhood seems to define children from a certain cultural context ignoring the fact that the concept of childhood differs from one cultural context to the next. By defining childhood from only one context we leave little room for reality. This is because in some African countries particularly Zimbabwe, some children get married at sixteen, and by that they are recognised as adults because they have become parents.

In *Ndebele* culture in Zimbabwe when someone has a child that person becomes an adult; hence they say *usemdala* in other words *ubudala* means one has created life taken from God the creator known as *umdali*. On the other hand, in traditional *Ndebele* culture a person remains a child for as long as he or she remains in his or her parents’ house without a child or not married. Thus Afua Twum-Danso⁴³ says marriage and the establishment of a new residence are traditionally two prime indications of adulthood.

³⁹ Twum-Danso Afua “A Cultural Bridge, Not an Imposition: Legitimizing Children’s Rights in the Eyes of Local Communities” *Journal of the History of Childhood and Youth* 1 (3) (2008), p 399.

⁴⁰ Cowan, Jane K, Dembour, Marie-Benedict and Wilson, Richard, *Culture and Rights: Anthropological Perspectives*, (Cambridge: Cambridge University Press, 2001), p 84.

⁴¹ Jenks, Chris. *Childhood*. (New York: Routledge, 1996), p 29.

⁴² Bourdillon, Michael. “Introduction” in Bourdillon Michael (ed) *Earning a Life: Working Children in Zimbabwe*. (Harare: Weaver Press, 2000), p 9.

⁴³ Twum-Danso “A Cultural Bridge, p 401.

Also a person remains a child for as long as his or her parents or older relatives are alive. Thus, Patrick Kudakwashe, a 13 year old quoted in McCartney, says “a child is someone who has been born. It does not matter whether that person is older or younger...even someone who walks with a stick has a father, so he or she will be a child.”⁴⁴ Also, Bourdillon says “even adults who are parents may be treated by elders as too young to take part in serious decisions affecting the extended family or community.”⁴⁵ In addition, Bourdillon argues that in many African societies a girl becomes a woman when she reaches puberty and a boy becomes a man when he goes through an initiation rite.⁴⁶ It is a dilemma to describe the concept of childhood in a contemporary African world, particularly Zimbabwe, since some girls now reach their puberty as early as ten years of age. Consequently, it is difficult or impossible to describe a child without making reference to the cultural value systems.

Culturally, in Zimbabwe childhood often ends well before the age of eighteen, no matter what the laws say. Also the Statutory Instrument (S.I) 72 of 1997 has put children into two categories; these are the child defined as any person under the age of sixteen years and a young person defined as any person who has attained the age of sixteen but has not attained the age of eighteen.⁴⁷ It is important to categorize children according to age since younger children are more vulnerable to child labour than older children. Older children may be capable of absconding from child abuse through child labour than younger children.

However, using age to describe children may be problematic, because some children mature faster than normal for their age. The UNCRC definition to which most countries, including Zimbabwe, are signatory has some limitations because it puts all children in one group ignoring the reality that a sixteen-year-old has different capabilities from that of a six-year-old. Thus, Rachel Nizan, quoted in Christien van den Anker argues that putting together different age groups is a problem because a five-year-old is different

⁴⁴ McCartney, Irene. *Children in our Midst: Voices of Farm Workers' Children*. (Harare: Weaver Press. 2000), p 3.

⁴⁵ Bourdillon, M. “Introduction,” p 19.

⁴⁶ Bourdillon, M. “Introduction,” p 19.

⁴⁷ Statutory Instrument 72 of 1997, Labour Relations (Employment of Children and Young Persons) Regulations, (Zimbabwe, 1997) , p 279.

from a fifteen-year-old.⁴⁸ Putting children in one group is also a problem because some young children may be more competent in their decisions than other older children.⁴⁹ Additionally, Nizan says “chronological age alone is not sufficient to define the concept of childhood”.⁵⁰ As a result of Nizan’s argument other factors in a child, such as competence, rationality and maturity, should be considered in the definition of a child.

Children develop from one stage to another and developmental stages also vary from one context to another. Developmental stages of children from a Zimbabwean rural community may be different from developmental stages of children from a Zimbabwean urban community. Issues of class, ethnicity, race and social location play significant roles on the development of children. Thus Jo Boyden, Birgitta Ling and William Myers explain that;

There are many different kinds of childhood in the world today; children in different places face very different challenges, and are raised in very different ways and with very different expectations and outcomes. Different societies have their own ideas about children’s capacities and vulnerabilities, the ways in which they learn and develop and what is good for them and what is bad.⁵¹

Children from urban areas sometimes find it hard to cope with the work and children’s life in a rural area; this is because there are fewer house chores in an urban area than a rural area in Zimbabwe. Likewise a child from a rich family’s household may find it hard to cope in a poor family’s household. Thus childhood perceptions differ between the rich and the poor, the urban and rural families.

Given the discussion above about childhood, there is still a debate about whether work that is done by children is child labour or child work. The following section engages with the debate by defining child labour and child work.

2.3 Defining the Concepts: Child Labour and Child Work

⁴⁸ Nizan, R. “Child labour in Latin America: Issues and Policies in Honduras” in Christien van den Anker (ed) *The Political Economy of New Slavery*. (Palgrave: Macmillan, 2004), p 139.

⁴⁹ Nizan, R. “Child labour in Latin America: Issues and Policies in Honduras,” p 139.

⁵⁰ Nizan, R. “Child labour in Latin America: Issues and Policies in Honduras,” p 139.

⁵¹ Boyden, Jo, Ling, Birgitta and Myers, Williams. *What Works for Working Children* (UNICEF: Radda Barnen, 2000), p 18.

Historically, children have been helping in subsistence economies and domestic work and this was not referred to as child labour but was a form of socialisation. Child labour was explicitly recognised in Europe during the industrial revolution in the late 1700s and 1800s when power-driven machines replaced hand labour for making most manufactured items.⁵² The owners of factories found a new source of labour to run their machines and this source was children because these machines did not require adult strength so children could be hired more cheaply than adults.⁵³ In 1788 more than 60% of workers in textile mills of England and Scotland were children.⁵⁴ Many children who worked in these factories began working before the age of seven.⁵⁵ Therefore Britain was the first to pass laws regulating child labour from 1802, followed by United States, and by 1899 a total of 28 states had passed laws regulating child labour.⁵⁶

While there is no universal definition of child labour, the International Labour Organisation (ILO)⁵⁷ defines child labour as “work done by children under fifteen. Exception is made for work done by children with their parents at home in so far as aid in the latter’s work is concerned and the child is not deprived of the possibility of going to school.”⁵⁸ Most definitions by international organizations, non-governmental organizations, trade unions and other interested groups on child labour consist of hazardous work that is injurious to the child’s physical, mental, social or moral well-being.⁵⁹ The draft “Child Labour Programme of Action (CLPA) for 2008-2012” defines child labour as “work that is exploitative, hazardous or inappropriate to the age of the

⁵² Bourdillon, M. “Introduction,” p 5. see also, Defining Child labour and Child work <<http://content.scholastic.com/browse/article.jsp?id=5428> accessed 18 April 2008.

⁵³ <<http://content.scholastic.com/browse/article.jsp?id=5428> Defining Child labour and Child work.

⁵⁴ History of Child Labour <<http://www.buzzle.com/articles/history-of-child-labor.html> accessed 18 April 2008.

⁵⁵ <<http://content.scholastic.com/browse/article.jsp?id=5428> Defining Child labour and Child work.

⁵⁶ <<http://content.scholastic.com/browse/article.jsp?id=5428> Defining Child labour and Child work.

⁵⁷ ILO uses the term ‘child labour’ in different ways, sometimes the organisation uses the term to mean any economic activity under the age for light work. Sometime it uses “harmful work” and “child labour” at the same time. Child labour’s discussion is found in Convention 138, Convention 182 and the Convention on the Rights of the Child.

⁵⁸ International Labour Organisation/ United Nations Children’s Fund. *Strategies for Eliminating Child labour: Prevention, removal and rehabilitation-synthesis document Geneva*. 1997. See also The International Labour Organisation’s definition of child labour accessed on 17 April 2008.

⁵⁹ Fyfe, A. *Child Labour*, pp, 5, see also International Labor Organization, “Convention 182: Worst Forms of Child Labor, 1999,” Article 4; <<http://ilolex.ilo.ch:1567/english/convdisp2.htm17>, accessed 18 April 2008.

child and which is detrimental to their safety, poses a risk to their health, social, physical, spiritual or mental development and affects their schooling”⁶⁰ Child labour is identified as bad and advocates of children are campaigning that it must be abolished.⁶¹

Ivy George defines child labour as “employment of children and the extraction of their productivity for the economic gain of another, with debilitating ramifications on the psychological and physical development of the child.”⁶² This definition explicitly explains that in child labour children are used as a means for someone else’s ends. This differs with work they do in the family because in that kind of work children are ends in themselves. As a result in parts of Africa child labour is seen to be a foreign phenomenon. Bourdillon says that black people in Southern Africa resist the idea that there is child labour in Africa, because for them “the concern about child labour is an imposition by people who do not understand the cultures and economic situations of families in Africa. These people consider work essential to bringing up children with a sense of responsibility.”⁶³ So the existence of child labour is still debated in Africa. This is because children are prepared to face the future at young ages.

In Zimbabwe as children grow up they engage in light gendered household work. Girls engage in cooking, fetching fire wood and water and helping their mothers in the field to weed or sow; boys on the other hand take up the role of looking after domestic animals like cattle, goats, donkeys and sheep. Boys also take the role of farming, such as using cows or donkeys to pull the plough. Farm work is seasonal for both boys and girls. This kind of work cannot be classified under child labour because it is an initiation for the child for the future. It can be argued that if one classifies family domestic work as child labour that person does not understand the context of the Zimbabwean children and their socialisation.

⁶⁰ The Draft “Child Labour Programme of Action (CLPA) for 2008-2012” produced by Department of Labour. (South Africa, June 2008).

⁶¹ Bourdillon, “Introduction,” p 9.

⁶² George, Ivy. *Child Labour and Child Work*. (New Delhi: Ashish Publishing House, 1990), p 22.

⁶³ Bourdillon, Michael. “*Child Labour*” in *Southern Africa*. (Publication Pending).

Some argue that the reason developed countries accuse the developing countries of child labour is because they want to boycott African products in the world market.⁶⁴ Thus the Minister of Public Service, Labour and Social Welfare, Florence Chitauo, quoted in Bourdillon, argued that “the international campaign against goods produced by children in developing countries is a ploy by developed countries to protect international markets which are essentially regulated and controlled by the latter.”⁶⁵

However, there is accepted work for children and there is unacceptable work for children within families and industries. Unacceptable work for children is work which is exploitative and hazardous to children’s health and wellbeing hence the term ‘child labour’. The problem here is not work but the conditions of work. Children need to work to survive but they must not be exploited because they are forced by a social problem to seek for that work. Thus, Myers explain that defining child labour is essentially political since it creates an emotionally charged choice of social values and objectives as well as choosing the social problem that should be eradicated.⁶⁶ It is wise to start solving the cause of the problem than solving the problem itself lest that problem emerges again and makes a more serious impact than before. Child labour in Zimbabwe is caused by poor governance which leads to many social and economic challenges. Bad governance is a problem in itself that needs to be criticised so as to eradicate social and economic challenges that drive children to exploitative labour.

On the other hand, child work is work that is not exploitative and can accommodate education. Irene Byrne explains that child work “plays a positive role in a child’s development if consistent with the child’s evolving mental and physical capabilities.”⁶⁷ For this reason child work can be part of a child’s socialisation.⁶⁸ Socialisation plays a vital role in shaping the child’s mind; it has a bearing on the development of the child’s self-concept. In other words socialisation transmits the culture of a society from the adult

⁶⁴ Bourdillon, M “Introduction,” p 3.

⁶⁵ Bourdillon, M. “Introduction” p 3.

⁶⁶ Myers, W. E. “Considering Child Labour: Changing Terms, Issues and Actors at International Level” in *Childhood* , Vol. 6 (1), p 22.

⁶⁷ Byrne, I. *The Human Rights of Street And Working Children: A Practical Manual for Advocates*. (London: Intermediate Technology Publications . 1998), pp 15.

⁶⁸ Muzvidziwa, V. N. Child Labour OR Child Work? see also Cullen, H. “The right of Child workers to protection from Environmental Hazards,” p 5.

to the child. Thus Alec Fyfe states that child work does not directly respond to economic forces but it reveals social and cultural patterns, including power relationships between adults and children.⁶⁹ Thus culturally, children are the ones who relieve their parents of domestic work. In Zimbabwe, particularly amongst the Ndebele, there is a saying that bearing of children is a blessing and an increase in human power to assist in domestic duties, for example when a boy is born, people will say *sibusiswe ngobaba wokudinga inkomo* meaning we are blessed by a man to look after our cattle or when a girl is born they will say *sibusiswe ngomama wokusiphekela, lokusikhela amanzi* meaning we are blessed by a woman to cook and fetch water for us. Most forms of child labour are linked to a social construction. Children work in different sectors for socialization and for cash or kind.

The International Labour Organisation, quoted in Boyden *et al* defines work as an economic activity, meaning that work is any activity that contributes to the Gross Domestic Product (GDP) of a country according to criteria established under the International System of National Accounts (SNA).⁷⁰ However, child work from traditional Africa is not understood from an economic perspective but within a cultural setting where children work to grow in competence and confidence.⁷¹ The difficulty is working out what is acceptable and what is harmful to children. George clarifies that work becomes harmful or labour when the individual's capacity to produce surplus is beyond the value of his or her means and is capitalised upon by the employer.⁷² Harmful work or labour denies workers opportunities for self direction and control. On the other hand, culturally accepted work such as fetching water and collecting firewood may turn out to be harmful to children if they carry heavy tins of water and big loads of firewood on their heads, while illegal employment may turn out to be beneficial for children's wellbeing and wholeness. Bourdillon explains that "in most societies, the most common

⁷⁰ Boyden *et al* *What Works for Working Children*, p 20.

⁷¹ Bourdillon, M. "Child Labor," p 3.

⁷² George, I. *Child Labour and Child work*, p 18.

and earliest form of work for children is helping with household chores, which starts as a playful imitation.”⁷³

Work that is considered as “playful imitation” or considered as part of the child’s socialisation may be exploitative to a child. Thus, Bourdillon observes that “even work in the home can involve long hours and can deprive children of education, and particularly in agriculture, family work can expose children to chemicals and other hazards.”⁷⁴

Children are not only expected to work at home but Bourdillon says “...at school, children are expected to work at their lessons”.⁷⁵ During school lessons, children may have practical lessons such as sewing or cookery for girls, wood work or metal work for boys. Gardening is mainstreamed in Zimbabwean schools, this practical lesson is for both girls and boys and a lot of energy is used in this lesson. School lessons socialise children in their gendered roles and these are useful to train children to engage in domestic work in their homes. Some practical lessons they do in school, such as sewing, cooking, metal and wood work, benefits the parents because it saves them time to teach children these duties. On the other hand, teachers exploit children by asking them to fetch water for them, clean and cook for them. This is known as a “hidden curriculum” because some children fail to attend classes, but instead play the teacher’s maid.

As a result, “children’s work becomes [harmful] and unacceptable when it precludes children from going to school and when it is detrimental to the child’s physical, mental and moral development”⁷⁶ Additionally the CLPA explains that children’s work becomes harmful “when household chores take so long that children regularly miss school or do not have time for homework”.⁷⁷ There are some children who do not have the privilege of attending school due to economic constraints; these children are the ones who face high risks of child labour.

⁷³ Bourdillon, M. “Working Children in Zimbabwe,” p 3.

⁷⁴ Bourdillon, M. “Introduction,” pp 8 -9.

⁷⁵ Bourdillon, M “Introduction,” p 8.

⁷⁶ Nizan, R. “Child labour in Latin America: Issues and Policies in Honduras,” p 143.

⁷⁷ “The National Child Labour Programme of Action for South Africa” Phase 2:2008 to 2012. Draft 4.1.

The CLPA document and other documents, such as the ILO document measures child harmful work by school or limited time for homework. It does not consider all children because it is not all children who are involved in child labour who attend school. Though these documents also define child harmful work by physical, mental and moral development, education is the key to their definition. If we define child labour with reference to education we are likely to overlook other children who do not have a chance to go to school due to financial constraints. In addition, some children do not attend school because of religious and cultural beliefs, for example the Johane Masowe sect in Zimbabwe. Children from this religious sect attend school up to grade three and this means that according to the Zimbabwean primary school age these children drop out of school at the age of nine to start business or wait for marriage. Though religion explicitly contributes to the exploitation of children by denying them access to education, religious ethicists remain quiet in condemning this practise. Measuring harmful work for such children is difficult because their society may consider them adults.

Work in itself is beneficial to the child, and for this reason the CLPA draft explains that,

Work in and of itself is not necessarily harmful to children. It could, in fact, often be beneficial to children in many ways. In addition, when identifying kinds of work that may be considered beneficial or harmful for the child's development it is important to consider the role of cultural views, which differ from community to community.⁷⁸

In some communities work has benefited many children to complete their schooling and has also benefited working children to help their siblings in completing their schooling. George explains that work ensures survival and to cease to work is to cease to live⁷⁹ in this global village, where one's survival is measured in monetary terms.

Nizan observes that, "...children have a right to work, while work is understood as valued and a meaningful activity which gives children a status within society".⁸⁰ The right to work does not justify that they be exploited or that they work under hazardous conditions which might interfere with their development and health. The social economic

⁷⁸ "The National Child Labour Programme of Action for South Africa" Phase 2:2008 to 2012. Draft 4.1.

⁷⁹ George, I. Child Labour and Child work, p 16.

⁸⁰ Nizan, R. "Child labour in Latin America: Issues and Policies in Honduras" p 142.

situation in Zimbabwe allows children to work and this has generally shifted child work from being understood as a socialization and educative function to an economic function. Nizan argues that the introduction of the need to work for a wage by children was introduced by globalization in the trade and labour environment where emphasis is on the need to earn a wage and profit⁸¹ The surfacing of the need for a wage in children's work in Zimbabwe has introduced harmful work in children's working environments which is child labour.

2.4 Child labour in Zimbabwe

The current socio-economic and political situation in Zimbabwe is forcing children to drop out of school and work for their survival. Working children are better off than those who are not working and orphaned in Zimbabwe. However, the work they do is jeopardizing their education and health. Child labour in Zimbabwe takes various forms and is caused by different circumstances. Some forms of child labour are not easily visible in Zimbabwe.⁸² Some children are abused in the name of child socialization by their relatives. This study uses Anthony Giddens definition of socialization, quoted in Paul Stephens *et al*, as he explains that "socialization is whereby the helpless infant gradually becomes a self-aware, knowledgeable person, skilled in the ways of the culture into which she or he is born."⁸³ Socialization is an important part in a child's development. It builds or lays the foundation of a child's personality.

However, sometimes the socialization process of children is taken for granted; especially children who have lost one parent or both parents due to AIDS or any other cause. These children may be cared for by an extended family who may force them to seek survival strategies. Thus, Bourdillon says these children can easily be "exploited in situations of fostering, even when kinship ties are real but not close."⁸⁴

In the current socio-economic and political situation of Zimbabwe a child is much better with a closer relative, such as a grandmother from the mother's side, than distant aunts

⁸¹ Nizan, R. "Child labour in Latin America: Issues and Policies in Honduras," p 142.

⁸² Bourdillon, M. "Introduction" p 9.

⁸³ Stephens Paul *et al Think Sociology*. (New York: Nelson Thorns, 1998), p 176.

⁸⁴ Bourdillon, M. "Introduction," p 9.

and uncles.⁸⁵ Also children are safe with a paternal grandmother though in some Zimbabwean societies a paternal grandmother is known to favour a daughter's child rather than a son's child. For this reason some children choose to stay on the streets or to work under very dangerous circumstances because they avoid the abuse that they may face at home. When children suffer at home, some of these children's option may be to seek for work or marriage. Thus Innocent Chingwara, a leader of the Faith Based Council of Zimbabwe, in the interview with newzimbabwe.com, explains that "deepening poverty [has] collapsed traditional family "safety nets" and eroded old-aged (sic) African support mechanisms"⁸⁶ With the current socio-economic and political situation in Zimbabwe to find work is the only way for children to survive and support their siblings.

Children who seek for work` do not mind what kind of work they get as long as their siblings are surviving. For this reason Bourdillon *et al* says "many children in Zimbabwe help to support themselves and their families by working for income."⁸⁷ In Zimbabwe children are mainly employed in agriculture, domestic work, vending, mining and quarrying, manufacturing, construction and other types of work such as guarding cars and prostitution.⁸⁸ Children are forced by different factors to end up in the working industry instead of school.

Poverty is the key factor that forces children to drop out of schools and seek employment. Poverty is a complex issue to define, partly because it has many dimensions. Therefore it has to be looked at through a variety of indicators. Some of the indicators are: levels of income and consumption; social indicators, and indicators of vulnerability to risks; and the socio-political access.⁸⁹ Poverty is deprivation from resources, and necessities of life. It is powerlessness and lack of representation and freedom in society.

⁸⁵ *Africa's Orphaned and Vulnerable Generations: Children affected by AIDS* www.unicef.org/uniteforchildren accessed 31 August 2008.

⁸⁶ *Child Rape up 42 percent in Zimbabwe-UN* www.newzimbabwe.com accessed 5 May 2008

⁸⁷ Bourdillon, Michael *et al. Child Domestic Workers in Zimbabwe.* (Harare: Weaver Press, 2006), p 1.

⁸⁸ Zimbabwe Central Statistics Office, *Child Labour Report, 2006*, (Harare, March 2007).

⁸⁹ <http://web.worldbank.org> accessed 6 June 2008.

Hornby, quoted by Mubangizi and Mubangizi defines poverty as "...not being able to get the necessities of life..."⁹⁰ Mubangizi and Mubangizi state that this is a simplistic definition of poverty in Africa. Such a definition is too narrow to articulate poverty faced by families, especially children in Zimbabwe. Poverty in Zimbabwe includes the deprivation of socio-political, economic and cultural dimensions. According to UNDP as quoted by Oladipo poverty is defined as "...a lack of productive resources; income and capacities that contribute to individuals and a group isolation, vulnerability, and powerlessness to economic, political, and social discrimination, and to participation in unsustainable livelihoods."⁹¹ This definition brings in the complex dimensions of poverty in Zimbabwe, where it is likely for a child to be born in poverty, grow up in poverty and die in poverty.

Children in Zimbabwe are oppressed by what Joyce Mercer terms the "violence of poverty"⁹² and they are clinched in the interlocked oppressions of gender and class exploitation.⁹³ Purdy says "...some parents, either because they are poor [poverty], do not value education, or do not care about their children's future, and would want their children to work as soon as they are able...lack of schooling would probably trap most of these children in unsatisfying jobs."⁹⁴ From birth they wait for the time they are able to work rather than going to school. Mercer argues that children are exploited as forms of cheap labor, treated as objects for all kinds of gratification of adult desires.⁹⁵ As a result, some employers prefer to employ a child rather than an adult, because a child is less likely to complain about working conditions or salaries.

The political instability and economic decline in Zimbabwe has deepened the problem of poverty. Poverty in turn deepens the problem of child labour. It may be argued that

⁹⁰ Mubangizi, J.C and Mubangizi, B.C "Poverty, human rights law and socio-economic realities in South Africa" in *Journal of Development Southern Africa*. Vol. 22 (2) (June 2005), p 277.

⁹¹ Oladipo, J "The role of the church in poverty alleviation in Africa" in Belshaw D *et al* (eds.) 2001 *Faith in Development: Partnership between the World Bank and the Churches of Africa*, (Oxford: Regnum Books. 2001), p 219.

⁹² Mercer, J. A. *Welcoming Children*, p ix.

⁹³ Mercer, J.A. *Welcoming Children*, p ix.

⁹⁴ Purdy, L.M. *IN Their Best Interest? The Case against Equal Rights for Children*. (London: Cornell University Press. 1992), p 152.

⁹⁵ Mercer, J.A. *Welcoming Children*, p ix.

poverty is not the main cause of child labour, but I see a strong relationship between the two. For the reason that child labour and other forms of child exploitation are often found in socially and economically marginalised communities such as the low income countries. Poverty has forced a lot of children to end up in the streets, as street vendors or street kids. Bourdillon says a reason for children to end up in the streets is that “the family may be so impoverished that older children find it impossible to remain within.”⁹⁶ Poverty is one of the reasons children are forced to skip some developmental stages and find themselves in adulthood stages such as being a bread winner, care givers for sick relatives and sometimes a wife to an old man. According to South African Office on the Rights of the Child “poverty is the primary determinant when it comes to the wellbeing of children...”⁹⁷ Child labour is worse in Zimbabwe, probably because the country does not have a broad-based social welfare system. The absence of social protection packages for poor and vulnerable children in Zimbabwe is because the government has regarded children of Zimbabwe as “invisible humans”.

Poverty, which is the main factor that drives children to child labour, was historically deepened by the introduction of the Economic Structural Adjustment Programme (ESAP). Thus in Zimbabwe child labour has policy connotations. Some policies, particularly the IMF and World Bank Economic Structural Adjustment Programmes (ESAP) known as ESAP *phase one* and Zimbabwe Programme for Economic and Social Transformation (ZIMPREST) known as ESAP *phase two*, had more negative outcomes on children and the poor than any other Zimbabwean citizens. During the time of ESAP government concern was on economic recovery as opposed to social needs such as the health and the education sector thereby affecting the well-being of children. As a result ESAP propelled socio-economic hardships.

⁹⁶ Bourdillon, M.F.C *Poor, Harrassed But Very Much Alive*. (Mambo Press. 1991), p 21.

⁹⁷ Berry and Guthrine “The Situation of Children in South Africa” Office on the Rights of the Child, *End Decade Report on Children* . (South Africa 2001), p 3.

Muzvidziwa observes that immediately after ESAP *phase one* children became more visible on the streets as vendors or street kids.⁹⁸ Basing on Muzvidziwa's observation it is evident that ESAP forced most children to drop out of school because their households could not afford to pay school fees. The inability of households to meet the basic needs of children forced children to take part in employment in an endeavour to improve their conditions and livelihood. However, ESAP is not directly linked to child labour; neither is ZIMPREST but child labour is a consequence of ESAP and ZIMPREST. ZIMPREST was announced in 1996 and its success depended on donor funding,⁹⁹ since the IMF suspended Zimbabwean funding in 1995¹⁰⁰ it was difficult for this programme to amend the weaknesses of ESAP *phase one*. Though IMF resumed its funding in August 1999,¹⁰¹ Zimbabwe was suspended again after a short time. This was a hard blow to children. Though the minimum age for employment in Zimbabwe is fifteen years,¹⁰² this legislation was and is ignored by children, employers and parents. The introduction of economic policies is the reason for this ignorance because relying on children's contribution in the household is the only alternative for most poor households.

The link of HIV and AIDS to poverty is relevant in the Southern African region, particularly Zimbabwe, where the infections and death have not only affected the country's human power but parenthood.¹⁰³ The epidemic has an impact on household income. One may argue that the link between HIV and AIDS, poverty and child labour is ambiguous, because in Africa there are emphasis on the extended family and communal support, so chances of child labour are slim. This was true in earlier times. Therefore, I agree with Virginia Mapedzahama and Michael Bourdillon's observation that "[t]he extended family system [is] breaking down, partly as a result of the harsh economic

⁹⁸ Dliwayo, R. *The Impact of Public Expenditure Under ESAP on Basic Social Services: Health and Education*. <http://www.saprin.org/zimbabwe/research/zim_public_exp.pdf> accessed 18 April 2008, see also Muzvidziwa V.N "Child vendors in the streets of Masvingo," p 61.

⁹⁹ Muzvidziwa, V. "Child vendors in the streets of Masvingo," p 61.

¹⁰⁰ Muzvidziwa, V. "Child vendors in the streets of Masvingo," p 61.

¹⁰¹ Muzvidziwa V. "Child vendors in the streets of Masvingo," p 61.

¹⁰² U.S. Department of State, "Country Reports-2006: Zimbabwe," Section 6d. See also U.S. Embassy-Harare, reporting, March 7, 2007, See also ILO Committee of Experts, Direct Request, Minimum Age Convention, 1973 (No. 138). See also Labour Act (chapter 28:01) as amended in at the 30th December 2005, Zimbabwe, p 14.

¹⁰³ HIV/AIDS and Child labour, sub-Saharan Africa <http://hivaidsclearinghouse.unesco.org> accessed 17 April 2008.

climate: many people cannot afford to look after their kin even though they themselves are better off.”¹⁰⁴

Child labour which is an end product of poverty is influenced by HIV and AIDS; there is a clear link between the two problems. UNICEF explains that “the AIDS epidemic in sub-Saharan Africa makes children vulnerable, leaves them orphaned and threatens their survival.”¹⁰⁵ The AIDS epidemic forces children to find survival strategies that can sustain the family. Some of the strategies that children come up with are dangerous for their health and physical wellbeing. Some children may take up informal mining, commonly known as *Makorokoza* in Zimbabwe. This form of mining is recognized in most rural areas. *Makorokoza* is a dangerous form of mining because in this form of mining miners do not use protective clothes. In some instances relatives volunteer to take care of orphans but due to the current economic crisis in Zimbabwe relatives are forced to send these children to seek for work. In the HIV epidemic children have been failed by everyone concerned in their protection. Linda Ritcher explains that HIV prevention is failing children, because many of those living with HIV got it through mother-to-child transmission. Interventions to prevent mother-to-child transmission (PMTCT) are not reaching enough of those who need them.¹⁰⁶

Moreover, UNICEF observes that the AIDS epidemic may leave children at high risk; they may live with chronically ill parents or adults and be required to work or put their education on hold as they take on household and care giving responsibilities.¹⁰⁷ To be able to give their parents enough care, which is usually expensive, these children need to work and earn a salary. Also the epidemic has affected the general well-being of children in ways such as opportunities for schooling, and proper nutrition and health care are badly affected. UNESCO says, given the impact of the epidemic, many children are forced to work even under harmful conditions to assist themselves and their siblings, their

¹⁰⁴ Mapedzahama, V. and Bourdillon, M. “Street workers in a Harare suburb,” p 39.

¹⁰⁵ *Africa’s Orphaned and Vulnerable Generations* >www.unicef.org.uniteforchildren accessed 20 April 2008.

¹⁰⁶ Ritcher, Linda. *No Small issue: Children and families Universal Action Now*. Plenary presentation at the XVIIth International AIDS Conference. Mexico City, 6 August 2008, p 6.

¹⁰⁷ www.unicef.org.uniteforchildren accessed 20 April 2008.

families and their guardians¹⁰⁸ if they have any. In agreement with this Nizan explains that the child's salary is needed to support the family's income or pay for its education¹⁰⁹ because HIV and AIDS have deprived them of their parents who, in this case, should be taking care of them. The epidemic poses a lot of challenges to the socio-economic and psychological welfare of the HIV affected and infected children. These children are likely to face stigma and discrimination in communities.

The HIV epidemic has shifted the adult roles of 'protector' and 'provider' to children. Instead of the shift in gender roles between women and men, roles of being a 'protector' and 'provider' have shifted from adulthood to childhood and at times to grandmothers if they are still living. Children have become the new breadwinners of the family; instead of receiving love and nurturing from their parents, children are the ones who give their ill parents love by taking care of them.

The current socio-economic and political situation in Zimbabwe has forced many children to take up any kind of employment with the intention of supporting their families. For this reason Bourdillon *et al* explains that "in the face of growing poverty and deaths of many adults from HIV and AIDS, children cannot always depend on the adult world for support."¹¹⁰ For them to survive children take any form of survival means that come their way.

Currently ZANU-PF recruits children to be the militia of the country to violently campaign for the party. Most children have taken this evil position because of poverty. This is the worst form of child labour practised by the government of Zimbabwe. In this military work children are taught all forms of violence such as rape, torture, murder and other even worse forms that can be used to scare people.¹¹¹ This is a terrible crime that needs to be recognised by human rights groups who should arrest the government of Zimbabwe for such exploitation. Zimbabwe is one of the countries that have ratified the

¹⁰⁸ HIV/AIDS and Child labour, sub-Saharan Africa <<http://hivaidsclearinghouse.unesco.org> accessed 17 April 2008.

¹⁰⁹ Nizan "Child labour in Latin America: Issues and Policies in Honduras" p 143.

¹¹⁰ Bourdillon, M *et al.* *Child Domestic Workers in Zimbabwe*, p 1.

¹¹¹ Mugabe uses children as militia in his violent campaign <www.zimbabwesituation.com. accessed 10 March 2008.

UNCRC, pledging to uphold its protection for children. The UNCRC is against the use of children soldiers, though the optional protocol states that eighteen is the age at which direct participation in armed conflict is permitted. However, it bans compulsory recruitment under the age of eighteen.¹¹² The use of children in armed conflicts affects their psychological development, because the question is what happens after these children have completed their task. Are they removed from the community in order to protect the community or are they offered rehabilitation to recover from the “psychosis” that was deposited in their minds and hearts? Such questions need to be seriously considered because taking back these children into the community without any form of therapy is like putting a snake in a house. These are children who will initiate all forms of crime and violence in a community.

2.5 Forms of child labour in Zimbabwe

2.5.1 Child labour in the large scale farm sector

Child labour is found in formal sectors like farms, shops and mines just to mention a few. It is also found in informal sectors like vending, domestic work and prostitution. Some forms of child labour are gendered. Forms of child labour that are gendered are types of work that are socially constructed; mostly children do work that is socially constructed to be women’s roles for the sustenance of the household. Therefore, the exploitation of children and that of women is intertwined. I agree with Beverly Grier where she says that women and children’s labour is closely linked to the pre-colonial and colonial African economy¹¹³ as well as to the postcolonial African economy. So different forms of child labour are mainly constructs of society and are in line with what women are expected to do. However, it depends on the forms of work; some heavy work, like large scale farming, mining and construction work, is dominated by boys.

Large scale farming in Zimbabwe involves tea, cotton, tobacco, and sugarcane growers. In 1999, the Financial Gazette reported that “Zimbabwean tea, tobacco, and cotton

¹¹² Children and youth www.hrea.org accessed 17 March 2008.

¹¹³ Grier, B. C. *Invisible Hands: Child Labour and the State in Colonial Zimbabwe*. (Portsmouth: Heinemann, 2006), p 12.

growers are the main perpetrators of child labour and were found to account for more than 80% of all under-age workers in the country.”¹¹⁴ Apart from being street children many children find refuge on farms. This is evident from the results of the survey that was conducted by the Employers’ Confederation of Zimbabwe (EMCOZ) in the beginning of 1999. EMCOZ, quoted in the Financial Gazette, reveals that more than 84% of under-age workers were employed in the commercial agricultural sector.¹¹⁵ This number could be tripled today due to the current socio-economic situation in Zimbabwe. However, due to the 2000 land reform or farm invasions and the current drought faced by the country child farm labour may have dropped and probably been replaced by child street vending or child migrant workers to South African farms.

Historically, just before the year 2000, and to a limited extent after 2000, the rising standards of living in Zimbabwe worsened the use of child labour on farms.¹¹⁶ In addition, before the land invasions children in Zimbabwe were exposed to abuse by commercial farmers, who made them work on their farms in exchange for free education in farm schools. So most farms had schools, and their motto is what Beverly Grier terms “earn while you learn.”¹¹⁷ Grier argues that the purpose of this type of recruitment was not to provide school education to the child, but to provide the farm owner with an inexpensive labour force.¹¹⁸ The system of “earn while you learn” was widely used by commercial farmers during colonialism and new farmers have perpetuated the system. Grier also says the child in this system is clearly an employee on the farm.¹¹⁹

Many children had a chance to attend schools through this system; for example some academics such as teachers, doctors and accountants were educated through this system during colonialism. Therefore, Davidson Mugabe, president of the Zimbabwe

¹¹⁴ *The Financial Gazette*, “Tea, tobacco, cotton growers main culprits on child labour” Zimbabwe 11 November 1999.

¹¹⁵ *The Financial Gazette*, “Tea, tobacco, cotton growers main culprits on child labour”.

¹¹⁶ IRIN “Zimbabwe: Child Labour on Farms must be stopped, say Unions” in Mulonga Forum: *The Rainbow Nations of Southern Africa- How far From Reality*. 2006, p 1.

¹¹⁷ Grier, B. C. *Invisible Hands: Child Labour and the State in Colonial Zimbabwe*. (Portsmouth: Heinemann. 2006), p 161. see also Bourdillon “Children on tea and Coffee Estate” in Bourdillon, *earning a Life*, p 148.

¹¹⁸ Grier, B. *Invisible Hands*, p 161.

¹¹⁹ Grier, B. *Invisible Hands*, p 161.

Commercial Farmers Union, commends the “earn while you learn” system as he explains that “the new farmers are doing a good job of ensuring that young children get an education; there is no sinister agenda.”¹²⁰ However, while Mugabe looks at the end product of the “earn while you learn” system he overlooks the impact that the system has on children as they are used as a means for the farmer’s interests. Of course some children may have benefited from the system but their developmental stages and their rights to play and rest were overlooked. These farmers paid children’s school fees which probably were far less than what the farmer produced per day and per worker, yet out of their service farmers made millions of dollars.

However, it was not all children who benefited from the “earn while you learn” system. The reason is that children were already tired from work, so in class they could not concentrate. Gift Muti, a senior union official, says “The [system] did more harm than good, because children under that scheme have generally performed poorly in school because they were too exhausted. As a result, most just ended up being farm labourers like their parents”¹²¹ and some children especially girls were vulnerable to sexual abuse so they became mothers at an early age. Fortunate Makore, is a twelve year old mother; she speaks about how farm work is so difficult that she leaves her children in bed in the morning and only comes back when they are already asleep.¹²² Apart from being mothers at an early age, Loewenson says some of these children as young as five years take up some of the casual jobs like picking cotton, pruning tobacco, harvesting soya beans, and weeding to earn income for their families.¹²³

Loewenson observes that “children on large scale farms are already victims of their parents’ employment and economic insecurity”.¹²⁴ This is because salaries of parents cannot sustain households; as a result, children are also used as a means to supplement family incomes. For this reason it is possible to find that parents and children are employees on one farm. The reason for this is the increasing poverty that has forced

¹²⁰ IRIN “Zimbabwe: Child Labour on Farms must be stopped, say Unions,” p 2.

¹²¹ IRIN “Zimbabwe: Child Labour on Farms must be stopped, say Unions,” p 2.

¹²² McCartney, Irene (ed) *Children in our Midst: Voices of Farmworkers' Children*. (Harare: Weaver Press, 2000), p 87.

¹²³ Loewenson, R “Child labour in Zimbabwe and the Rights of the Child,” p 21.

¹²⁴ Loewenson, R, “Child labour in Zimbabwe, p 21.

families also to rely on their children's contributions to the household. Children who stay on farms with their families are the victims of child labour on the farm.

The current state of farm work does not include the "earn while you learn" system. However, children continue to work on farms for a very minimum wage which is far less than \$1 per month.¹²⁵ In reality work on farms is very hard and heavy to be done by children; therefore children working on farms are child labourers. Thus, the secretary general of the General Agricultural and Plantation Workers Union of Zimbabwe (GAPWUZ) Gertrude Hambira, explains that "children aged 16 years and working on farms [are] regarded as child labourers."¹²⁶ These children are forced to take up some seasonal and casual jobs on farms to contribute to the family's survival.

Apart from working for a salary some children were forced to find refuge on farms during the clean-up operation *Murambatsvina* an urban clean-up campaign of 2005.¹²⁷ Farms provided accommodation and food for destitute children. As a result Hambira says some of the children working on farms are the victims of the government's Operation *Murambatsvina* an urban clean-up campaign of 2005.¹²⁸ During this operation informal settlements were demolished by the government and the worst affected were children and women. During this operation many people were given refuge in churches while others migrated back to rural areas and those who had no rural home moved onto farms. These farms that employ children are also owned by the senior government officials who are supposed to be protecting the interest of citizens. Most people cannot migrate back to urban areas after the operation because of lack of accommodation. Those who could not afford to return to urban areas became permanent residents on farms and had to pay for their stay on the farm; they became cheap labour. Children who do not have fees to attend school are also recruited on these farms as cheap labour. Young girls who cannot work on farms migrate back to the urban areas to search for work. The only accessible employment for them is domestic work and prostitution.

¹²⁵ IRIN "Zimbabwe: Child Labour on Farms," p 2.

¹²⁶ IRIN "Zimbabwe: Child Labour on Farms," p 1.

¹²⁷ IRIN "Zimbabwe: Child Labour on Farms," p 1.

¹²⁸ IRIN "Zimbabwe: Child Labour on Farms," p 1.

2.5.2 Child labour in the domestic sector

Children in domestic work can work as house maids, cattle herders, garden boys and security guards for a low minimum wage. Loewenson explains that most children in domestic work are employed by the working class families who are minimum wage earners themselves.¹²⁹ Loewenson goes on to say some children from poor families, especially girls from rural areas, join richer relatives in urban areas and are used as unpaid labour.¹³⁰ This is seen as a benefit to the child because she gets accommodation and food. Unpaid domestic work is seen as part of the general socialisation of children, training them to take up gender specific roles later on in adult life. Also this work is seen as a child's opportunity to learn to take on responsibilities and in the process acquiring useful skills, many of which are an investment for adult life.

Usually, young boys from rural areas, who drop out of school because they are unable to pay school fees, are forced to take up paid work as cattle herders for middle class families in rural areas, while waiting to grow up and migrate to mines or neighbouring countries such as South Africa to search for employment. These young boys take up adult responsibilities of looking after a rural homestead while the owners are in urban areas.

Urbanization has brought changes in domestic work, because of urbanization children are now employed by middle class families. Domestic work is often gendered, girls assume duties of women and boys assume duties of men. Responsibilities that take place in domestic work are hidden from the public. Bourdillon observes that child domestic workers are often humiliated and abused verbally and physically in response to mistakes, minor accidents, or minor infractions such as cleaning poorly or responding slowly to an order.¹³¹ More girls are employed in domestic work than in any other form of child labour.¹³² They are exploited and abused on a regular basis, yet are invisible among child

¹²⁹ Loewenson. "Child labour in Zimbabwe and the Rights of the Child," p 24.

¹³⁰ Loewenson. "Child labour in Zimbabwe and the Rights of the Child," p 24.

¹³¹ Bourdillon M.F.C. *Child Domestic Workers*, p, iv. see also Dube, L. "Child Domestic Work in Bourdillon, *Earning a Life* pp 98-99. see also <<http://hrw.org/english/docs/2007/02/20/global15343.htm> accessed 18 April 2008.

¹³² <<http://hrw.org/english/docs/2007/02/20/global15343.htm> accessed on 18 April 2008.

labourers; they are not protected from any abuse. Linda Dube observes that girls work alone in individual households, unseen from public analysis, their lives controlled by their employers.¹³³ Bourdillon also argues that

Child domestic work is often hidden, taking place in private homes and further concealed by attributing kinship relationships between the employers and the children. Moreover, employers who treat children particularly badly do not readily allow outsiders to investigate the situations of these children.¹³⁴

Child domestic workers are also vulnerable to sexual abuse by their male employers or male relatives within a household. These children are victims of abuse in dysfunctional families where a male employer can use her to fulfil his sexual needs in the absence of his wife or when he is starved sexually by his wife. Similarly, boys who are garden workers face sexual abuse from male employers or sometimes female employers who can be perpetrators of sexual abuse to young boys. Thus the Michigan Resource Centre on Domestic and Sexual Violence says females can also be perpetrators. Studies report that women commit 2 to 4% of reported sex offenses against children.¹³⁵ Bourdillon observes that “while many child domestic workers are treated badly, others are happy in their situations and derive benefits from the work”¹³⁶ Those who are happy are well paid and can manage to provide for their families. Recently there has been a joke circulating in Zimbabwe that when a domestic worker is asked how much she earns she say “slightly above a civil servant salary.” Also some domestic workers are able to attend evening lessons to complete their education.

2.6 Conclusion

This chapter defined childhood, focusing on the Zimbabwean context. Childhood is complex to define, because it differs from one context to another. The chapter argued that

¹³³Dube, L. “Child Domestic Work” in Bourdillon, *Earning a Life* p 98-99. See also <<http://hrw.org/english/docs/2007/02/20/global15343.htm> accessed 18 April 2008.

¹³⁴ Bourdillon *et al.* *Child Domestic Workers in Zimbabwe*, p 3.

¹³⁵ <<http://www.mcadsv.org/mrcdsv/resource/stats/Male%20Survivors.pdf> accessed 15 April 2008.

¹³⁶ Bourdillon *et al.* *Child Domestic Workers in Zimbabwe*, p 3.

childhood differs from one context to another. Sociologists, psychologists' children's organisations and activists use the CRC definition of childhood. The chapter critically discussed how the terms 'child work' and 'child labour' are used in Africa, as the two terms have different meanings in Africa. In Africa the work done by children is called child work rather than child labour because work is a form of socialization and it prepares children for adulthood roles (gender adulthood roles) such as household chores. It is argued that child work is a necessity for a child's development and socialisation, while child labour has created debates in Africa, when some people argue that it is an imposition by the Western countries who do not understand the African culture and those who want to boycott African products on the world market. The chapter also analysed and suggested when child work becomes harmful. Poverty, which was deepened by the Structural Adjustment Programmes, HIV and AIDS, and the socio-economic and political instability, is the main driver of child labour in Zimbabwe. In Zimbabwe there are different forms of child labour, both in informal and formal sectors. The study discussed domestic work and on large scale farms as some of the majors. All these forms of child labour are exploitative and dangerous for children's development and health. For this reason the next chapter will analyse the international laws and Zimbabwean laws that are meant to protect children from child labour. To do this the chapter will discuss and analyse children's laws according to the United Nations Convention on the Rights of the Child, in relation to Zimbabwean children's laws. In the chapter issues of the enforcement of children's laws will be critically analysed. In the analysis it will be considered if these laws and international standards are adequate to address children's employment and children's exploitative work in homes.

Chapter Three

Legislation on children

3.1 Introduction

The previous chapter examined different views of childhood. Childhood was examined from a western perspective and an African perspective with special focus on Zimbabwe's Ndebele cultural views. The chapter also critically discussed the terms 'child labour' and 'child work' with focus in Zimbabwe, and its causes and forms. It is argued that child labour in Zimbabwe is primarily caused by poverty which is largely influenced by bad governance and economic policies, HIV and AIDS, and the unstable political situation. In this chapter the study will analyse the United Nations Convention on the Rights of the Child (UNCRC). Also the Zimbabwean children's laws will be critically evaluated in relation to the UNCRC. In order to do this the Zimbabwean Statutory Instrument 72 of 1997 and the Labour Act [Chapter 28:01] as amended at the 30th December, 2005, will be examined. This will be done because Zimbabwe is signatory to the UNCRC.

3.2 United Nations Convention on the Rights of the Child.

Countries have laws that are made to protect the country's citizens. These laws consider the rights and dignity of every citizen. National laws are also related to international laws. Thus children as citizens of a particular country are protected by national laws as well as international laws. The first United Nations Convention on the Rights of the Child (UNCRC) was adopted in 1919. The convention fixed that a minimum age for children to be admitted in employment is 14 years of age, and this was later revised.¹³⁷ Moreover, in 1959 the UN Declaration on the Rights of the Child added that

Among other things, the child shall enjoy special protection and shall be given opportunities and facilities, by law and by other means, to enable him (sic) to develop physically, mentally, morally, spiritually and socially in health and normal manner in conditions of freedom and dignity. In

¹³⁷ Loewensen, R, "Child Labour in Zimbabwe and the Rights of the Child," p 19.

enactment of laws for this purpose the best interest of the child shall be the paramount consideration.¹³⁸

The UNCRC has 54 articles and is one document that defines universal principles and norms for the status of children. The UNCRC is one human rights treaty which covers the whole spectrum of civil, social, political, economic and cultural rights.¹³⁹ This convention was the most universally accepted human rights document in the history of international law; the document was endorsed by all countries before its 10th anniversary, except for Somalia and United State of America.¹⁴⁰ The convention rests on the four pillars of the basic rights of children namely, the right to survival, development, protection and participation. These four pillars emerged again during the International Year of the Child (1977) when the United Nations Children's Fund (UNICEF) issued a statement on the rights of the child and highlighted that:

- States shall protect children from economic exploitation and work that may interfere with education or be harmful to their health and well-being;
- States shall protect children from physical or mental harm and neglect, including sexual abuse and exploitation;
- Every child has an inherent right to life, and States shall ensure, to the maximum, child survival and development;
- The child is entitled to the highest attainable standard of health;
- Children shall have time to rest and play and shall be afforded equal opportunities for cultural and artistic activities;
- The child's best interests shall be a primary consideration (whenever one is dealing with Children). The child's opinions shall be given careful consideration.¹⁴¹

¹³⁸ Westman, Jack. C. *Licensing Parents: Can We Prevent Child Abuse and Neglect?* New York: Insight Books. 1994, p 151.

¹³⁹ www.hrea.org/index.php?. Accessed 15 April 2008.

¹⁴⁰ <http://www.unhchr.ch/html/menu3/b/k2crc.htm> accessed 26 of April 2008.

¹⁴¹ <http://www.child-abuse.com/childhouse/childwatch/cwi/projects/indicators/Zimbabwe> Accessed 17 April 2008.

The statement proclaims the rights of all children to pursue both their material well-being and their spiritual development for the respect of their freedom and dignity, economic security and equal opportunity.¹⁴² Moreover, Article 32 of the Convention on the Rights of the Child (CRC) guarantees the right of the child to be free from economic exploitation. This article prohibits work which would interfere with health and physical development of a child.”¹⁴³ In 1999 Convention 182 on the urgent elimination of the “Worst Forms of Child Labour” was passed and this was rapidly and widely accepted by states. In this Convention, the ILO focused on preventing harm in children’s work rather than on preventing work as such.¹⁴⁴ Convention 138 of 1973 prohibited the employment of children under the age of fifteen. The convention also allows domestic work within a child’s home and work in “family and small-scale holdings producing for local consumption and not regularly employing hired workers.”¹⁴⁵

In 1990, a world summit for children was called and leaders gathered in New York to promote the well-being of children. States leaders signed a declaration regarding the survival, protection and development of children as well as a plan of action. During this summit a number of goals were set which were to be reached by the year 2000.¹⁴⁶ The recent publication, *The State of the World’s Children, 2006* explains that attention is given once more to the social exploitation of children worldwide, and the challenges of the convention on the rights of the child are directly connected to the Millennium Declaration on Development of the UN.¹⁴⁷ The publication further states that it is a matter of principle that the realization of the Millennium Development Goals (MDGs) should not merely benefit those who are better off, but also the children who are in greatest need, whose rights are violated and undervalued, who are presently excluded

¹⁴² <<http://www.ilo.org/public/english/region/afpro/mdtharare/about/childlabour.htm> accessed 26 April 2008.

¹⁴³ <http://www.unhchr.ch/html/menu3/b/k2crc.htm> accessed 26 May 2008.

¹⁴⁴ Bourdillon, Michael. “*Child Labour*” in *Southern Africa*. Pending article 2008.

¹⁴⁵ CRC, article 5.3.

¹⁴⁶ Swart, Ignatius and Yates, Hannelie, The Rights of Children: A New Agenda For Practical Theology In South Africa in *Journal of Religion and Theology* Vol. 13 (3/4). (2006), p 322.

¹⁴⁷ Swart and Yates, “the Rights of Children,” p 322.

from service and are marginalised and neglected by society and the state.¹⁴⁸ This statement will possibly give hope to children exploited by child labour.

3.3 Child-labour legislation in Zimbabwe.

As the study indicated in chapter two, some people and nations in Africa deny the existence of child labour in their countries, arguing that it is a misinterpretation by those who do not understand the African socio-economic culture. Zimbabwe is amongst these countries. This is because of the silence by the government on child abuses through work done by children in the streets, farms and domestic work.

Though Zimbabwe is among the countries who deny the existence of child labour, the country has set the minimum age of employment. The labour relations (Employment of Children and Young Persons) Regulations, 1997 in Zimbabwe explains that

- No person shall employ any child or young person in an activity set out in the schedule
- No person shall employ a child under the age of twelve years.
- No person shall employ a child or young person as is provided in subsection (4) or (5).¹⁴⁹
- A child who is twelve years of age or more may perform light work where such work

¹⁴⁸ Swart and Yates, "the Rights of Children," p, 322. See also UNICEF, *The State of the World's Children*. (New York: UNICEF, 2005), p 1-8.

¹⁴⁹ Subsection 4 states the hours of work a child is required to work. In subsection 4 a child or young person is not allowed to work for more than six hours in any one day; or for a continuous period of three hours without a break of at least fifteen minutes; a child or young person is not allowed to work overtime and a child or young person shall be entitled to at least one and half days off each week, at least twenty-four hours of which shall be continuous. And subsection 5 is about the contracts of employment. Any employer of a child or young person shall specify in the contract of a child or young person a) the wages to be paid; b) the hours of work; c) the days off work and d) any other benefits that may be provided for in any applicable collective bargaining agreement or employment regulations. And a contract for employment for a child or young person shall not be valid unless it is entered into by or with the consent of the parent or guardian of the child or young person.

- (a) is an integral part of a course of education or training for which the school or training institution is primarily responsible; and
- (b) does not prejudice such child's education, health, safety, social or mental development.¹⁵⁰

From the above laws it is obvious that the country assumes child labour is only the employment of children. By this I mean work done by children in their households as they engage in farming and domestic work is not taken as child labour. But when one makes an analysis child labour is also found in households.

Similarly the Labour Act [Chapter 28:01] as amended at the 30th of December, 2005 on (Part IV) on General Conditions of Employment like the Statutory Instrument 72 of 1977 explains that "any contract of employment...and contract of apprenticeship with an apprentice between the ages of thirteen and fifteen which was entered into without the apprentice's guardian, shall be void..."¹⁵¹ One may assume that as long as the guardians of a thirteen or fifteen year old agree that their child can work then the employer has the right to give them long hours of work per day. Such clauses, as long as they do not specify or refer to the maximum hours a child shall work, put children at risk of exploitation through child labour in the current Zimbabwean socio-economic situation.

The country's laws also assert that child labour crimes are punishable by a fine, imprisonment of two years or both.¹⁵² According to child labour laws in Zimbabwe, children are forbidden from being involved in hazardous labour. Hazardous labour is defined as any work likely to interfere with the education of children; exposing children to hazardous substances; that involves underground mining; requires the use of electronically powered hand tools, cutting, or grinding blades, exposing children to extreme conditions; or which occur during a night shift.¹⁵³

¹⁵⁰ Statutory Instrument 72 of 1997, p 277.

¹⁵¹ The Labour Act [Chapter 28:01] as amended at the 30th of December, 2005. (Zimbabwe), p 14.

¹⁵² U.S. Department of State, "Country Reports-2006: Zimbabwe," Section 6d. See also Embassy-Harare, reporting, March 7, 2007, Investigation and prosecution of Traffickers para C. See also The Labour Act [Chapter 28:01] as amended at the 30th of December, 2005 (Zimbabwe) p 14.

¹⁵³ ILO NATLEX National Labour Law Database, *children's protection and Adoption Amendment Act, 2001 (No.23)* June 4, 2003 < http://www.ilo.org/dyn/natlex_browse.home accessed 20 June 2008.

Moreover, forced labour is prohibited in Zimbabwe; there is a penalty of two years imprisonment, a fine, or both, for forced labour violations.¹⁵⁴ However, such incidences are always hidden. Millions of children in Zimbabwe are engaged in forced labour everyday, but few or none of the incidences are reported. The Ministry of Labour's Department of Social Welfare is responsible for the enforcement of child labour laws; however, it cannot conduct inspections or monitoring because of lack of personnel.¹⁵⁵ The lack of personnel to monitor the abuse of children is perpetuating the status quo. With millions of children vending in the streets, some working as domestic workers while others are in different forms of forced labour, one may wonder if there are laws meant to protect children in Zimbabwe.

On the other hand, Zimbabwe has no specific laws that prohibit trafficking in humans, thus the US Department of State, Country reports, explains that,

In Zimbabwe no law specifically prohibits trafficking in persons. However, the law does prohibit various types of sexual exploitation, including the transportation of individuals across the border for sexual purposes and procuring individuals for prostitution either inside Zimbabwe or internationally. The law provides penalties of a fine and up to 2 years of imprisonment for those convicted of procuring individuals for prostitution, and it provides a stronger penalty of up to 10 years of imprisonment in cases involving the procurement of children under 10.¹⁵⁶

For this reason, with the current socio-economic and political situation in Zimbabwe, children are not protected from trafficking to the country's neighbouring countries such as South Africa and Botswana. Many children who drop out of school everyday consider migrating to South Africa as their first option to find some work and take care of their siblings. These children either jump the border or they are helped by *omalayitsha*¹⁵⁷ to get

¹⁵⁴ Government of Zimbabwe, Constitution of Zimbabwe, Chapter 3, Article 14; <<http://www.parlzim.gov.zw/Resources/Constitution/constitution.html>>. See also U.S. Department of State, "Country Reports-2006: Zimbabwe," Sections 5 and 6c.

¹⁵⁵ Coalition to Stop the use of Child Soldiers, "Zimbabwe" in Child soldiers Global Report 2004 London <http://www.child-soldiers.org/document_get.php?id=779> accessed 18 April 2008.

at¹⁵⁶ U.S. Department of State, "Trafficking in Person Report-2006: Zimbabwe" U.S. Department of State, "Country Reports-2006: Zimbabwe," Section 6d Section 5.

¹⁵⁷ *Omalayitsha* is the cross border transport that usually illegally helps people who do not have passports and visas to cross the border from Zimbabwe to South Africa. They also carry groceries from Zimbabweans who work in South Africa to their families in Zimbabwe.

into South Africa and seek for work either as domestic workers or farm workers. There is no law so far that prohibits this illegal trafficking of children.

3.4. The United Nations Convention on Children and the Zimbabwean Children legislation

The UNCRC defines a child as any person under the age of eighteen, therefore in Zimbabwe, as signatory to the UNCRC, any person under eighteen may be defined as a child and, as such, that person may claim the rights accorded to children by the Zimbabwean law. As already indicated above the minimum age of employment in Zimbabwe is fifteen years of age.¹⁵⁸ Since Zimbabwe has assented to UNCRC together with the African Charter on the Rights and Welfare of the Child¹⁵⁹ the country considers these two international instruments in reviewing the state of children's rights in Zimbabwe. Thus in line with the international laws, in Zimbabwe child labour is a crime. But despite the international laws and national laws, children in Zimbabwe still face abuse through child labour. This brings forth a question regarding Zimbabwe's priority, integrity and commitment to upholding the protection of children as set by the UNCRC. The UNCRC compel governments to protect children from all forms of abuse including child labour and child trafficking. Probably what causes the lack of priority and integrity of children's laws in Zimbabwe is that these laws were badly implemented, because Zimbabwe was once praised for achieving 100% of universal primary school education. The authorities then relaxed and forgot that things may turn around for the worse.

However, the goal of the UNCRC is to help children to receive proper care and stimulation from governments, communities and families. According to the 54 articles it is clear that the UNCRC offers utmost standards of protection for children and expects all nations, especially those who are signatory, to do likewise. The UNCRC document explains that children's rights and protection should go beyond the usual guarantees of

¹⁵⁸ U.S. Department of State, "Country Reports-2006: Zimbabwe," Section 6d. See also U.S. Embassy-Harare, reporting, March 7, 2007, See also ILO Committee of Experts, Direct Request, Minimum Age Convention, 1973 (No. 138).

¹⁵⁹ The African Charter on Rights and Welfare of the Child was adopted by the organization of African Unity in 1990.

health, education and welfare to guarantees which relate to the child's individual personality, rights to freedom of expression, religion, association, assembly and the right to privacy.¹⁶⁰ In Zimbabwe there are no explicit rights for children specifically protected in the constitution. This brings an assumption that children are entitled to the rights guaranteed to all persons in Zimbabwe. The assumption that children are entitled to the rights guaranteed to all persons in Zimbabwe ignores the fact that children are vulnerable human beings. Child welfare in Zimbabwe has become invisible in that it has portrayed children as invisible human beings.

The Statutory Instrument (S.I) 72 of 1997 explains that,

- A contract for the employment of a child or young person shall not be valid unless it is entered into by or with the consent of the parent or guardian of the child or young person.
- A child or young person shall not be employed to work during a school term, as fixed in terms of the Education Act [Chapter 25:04], unless the contract of employment concerned has been approved by the minister.¹⁶¹

The S.I overlooks the fact that sometimes parents or guardians are the ones who force a child or a young person to contribute to a family income by seeking for work. With the current economic situation in Zimbabwe children are at risk, because parents are forced to agree when an employer wants to hire their child. However, sometimes parents are the ones who employ children in street vending and other forms of domestic work. Currently in Zimbabwe domestic workers such as house maids, garden boys and farm workers are paid in foreign currency. This attracts a lot of families to encourage their children to seek for work. As this study is in process schools in Zimbabwe are on stand-still and children are forced to take up all and any kinds of work they come across.

Since schools are currently on a standstill in Zimbabwe a clause in the S.I 72 of 1997 that says "A child or young person shall not be employed to work during a school term, as

¹⁶⁰ <http://www.hrw.org/campaigns/crp.html> accessed 17 of April 2008.

¹⁶¹ Statutory Instrument 72 of 1997, p 278.

fixed in terms of the Education Act [Chapter 25:04], unless the contract of employment concerned has been approved by the minister,¹⁶² is ineffective.

Also, the S.I in Zimbabwe claims that children are protected from child labour when it states that “a young person may be employed in an activity in which he or she receives adequate specific instructions or vocational training in the activity.”¹⁶³ A young person is someone under the age of fifteen but not younger than thirteen according to the Labour Act [Chapter 28: 01) of Zimbabwe.¹⁶⁴ In this clause the S.I presents the amount of time that a child can work as outlined in the previous section footnote 149. These hours are not bad, but this depends on the kind of work a young person or child will be doing. Surely farm work, domestic work and mining are so heavy that a child or young person can not manage to do an hour of it. I think it is better to specify the type of employment a child or young person can do within these specified hours. This is because there are different kinds of vocational training and this depends on which one is accessible to young persons and children.

Though the S.I and Labour Act [Chapter 28:01] claims to protect children in Zimbabwe from child labour, the laws that form these documents reinforce child labour. If there are laws that allow children to seek for work, but do not specify the type of work they can do, this seems to allow children to be economically exploited. The UNCRC protects children from all forms of abuse including child labour and child trafficking. It urges that states do likewise by protecting children from economic exploitation and work that may interfere with education or is harmful to their health and well-being. To do this, states, particularly Zimbabwe, can identify the forms of work that can be done by children and the forms of work that cannot be done by children. Using hours to measure if work is harmful to a child raises a problem, because it is likely that the dangers caused by that work may not be noticed.

¹⁶² Statutory Instrument 72 of 1997 , p 278.

¹⁶³ Statutory Instrument 72 of 1997, p 278.

¹⁶⁴ Labour Act [Chapter 28:01] As amended at the 30th December, 2005. Ministry of Justice, Legal and Parliamentary Affairs, Zimbabwe, updated on the (9th of January 2006), p 14.

3.5. Conclusion

This chapter's aim was to critically evaluate Zimbabwean children laws in relation to the UNCRC. The chapter analysed children's laws according to the United Nations Convention on the Rights of the Child. The child labour laws in Zimbabwe were analysed and the significance of the CRC treaty on the protection and care of children in Zimbabwe was considered. It then evaluated the Zimbabwean children's laws in relation to the CRC treaty and it became clear that Zimbabwe does not take the CRC articles as a priority neither does it take its own laws on children as a priority.

In order for the church to respond to the crisis of children in Zimbabwe a liberative theology of children should be constructed. As a result, in order to understand how the church has responded and should respond to child suffering, the next section will discuss how the early reformed church understood children. For this reason the next chapter will focus on a theological reflection of children. The chapter will identify theological aspects of children from the early church to the current state of theological reflection on children by academics and also by the church. Two church reformers, Martin Luther and John Calvin, will be analysed, because their insights informed other reformers though they differed in other areas. Consequently, the reasons for caring and reflecting theologically on children will be analysed.

Chapter Four

Children in the history of the church

4.1 Introduction

Chapter three examined critically the legislation on children in Zimbabwe in relation to the UNCRC. The chapter analysed children's laws according to the United Nations Convention on the Rights of the Child (UNCRC). The significance of the UNCRC treaty on the protection and care of children in Zimbabwe was discussed. The chapter found that Zimbabwean children are not protected despite national and international laws, as they are not properly utilized. This chapter raises theological issues around children and their suffering. This will be done by analysing how the church understood children both historically and in the current situation. This enables an analysis of whether the church cares about social issues that affect children in their daily lives. The chapter will critically analyse Martin Luther and John Calvin's theological thoughts on children during the Protestant Reformation period. Thereafter, the chapter will seek to understand the current state of theological reflection on children by the church, and analyse the current theological reflection on children.

4.2 The Patristic Period

As indicated in the introduction child labour was not visible during the Patristic period¹⁶⁵, but other forms of child exploitation such as child kidnapping, systematic and vicious murder of children of all ages, rape, child slavery, torture and psychological trauma were visible.¹⁶⁶ A number of publications and research work on the patristic period address the issues related to childhood such as infant baptism, family and children's faith. Social issues affecting children were barely researched. Magne Bakke explains that there are a few publications that focused on the way in which children were generally treated and

¹⁶⁵ The patristic period is the period of the Christian church from around c.100- 451. The period is characterised by divisions within the church on matters of theology and doctrine. Mc Grath, Alister. E. *Historical Theology: An Introduction to the History of Christian Thought*. (UK: Blackwell Publishing Ltd, 1998), p 17.

¹⁶⁶ Flower, Ronald. B. *Children and Criminality: The Child as victim and perpetrator*. (USA: Greenwood Publishing Group 1986), p 10.

understood,¹⁶⁷ in the patristic period. There are theologians who argue that the church at that time was concerned more about how children were nurtured in their Christian faith and the images of childhood.¹⁶⁸

Gillian Clark¹⁶⁹ in the article *The Fathers and the Children* focuses chiefly on the parent-child relationship. In Clark's article the Church Fathers proclaimed that adults' concern is to commit children to a strict religious life.¹⁷⁰ Clark makes it clear that the patristic period concern regarding children was children's religious life. This means that what happened outside children's religious life was not the church's business.

Thus, concern for the child was not all-embracing, and the church at that time had limited areas of focus, and issues that affected children were not extensively addressed. Gould Graham¹⁷¹ focuses on childhood within the context of theological anthropology. His focus on this is on three interrelated factors that are "firstly, the development of a child's soul in terms of its possession or lack of faculties such as reason and desire." "Secondly, the extent to which a child's soul is open to the same temptations, desires, or passions as that of an adult." "Thirdly, the extent to which children are capable of understanding religious ideas and precepts or may be held to deserve reward or punishment for their actions"¹⁷² Gould uses the late second century author Clement of Alexandria who focuses on the Biblical metaphor of childhood, Origen 185-254, who focuses on children's behaviour, and focuses not only on the Biblical metaphors of children but also on the anthropological problem of childhood itself, John Chrysostom 347-407 who focuses on the condition of childhood, Basil of Ancyra 320-379 and Jerome 347-420.¹⁷³ From the above arguments, it is clear that social issues that affect children were not addressed

¹⁶⁷ Bakke, Odd .Magne. *When Children Became People: The Birth of Childhood in Early Christianity*. (New York: Fortress Press, 2005), p 55.

¹⁶⁸ Bakke Odd .Magne *When Children Became People*, p 57.

¹⁶⁹ Clark Gillian "The Fathers and the Children" in Wood Diana (ed) *Studies in Church History: The Church and Childhood*. (UK: Blackwell Publishers, 1994), p 5.

¹⁷⁰ Clark Gillian "The Fathers and the Children," p 1.

¹⁷¹ Gould Graham "Childhood in Eastern Patristic Thought: Some Problems of Theology and Theological Anthropology" in Wood Diana (ed) *Studies in Church History: The Church and Childhood*, p 39.

¹⁷² Gould Graham "Childhood in Eastern Patristic Thought: Some Problems of Theology and Theological Anthropology," p 39.

¹⁷³ Gould Graham "Childhood in Eastern Patristic Thought: Some Problems of Theology and Theological Anthropology" p 39.

during the early church. Generally, the primary concern of the early church was the debate on whether children, and especially "infant" children according to Augustine (those under seven years of age), were capable of sin. This does not consider children's sufferings and exploitations in families and outside family settings.

Bakke¹⁷⁴ argues that Christianity brought a re-conceptualization of childhood that focuses on three propositions set forth by patristic authors. Firstly, until the Pelagian controversy of the fifth century, the patristic writers argued that the New Testament presents small children as exemplars of Christian devotion because of their innocence and purity. He argues that John Chrysostom, for example, saw very young children as "uncorrupted by worldly values" and indifferent "toward status, wealth, and poverty."¹⁷⁵ For him a child represents models that Christ sought in his disciples. Secondly, Bakke¹⁷⁶ argues that most church fathers agreed that by the time children were walking and talking they would have developed strong passions and rational faculties. Thirdly, he says that most church fathers debated on the nature and value of children from the perspective of a theology of creation. This was because the created order is good, and that both children and adults are created in *Imago Dei* (the image of God) and for this reason children must have as much spiritual dignity as adults. Thus, early Christian thinkers saw children as "individuals with a dignity and a nature that made them (just as much as adults) the recipients of God's salvation."¹⁷⁷

The early church focused mainly on children and childhood issues around faith. Children were acknowledged to be created in the image of God like adults, but serious issues that affected children were not deeply addressed. The adult-child relationship, baptism and sin were the core of the early church's debate. The slave children who were used as a means of income by their fathers and the harsh punishment of children did not get much attention in the debate. However, Augustine was against the harsh punishment of

¹⁷⁴ Bakke, M. *When Children Became People*, p 7.

¹⁷⁵ Bakke, M. *When Children Became People*, p 7.

¹⁷⁶ Bakke, M. *When Children Became People*, p 7.

¹⁷⁷ Bakke, M. *When Children Became People*, p 282.

children, as he experienced it when he was young. Martha Ellen Stortz¹⁷⁸ in her article *Where or When was your Servant Innocent: Augustine on Childhood in a Child in Christian Thought* argues that for Augustine and his contemporaries, childhood prefigured the Christian life as a whole. For Augustine conversion transformed individuals physically and experientially to childhood, regardless of their age; baptism signaled spiritual birth thus those who were baptized were regarded as infants.¹⁷⁹ He argued that childhood embodied the perfect state of humility that characterized Christian discipleship.¹⁸⁰

Bakke¹⁸¹ also examines childhood as it was experienced in the ancient world and investigates what Christians thought about the nature of children and the treatment of them in families and society, but he does not address the suffering of children and their exploitation. Moreover, throughout early history, the Catholic Church did not assign any definite age for the reception of confirmation. However, at the beginning in 1563, the Council of Trent determined that twelve was the ideal age for conferring confirmation, and that no child under the age of seven should be admitted to that sacrament. The year 1563 was thus a watershed in the history of sacramental theology. With a simple decree, confirmation became one part of a trilogy of sacraments (confirmation, penance, and Eucharist) that was henceforth identified with the age of discretion.¹⁸² The focus here is still on the child's religious life not social life.

4.3 The Protestant Reformation

4.3.1 Martin Luther

The Protestant Reformation began in Germany in 1517, following Martin Luther's attempt to provoke a discussion about reforming the Catholic Church. In the Reformation

¹⁷⁸ Stortz, Martha Ellen. "Where or When was your Servant Innocent: Augustine on Childhood" in Bunge, Marcia (ed) *A Child in Christian Thought*. (Cambridge: William B. Eerdmans Publishing Company, 2001), p 80.

¹⁷⁹ Stortz, Martha Ellen. "Where or When was your Servant Innocent: Augustine on Childhood," p 80.

¹⁸⁰ Stortz, Martha Ellen. "Where or When was your Servant Innocent, p, 87; see also Augustine confessions 1.11, pp 13-14.

¹⁸¹ Bakke, M. *When Children Became People*, p 31.

¹⁸² childhood/Ch-Co/Confirmation.html "Conformation" in the *Encyclopaedia of Children and Childhood in History and Society*. <<http://www.faqs.org/> Accessed on the 10 September 2008

children and child issues were also addressed. The reformers were concerned that children of their churches should be appropriately nurtured and educated in the latest defined Christian faith. The family was crucial in the Reformation period so that religious belief and social stability would be fostered. The Reformation reinforced patriarchy, because for reformers an ideal family was where a man was the head of a household and decision maker over his family and his wife. Reformers argued that children are born with original sin and for this reason a child needed careful attention and guidance to protect them from temptations of the world. Parents were advised that their duty was to teach their children Christian beliefs and practices and to discipline them with love and restraint, always with the support of the church community.

Martin Luther's (1483-1546) theology on childhood focused mostly on the importance of family. He "regarded the work of mothers and fathers as a most holy calling and obligation. He also recognised what contemporary society struggles to internalize: that it takes more than a family to raise a child"¹⁸³ Luther argued that everyone is born as someone's child, educated as someone's pupil.¹⁸⁴ For Luther family life was crucial for men, women and mostly children who needed guidance and nurturing from parents. His point was that it takes two people, a man and woman, to make a child and as a result it takes two people a man, and a woman, to raise and nurture a child.

Luther supported and defended the practice of infant baptism in his writings which include the *95 Thesis, the Small Catechism, the Large Catechism, and the Bondage of the Will*.¹⁸⁵ In his support for infant baptism

Luther [explains]...the possibility that infants do indeed have faith; he argues that the witness of Scripture at least does not sustain his opponents' claim that they are incapable of it...it does not matter, for what makes any baptism valid is not the

¹⁸³ Strohl, Jane E. "The Child in Luther's Theology: "For what purposes Do we Older Folks Exist, Other than to Care for...the Young?" in Marcia Bunge J (ed). *The Child in Christian Thought*, p 134.

¹⁸⁴ Lazareth William H, *Luther on the Christian Home: An application of the Social Ethics of the Reformation*. (Philadelphia: Muhlenberg Press, 1960), p 132.

¹⁸⁵ Martin Luther, *Martin Luther: Selections From His Writings*, in John Dillenberger, ed. (New York: Anchor Books, 1962) , p 23.

faith of the recipient, what ever...age, but the promise of God attached to the sign.¹⁸⁶

Luther did not say much on childhood, instead like St Augustine he drew from memories of his own childhood. His main concern was more on the infant rather than the child. St Augustine referred to infancy as the first stage of life, because he had divided human life into six different stages of life. Luther is not very clear on childhood except for that children must respect, obey, and assist their parents and similarly parents have a duty to love, nurture, and discipline their children, both for the protection of the children and in the interest of creating a stable community. For Luther “children under seven years of age have not developed real thoughts. We know this because they are not capable “to kill and commit adultery. Still, sin has begun in them, as is evident in their tendency to steal, snatch sweets and so on.”¹⁸⁷ Also Luther saw extreme abuse, neglect, and overindulgence as threats to children. The *Small and Large Catechisms* are a guide to children on how to live in faith. He criticized adults who said that the catechism was a very simple, silly, teaching which they can absorb and master at one reading, arguing that these are deceiving for original sin infected the child as much as the adult.¹⁸⁸

Education for all children boys and girls was crucial for Martin Luther; children were expected to learn such catechisms at home, at church, and even at school. Girls' schools and co-educational schools were both established during the sixteenth and seventeenth centuries, but schools for boys appeared more rapidly. Girls were expected to receive their education from home focusing on the catechism in order to learn righteous behaviour. Children in Luther’s theology are to some extent addressed, but the focus is mainly around faith issues.

4.3.2 John Calvin

John Calvin (1509-1564), in line with Martin Luther maintained the practise of infant baptism. Calvin justified infant baptism in that it places children in their place within

¹⁸⁶ Strohl, J “The Child in Luther’s Theology,” p 141.

¹⁸⁷ Martin Luther “Tabletalk in Strohl. “The Child in Luther’s Theology,” p 145.

¹⁸⁸ Strohl, J. “The Child in Luther’s Theology,” p 144.

God's covenant and that the baptism of infants nourishes parental faith.¹⁸⁹ Like Luther, Calvin argues that after baptism sin remains but is no longer imputed as sin.¹⁹⁰ For Calvin children need to be cared for at both the domestic and public spheres. Interpreting Psalm 127 he argues that this is because children are "a heritage from the Lord" and the fruit of the womb [is] a reward.¹⁹¹ Religious parents are expected to nurture their children physically and spiritually; this includes a strict but compassionate discipline. Corporal punishment, including beating, was acceptable in moderation in order to help children learn to resist the many vices that the world pressed upon them. But extreme abuse, neglect, and overindulgence were all seen as threats to children. Thus Calvin, quoted in Pitkin, argues that "unless men regard their children as the gift of God, they are careless and reluctant in providing for their support just as on the other hand this knowledge contributes in a very eminent degree to encourage them in bringing up their offspring"¹⁹²

For Calvin it was the society's role to provide right conditions for raising children to be godly.¹⁹³ John Calvin was both a religious leader and human rights activist. He believed that all children of believers were spiritually rejuvenated. He campaigned for gender justice and he also stressed the dignity and importance of bearing and rearing children. Like Luther he stressed the role of children honouring, loving, obeying and caring for their parents.¹⁹⁴ Calvin was concerned about children's importance in society, their physical, intellectual, and spiritual well-being. However, like Luther, children's issues have little attention in Calvin's theology; thus Pitkin argues that "children do not constitute a major theme in Calvin's theology. Children are included, but marginally; they are subsumed under a notion of human nature that takes as its normative representative the adult male"¹⁹⁵ The Protestant Reformation period focused mostly on the notion that childhood was a period of nurture, discipline, and learning. And they

¹⁸⁹ Pitkin Barbara "The Heritage of the Lord": Children in the theology of John Calvin" in Marcia Bunge J (ed). *The Child in Christian Thought*. (UK: Cambridge, 2001), p 185.

¹⁹⁰ Pitkin, B. "The Heritage of the Lord," p 186.

¹⁹¹ Pitkin "The Heritage of the Lord," p 170.

¹⁹² Pitkin "The Heritage of the Lord," p 171.

¹⁹³ Pitkin "The Heritage of the Lord," p 174.

¹⁹⁴ Pitkin "The Heritage of the Lord," p 174.

¹⁹⁵ Pitkin "The Heritage of the Lord," p 189.

repeated frequently the mutual commitment that parents and children had toward each other.

A theological reflection on child labour is missing in the Reformation period. The Protestant Reformation period, led by Martin Luther occurred during the 16th century¹⁹⁶ and some forms of child abuse such as child slavery, child prostitution which are currently known as the worst forms of child labour and other forms of child abuse were noticeable during the 16th century.¹⁹⁷ Though child labour was visible during the time of the reformation this form of child abuse was ignored.

The negligence of children's social life and the enforcement of child labour [was] carried on by the Protestant and Catholic missionaries who went into Zimbabwe in the early 1600s.¹⁹⁸ These missionaries conducted the first formal education in Zimbabwe. Grier argues that it was common for mission stations to combine mission schools and commercial farming, children did not attend school for free, but families had to pay fees in cash, cattle or pupil labour.¹⁹⁹ This was a great benefit for the missionary because children with families who could not afford cash or cattle, paid fees by working for the mission school. For this reason Grier argues that child labour was the "back bone" of the mission work force in Zimbabwe.²⁰⁰ Bass agrees with Grier as she argues that "missionaries benefited from the labour of children in Zimbabwe for providing a religious education..."²⁰¹ As a result, the above arguments reveal that in history the church in Zimbabwe contributed to the spread of child labour. This brings in questions of whether the current church and current theologians in Zimbabwe and around Zimbabwe have condemned this practice or whether they have supported it.

4.4. Current church and theological debate about children

¹⁹⁶Martin Luther: The Beginning of the Reformation in
<www.historychristianity.com/article/church_history/73289 accessed 20 June 2008.

¹⁹⁷ Flower, Ronald B. *Children and Criminality: the Child as victim and perpetrator*. (USA:Greenwood publishing Group, 1986), p 7.

¹⁹⁸ <http://www.sim.org/index.php/country/ZW> accessed on 23 September 2009

¹⁹⁹ Grier, B. C. *Invisible Hands*, p 35.

²⁰⁰ Grier, B. C. *Invisible Hands*, p 34.

²⁰¹ Bass, L, E. *Child labor in Sub-Saharan Africa*, p 35.

The suffering of children is as much a theological concern as it is often a socio-political and economic emergency. This suffering should provoke uprising. Sturm advocates there is a need to “give rise to a drive for the emancipation of children from conditions that force them into such agony, that violate - intentionally or not -their childhood.”²⁰²

The church has responded and is still responding to children and childhood issues. However the church has not widely responded to the wide abuses of children in Zimbabwe in the form of child labour. The humanitarian crisis and the economic crisis in Zimbabwe is causing pain and destroying children’s future. However, this has not been seriously considered as an emergency by the church or theologians. The church’s voice on the suffering of children in Zimbabwe is not clear at all. In the 2008 Zimbabwean part of the Stop Child Labour Campaign’s Africa Tour, the church seem to be absent, from the list of those who organised this tour the church in Zimbabwe does not appear.²⁰³

One may argue that some churches in Zimbabwe are responding by opening orphanages and other projects that protect children from exploitation. That is true. However, for those children who do not have access to orphanages and other projects, if caught in child labour, the church does not have a mechanism in place to save them. For this reason I agree with Janet Pais as she argues that “the church, particularly at the local or popular level, has sometimes encouraged the formation of potentially harmful attitudes toward children...”²⁰⁴ This is because these children find risky strategies to survive, such as child labour.

When children suffer it means that the future of the church is at stake. Since the church is ignorant about this problem, this means that the church is an accomplice in the oppression of children. With the horrifying state of children in Zimbabwe this means that in the coming years there may be no one to sustain the church. In reality children are the only ones who can sustain the church and continue spreading the Gospel because they are

²⁰² Sturm, D “On the Suffering and Rights of Children,” p 40.

²⁰³ Zimbabwe Stop Child Labour Campaign’s Africa Tour Report
<<http://www.stopchildlabour.eu/africatour2008/tour/zimbabwe/final-country-report/> accessed 12 February 2009.

²⁰⁴ Pais, J. *Suffer The Children*, p 136.

the future leaders of the world. The suffering and exploitation of children is the suffering and exploitation of the church.

Similarly, theologians have not said much about children's oppression. Thus Marcia Bunge argues that

when we ask what Christian theology might contribute to this wider public and academic debate about children or how it might help us to reflect on our notions about the nature of children and our obligations to them, one can easily suspect that it has very little to offer and is perhaps even destructive...until very recently, issues related to children have tended to be marginal in almost every area of contemporary theology. For example, systematic theologians and Christian ethicists have said little about children, and they have not regarded serious reflection on children as a high priority.²⁰⁵

This reveals that matters concerning children have been neglected from history right up to recent times. One may wonder what this silence implies. Bunge continues to explain using Todd Whitmore's observation that generally, there is a lack of any well developed social teaching on the nature and caring of children in the Catholic Church and most churches.²⁰⁶ The Catholic Church has, however, made comments and statements on the abuses of children. For example on the 1st of August 1897 Pope Leo XIII issued a statement that "in regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed."²⁰⁷ Nevertheless, the main concern about children has been more on the nurturing of their faith. However, Swart and Yates argue that "there is an absence of reflection on other problems concerning children, such as child abuse, unsafe [working] environments, and the socio-economic conditions of children and the lack of participation by children in the community."²⁰⁸

²⁰⁵ Bunge Marcia, "Introduction," p 3.; see also Miller-McLemore, Bonnie J. "Forward" in Jensen David H. *Graced Vulnerability: A Theology of Childhood*. (Cleveland: Pilgrim Press, 2005), p viii.

²⁰⁶ Bunge Marcia, "Introduction," p 3.

²⁰⁷ Pontifical Council for Justice and Peace: *Compendium of the Social Doctrine of the church*. (*Liberia Editrice Vatican*, 2004), p 34.

²⁰⁸, Swart, I. and Yates, H. "The rights of Children,"p 327.

Consequently Bunge observes that “although the church has highly developed teachings on other matters [but not the socio-challenges faced by children]...theologians have not offered sustained reflection on the nature of children or on obligations that parents, the state, and the church have to nurture children.”²⁰⁹ For example the *Cambridge companion to feminist theology*, analyses the shape and the major themes of feminist theologies and childhood is not part of this important piece of work.²¹⁰ And also the 1996 *Dictionary of Feminist Theologies* does not have the definition of childhood. From ‘Character’ they jump to define ‘Christ Jesus.’²¹¹ They ignore the concept of childhood and how children must be treated in society. Under the term family, the concept of childhood is hidden, though they intertwine women abuse and child abuse,²¹² but they do not say much on this. In this regard, Marcia Bunge observes that “children do not play a role in the way that systematic theologians think about central theological themes, such as the human condition, the nature of faith, language about God and the task of the church.”²¹³ The lack of theology and a consideration of theological themes about children both by theologians and the church may be one of the reasons for child suffering, since no one conscientizes the world on God’s intention for children.

With the lack of theological reflection on children Don Browning and John Wall argue in the “Series Foreword” of a *Child in Christian Thought* that though issues of childhood have been “groundswells in new scholarship...from psychologists, sociologists, historians, and philosophers, contemporary theologians have on the whole neglected childhood as a serious intellectual and moral concern.”²¹⁴ A similar point is made by Ignatius Swart and Hannelie Yates argue that “it is disappointing, to note that theologians up to now seem to have contributed nothing or very little to the children and their

²⁰⁹ Bunge, M. “Introduction,” pp 3-4.

²¹⁰ Parsons, Susan *The Cambridge Companion to Feminist Theology*. (Cambridge: Cambridge University Press. 2002), p 47.

²¹¹ Russell, Letty. M. and Clarkson, Shannon, J (eds) *Dictionary of Feminist Theologies* (Louisville: Westminster John Knox Press, 1996), pp 37-38.

²¹² Russell and Clarkson “Dictionary of Feminist Theologies,” p 98.

²¹³ Bunge Marcia ..J “Introduction” in Bunge M. J (ed) *The Child in Christian Thought*. (New York: Eerdmans, 2001), p 4.

²¹⁴ Browning Don. S. and Wall John “Series Foreword” in Bunge, M. *The Child in Christian Thought*. (UK: Cambridge, 2001), p xi.

context.”²¹⁵ However, though the silence of theologians is disappointing, there are a number of theologians and Christian ethicists who are beginning to provide and provoke a debate on a theology of childhood and children in recent years.

In 2001 the publication of a “Child in Christian Thought” has provided a good background for theologians to think deeper about children and issues that affect them. In her introduction Bunge reminds theologians about their silence. She acknowledges that although references to children are scattered throughout theologians’ writings and not discussed systematically, many theologians, especially those who wrote before the mid-nineteenth century, have seriously considered issues concerning the raising, education and moral and spiritual formation of children in their reflections.²¹⁶ These are the issues that must lead to the awareness. Children as the vulnerable humans in society require protection and this protection is not only for children but for the image of God in children.

Some theologians have already taken up this critical issue and engaged children in their theological reflections. David Jensen starts a theological debate on children and childhood when he argues that the vulnerability of children is an aspect of the *imago Dei* (image of God), and that childhood provides a window for understanding the shapes of graced human life and the violence that restrains life. Jensen argues that “to be a child of God...is to become like children through God’s grace, open to joy of relation, but also susceptible to the tragedy and violence of human life in God’s world.”²¹⁷ Jensen suggests a contextual theology that pays close attention to the blessing and threats of children’s lives and a theology that upholds the care of children as one act of faithfulness to its crucified and risen saviour.²¹⁸

As we consider the vital priority needed to theologically reflect on issues affecting children, we need to first identify the threats in their lives and how they affect children in

²¹⁵ Swart, I and Yates, H *The Rights of Children: A New Agenda for Practical Theology in South Africa Journal of Religion and Theology* 13 (2006), p 326; see also Browning Don. S. and Wall John “Series Foreword” in Bunge, M. *The Child in Christian Thought*, p xi.

²¹⁶ Bunge, M. “Introduction,” p 11.

²¹⁷ Jensen, David H. “Preface” in *Graced Vulnerability: A Theology of Childhood*. (Cleveland: The Pilgrim Press, 2005), p xvi.

²¹⁸ Jensen, D. “Preface,” p xvi.

their day to day lives. In the Zimbabwean context the major threat to children's lives is poverty that forces them to seek for work where they face exploitation. In other words child labour is a threat. So in the construction of a theological reflection we need to identify and condemn it. This kind of threat to the lives, liberty and limbs of children is very visible and tangible in Zimbabwe. It is noticed by many in the world that child labour poses a threat of health and the wellbeing of children. Thus God calls the church to show great love to the poor and suffering. For this reason Jensen offers a new understanding of a vulnerable child who is carrying the image of God. Plus he outlines the church practice and Christian witness in a world in which threats to children's lives such as poverty, child labour, child trafficking and the sex trade are overwhelming.²¹⁹

On the other hand, as the threats of children are identified there is also a need to identify their blessings. In this case blessings of children are child work that gives a child time for education, play and rest. A caring family as well as a caring government is the one that protects children's rights and their identity. Blessings prepare children for the future. Thus UNICEF explains that when children are allowed to live in peace and security they have enormous potential to contribute, not only to their own communities, but to the national and global society. Also UNICEF says that taking care of children and improving their lives, is crucial not only for their wellbeing and their health but for the future of indigenous people and children's unique place in human family.²²⁰ Children themselves are a blessing from God so they need to be protected and cared for in a way that pleases God. Their place in the human family should not be characterized by domination and exploitation because of the image of God in them. Contextual theology that identifies children's threats and blessings invites communities to consider thinking critically about children and the matters that affect them.

Douglas Sturm²²¹ argues that due to the suffering of children in their own context children need their own form of a theology of liberation, as a means of expressing their suffering. I agree with Sturm's argument as he explains the characteristics that may lead

²¹⁹ Jensen, *Graced Vulnerability*, p 28.

²²⁰ www.unicef.org/sowc02/pdf/sowc2002-final-eng-allmod.txt accessed 29 June 2008.

²²¹ Sturm, D "On the Suffering and the Rights of children," p 40.

to a constructive construction of a contextual theology of children and their rights. Sturm asserts that the suffering of children has throughout the course of history been a large part, a function of social systems. As a result he argues that children's suffering "is not natural...it is not the result of strictly inevitable forces" and can by implication, be countered by righteous indignation.²²² This is evident in the current context of Zimbabwe where children's suffering is a result of the government's negligence with regard to the human rights of children and every citizen in Zimbabwe. Child labour in Zimbabwe is not a natural phenomenon. It has nothing to do with the sanctions imposed in Zimbabwe by some of the western countries and the current drought faced by the country, but it is a matter of the absence of justice in social, political and economic issues.

The absence of justice with regard to children's matters and abuse of children's rights undermines their unfolding potential. Children are not just immature human beings but have a potential of becoming the future leaders of the nations. For this reason Sturm argues that the distinction between adulthood and childhood is not absolute, and it is essential that children, even though they continue their diverse phases of development, should be acknowledged, appreciated and respected as active, creative participants and agents in the world community.²²³ The United Nations Convention on the Rights of the Child's philosophy is that children are equals and that they have an equivalent value to that of adults. However, at the same time children are vulnerable because of their age. This is because of the ways in which their lives are subject to the decision and behaviour of adults.²²⁴

The dissimilarity between adulthood and childhood is the reason that enforces domination and exploitation of children by adults. This is "because [church's] approach to, and appreciation of children determine their actions towards children directly."²²⁵ The understanding that children are weak and with little knowledge are some of the reasons children suffer and are exploited. To understand children is to understand God in children

²²² Sturm, D "On the Suffering and the Rights of children," p 40.

²²³ Sturm, D "On the Suffering and the Rights of children," pp 44-45.

²²⁴ Asquith, Steward and Hill, Malcom, *Justice for Children*. (Scotland: Martinus Nijhoff Publishers, 1992), p 13.

²²⁵ Swart, I and Yates, H *The Rights of Children*: p 331.

as a weak image. On the other hand, Sturm argues that the suffering of children can be understood as a loss of something crucial in life (image of God), including life itself.²²⁶ The current context of children in Zimbabwe has damaged their potential to full life, and is ignoring Jesus' command that "If any of you put a stumbling block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea"²²⁷ For this reason, this calls for a contextual liberation of children.

4.5 Conclusion

This chapter has analysed how the church in history, particularly during the Patristic and the Reformation periods, has reflected on children and their suffering. It also analysed how the current church and theological debates in the academy reflects on children and their particular issues. The chapter concluded that the church has not had a clear theology which addresses the exploitation of children through child labour and other forms of abuse. As the study has argued in chapter two, child labour has increased with deepening poverty as a result of ESAP's, HIV and AIDS, and the socio-economic and political instability in Zimbabwe. Children are orphaned through the death of their parents as a result of AIDS-related illnesses. Given the general social and political instability in Zimbabwe, many end up in exploitative situations of child labour. Chapter three showed how the government of Zimbabwe is silent on issues of child labour. Though the government has signed international treaties and written national laws which should protect children's rights, little direct attention has been paid to the issue of child labour as a means of survival for many children. Given the history of the silence of the church on such matters, it becomes imperative that a liberative theology of children be developed to address these concerns in the church and the academy. Given the silence of the government on the enforcement of child labour laws as shown in chapter three, the church should speak to itself, the state and society about evils of child labour and find ways to negotiate for the protection of children exploitation and abuse. The church can do

²²⁶ Sturm, D "On the Suffering and the Rights of children," p 49.

²²⁷ Matthew 18:6 All Bible quotations in this study are from the New Revised Standard Version.

this by reflecting theologically on children and their exploitation. Such theological reflection on children may be done by focusing on key themes such as love, identity and dignity, justice and freedom. The next chapter begins this discussion by attempting to suggest a contextual framework for a liberative theology of children.

Chapter Five

Towards a liberating theology of children

5.1 Introduction

Chapter four discussed how the church understood children in the Patristic period and the protestant Reformation. The current state of theological reflection on children was analysed. This chapter suggests a framework for a contextual liberative theology of children which includes the concepts of dignity, identity, love, justice and freedom.²²⁸ First, the chapter will discuss how Jesus responded to children during His ministry, and the example of Jesus using children as a symbol of the nature of greatness in the kingdom will be examined. Second, the identified theological concepts of dignity, identity, love, justice and freedom will be discussed in connection with issues of justice and fairness to children because of the image of God in them.

²²⁸ The understanding of children's liberative theology in this study is in keeping with a school of thought known as liberation theology. Latin American liberation theology developed in the late 1960s most notably by Catholic theologians such as Gustavo Gutierrez who explains that liberation theology "attempts to reflect on the experience and meaning of faith based on commitment to abolish injustice and build a new society; this theology must be verified by the practice of that commitment, by active, effective participation in the struggle...against their oppressor" (Gutierrez, Gustavo. *A Theology of liberation* in Ina Caridad and Eagleson John (Eds) (Maryknoll, New York Orbis Books, 1972) p 307. Feminist liberation theology struggles against the systematic injustices of patriarchy in different religious traditions, women's exclusion from both theology and positions of power in religious institutions, and the often explicitly religious legitimization of the subordination of women. Letty Russell explains that feminist theology is concerned with the liberation of all people to become full participants in human society (Russell, Letty *Human Liberation in a Feminist Perspective-A Theology*. (Philadelphia: The Westminster Press, 1974) p 20. Women from the South have also developed specific forms of women's theologies that address particular geographic locations such as the Third World Women Liberation theologies. Kwok Pui-Lan argues that women living in the Third World, or as minorities in the First and Second World often find that they have multiple and simultaneous identities as a result of their double or triple oppression however, cultural and racial diversity should not separate women from one another (Kwok Pui-Lan "The future of the feminist theology: An Asian perspective in King Ursula (ed) *Feminist Theology from the Third World: A Reader*. (Maryknoll, New York: SPCK/Orbis Press, 1994) p 66. Liberation theologies address issues of dignity, identity, love, justice and freedom which are central, as I argue, to a theology of children that is contextual and liberative.

5.2 Doing theology from children's experiences

Janet Pais argues that as each oppressed group has found it necessary to speak for itself and to create its own liberation theology, the oppression of children is a unique case.²²⁹ The reason is that unlike other minority groups the poor children do not have the education or the resources necessary to speak for themselves to effect change.²³⁰ As a result, children as the vulnerable and the weakest human beings depend on adults to speak for them and to campaign for their liberation.²³¹ Jensen says each child is unique and each child comes into the world utterly dependent on others for biological survival and consequent development.²³² For this to happen, Pais says, "...the adult who is in touch with the experiences and feelings of childhood can and must speak for the child, speak as a child within...because the child-self within every adult cries for a hearing, if only adults would listen."²³³ By listening to a child within themselves adults would be forced to respond to issues that affect children as much as they respond to issues that affect adults. For this reason, the difference between a liberative theology of children and other theologies of liberation is that a liberative theology of children is not done by children as the oppressed but it is done by adults. Pais argues that in the liberative theology of children, adults need to listen to the oppressed child within themselves as she or he is crying out in pain and protest.²³⁴ Janet Pais who is an adult writes a theology of liberation of children from her childhood experiences. She listens to the child within her, the child that suffered and responds to that suffering by constructing a theology of liberation that responds to her suffering as a child. This means understanding the context of children.

Jensen argues that a liberative theology of children considers children not for who they will become, but for whose and who they are.²³⁵ In agreement Willmer advocates that a

²²⁹ Pais, J. *Suffer The Children*, p 16.

²³⁰ Pais, J. *Suffer The Children*, p 16.

²³¹ However, there are issues of exception such as the Soweto uprising in 1976 when school children rose against the authorities of the day.

²³² Jensen, D. *Graced Vulnerability*, p 32.

²³³ Pais, J. *Suffer The Children*, p 18.

²³⁴ Pais, J. *Suffer The Children*, p 19.

²³⁵ Jensen, D. *Graced Vulnerability*, p xi.

liberative theology of children “is pursued with concern for the child and children.”²³⁶ Concern for the children starts by understanding children and their context, because “a theology that is worthy of its name pays attention to particularity and context.”²³⁷ In this case children in Zimbabwe are in an abusive context that embraces child labour. Their suffering is not only personal but shared with their parents who are forced by the current socio-economic and political situation to send children to seek for work, thereby jeopardizing their welfare. For this reason, a liberative theology of children considers their context and their immediate care givers. In considering children’s context a liberative theology of children needs to locate God in children.

Thus Janet Pais argues that a theology of liberation for children asserts that God is a child just as black theologians may assert that God is black or feminist theologians may assert that God is a woman.²³⁸ This is because the incarnate God reveals Godself as a child and as a child God takes all the weakness, vulnerability, and the neediness of a child.²³⁹ A liberative theology of children therefore must be a theology that manifests respect for the child, acknowledges the child’s value and feelings including all the strengths and gifts that children may have such as sports, art, entertainment and academic work.

Jensen further suggests that a liberative theology of children pays close attention to the blessing and threats of children’s lives and upholds the care of children as one act of faithfulness to its crucified and risen saviour.²⁴⁰ As we consider the vital priority to theologically reflect on issues affecting children, we need to first identify the threats of their lives and how they affect children in their day to day lives. Given the discussion in chapter two, poverty is a major threat to Zimbabwean children, because it forces them to seek for work where they face exploitation. In other words child labour is a threat. So in the construction of a liberative theology of children there is a need to identify and condemn child labour. This kind of threat to the lives, liberty and limbs of children is very visible and tangible in Zimbabwe with many children vending in the streets and

²³⁶ Willmer, Haddon. *Child theology* http://viva.org?page_id=194 p 2. accessed 10 April 2008.

²³⁷ Jensen, D. *Graced Vulnerability*, p xii.

²³⁸ Pais, J. *Suffer The Children*, p 15.

²³⁹ Pais, J. *Suffer The Children*, p 16.

²⁴⁰ Jensen, D. “Preface,” p xvi.

others seeking domestic work. As indicated earlier, child labour poses a threat for the health and the wellbeing of children. Thus God calls the church to show great love to the poor and suffering because God's image suffers in them. Hence, Jensen²⁴¹ offers a new understanding of a vulnerable child who is carrying the image of God. Jensen does this by outlining the church's practice and Christian witness in a world in which threats to children's lives such as poverty, child labour, child trafficking and the sex trade are overwhelming.²⁴² All these practices undermine the image of God in children.

On the other hand, as the threats of children are identified there is also a need to identify their blessings. In this case blessings for children include child work that was discussed in chapter two. Child work gives a child time for education, play and rest. Child work is also a blessing because it initiates and prepares a child for the future. A caring family as well as a caring government is the one that protects children's rights, dignity and their identity by allowing them to enjoy their freedom of being children in a caring society. Blessings prepare children for the future. Thus UNICEF explains that when children are allowed to live in peace and security they have enormous potential to contribute not only to their own communities but to the national and global society. Also UNICEF says taking care of children and improving their lives is crucial, not only for their wellbeing and their health but for the future of indigenous people and children's unique place in human family.²⁴³ Children in Zimbabwe are the victims of the socio-economic and political situation in that country. The UNICEF's blessings apply to the wellbeing of the Zimbabwean children. Children are a blessing from God so they need to be protected and cared for in a way that pleases God. Their place in the human family should not be characterized by domination and exploitation because of the image of God in them. A liberative theology of children that identifies children's threats and blessings invites communities to consider thinking critically about children and matters that affect them. It also acknowledges Christ's commandments about and responses to children.

²⁴¹ Jensen, D. *Graced Vulnerability*, p 28.

²⁴² Jensen, D. *Graced Vulnerability*, p 28.

²⁴³ <www.unicef.org/sowc02/pdf/sowc2002-final-eng-allmod.txt accessed 29 June 2008.

5.3 Jesus' response to children

In Matthew 18:1-5 Jesus placed a child in the midst of the disciples who were in a theological debate about greatness. In Mark 9:33-37 Jesus placed a child in the midst of his disciples when he found out that they were arguing about which one of them was the greatest. And in Luke 9:46-48 Jesus placed a child in the midst of his disciples when he knew what was going through their minds. With reference to the question of greatness in the synoptic gospels Haddon Wilmer says that Jesus did not give His disciples a simple direct answer about the criteria of true greatness in the Kingdom of God.²⁴⁴ Nevertheless Jesus placed a child before them arguing that the nature of childhood is the model of greatness in the kingdom of heaven.²⁴⁵ However, Jesus does not say what characteristics of a child are crucial for one to qualify to enter the Kingdom of God. Johannes Marherbe argues that "Jesus devoted special time to children in a context where this was not expected, and by doing so He indicated how important children and their needs are to God."²⁴⁶ This response and action by Jesus suggests the significance of every human being in the Kingdom of God.

Jesus' concern for children gives us an idea of how God wants them to be treated. I concur with Malherbe²⁴⁷ as he argues that for example in the synoptic gospels Jesus

welcomed children and commanded his disciples to welcome them (Matthew 18:5), He warned them not to cause little ones to sin(Mat 18:6; Mark 9:42; Luke 17:2) , He told the disciples that the Kingdom of God belongs to children (Mat 19:14; Mark 10:14; Luke: 18:16) and those who become like children (Mat 18:2, Mark 10:15; Luke 18:17) He touched, prayed for and blessed the children brought to Him (Mat 19:13-15; Mark 10:13-16).

It is clear that Jesus wanted to show by example the significance of children in God's creation. By commanding his disciples to welcome children, Jesus authenticates the significance of children in the Kingdom of God. In an analysis of Jesus' responses about

²⁴⁴ Wilmer, H. "Child Theology," p 5.

²⁴⁵ Wilmer, H. "Child Theology," p 5.

²⁴⁶ Marherbe, Johannes. "Child Theology in Africa?" a paper presented in 'Hear the Cry' Conference, Nairobi, on (17-21 May 2004), p 4.

²⁴⁷ Marherbe, J. "Child Theology in Africa?" p 4.

children to his disciples, it is clear that Jesus was firm on His counsels about the significance of children.

Willmer²⁴⁸ postulates that the significance of Jesus' presentation of children is that firstly, a child is significant as a sign of the state of the world.²⁴⁹ He argues that as a sign of the state of the world children are like sensors registering the nature and state of the world in which they grow up. Willmer goes on to say that children are experimenters, collectors of impressions and reactions, and exceptionally sensitive humans to the peace or disturbance of social and institutional life.²⁵⁰ Like Jesus, they reveal sin and suffering.²⁵¹ They are vulnerable to any threat in their lives and they are by and large defenceless. Thus, Jensen explains that children are born into a world filled with the promise of a gifted life with others and yet there is a threat that others may oppress and prey upon them.²⁵²

Furthermore, Willmer says "children at risk" are like sores on the "body politick" because, when there is sickness or illness in the social system children are the first to show the signs of suffering.²⁵³ He goes on to say that in focusing on the child we are discovering a way of encountering or uncovering aspects of society that remain hidden.²⁵⁴ The child helps the world to see what is at stake in the statistics. Children's vulnerability to threats rapidly reveals the depth of the crisis.

Secondly, Willmer says a child is a sign of God's Kingdom.²⁵⁵ He explains that children reveal in tangible and often dramatic ways the heart of the contemporary world, and are clues to God's ways. The Kingdom of Heaven can be taken as "God's reign" or God's way of doing things.²⁵⁶ When Jesus placed a child in the midst of his disciples, He said "unless you become as a child you will not enter the Kingdom of Heaven."²⁵⁷ This means their humbleness represents the humility of the Kingdom of God. Also, children trust and

²⁴⁸ Willmer, H. *Child Theology*, p 4.

²⁴⁹ Willmer, H. *Child Theology*, p 4.

²⁵⁰ Willmer, H. *Child Theology*, p 4.

²⁵¹ Willmer, H. *Child Theology*, p 5.

²⁵² Jensen, D. *Graced Vulnerability*, p 32.

²⁵³ Willmer, H. *Child Theology*, p 5.

²⁵⁴ Willmer, H. *Child Theology*, p 5.

²⁵⁵ Willmer, H. *Child Theology*, p 5.

²⁵⁶ Willmer, H. *Child Theology*, p 5.

²⁵⁷ Matt 18:1-5 see also Mark 9:33-37; see also Luke 9:46-48.

have faith in those who care for them. In addition children forgive and love even those who hurt them in the same way Jesus prayed for the forgiveness of those who crucified Him.

Thirdly, Willmer says “a child is the presence of lived hope and love.”²⁵⁸ He argues that the “call to change in order to enter the Kingdom of Heaven shows that the Kingdom of Heaven is in front of us, as a “not yet”, we have not already arrived or maybe we will never.”²⁵⁹ So becoming like a child is a conversion some people might be afraid of, because of the vulnerability of children to different threats of life. Willmer says a child speaks to us deeply of the presence of the life and grace of God.²⁶⁰ He also argues that living with children is a sign of the presence of the Kingdom of God and a sign of the presence of hope and love.²⁶¹ For him the aspect of understanding children as a sign of the presence of hope and love needs to be included so as to do justice and respect the image of God in children. The child set in the midst invites and commands the world to be hopeful, and to share in a movement of conversional hope.²⁶² Child labour in Zimbabwe jeopardises the lived hope and love that may be revealed by the presence of children in Zimbabwe. This is because child labour damages the child’s physical, mental, social or moral well-being. The birth and growth of a child reveals sustenance and fullness of life.

In agreement with Willmer, Pais says “Jesus Himself has announced that every child, received in His name, shares His divine identity”²⁶³ and fulfils the promise of life in its fullness.²⁶⁴ She goes on to say that “in other words when Christians receive a child in the name of Christ, that child is Christ, in fact, the child is God self.”²⁶⁵ This is because God came into earth in the form of the child Jesus, in the incarnation. If we are to take Christ’s words seriously and receive children in His name, then we must condemn any form of abuse. Jesus made it clear that in His invitation no one is left out. His invitation applies to

²⁵⁸ Willmer, H. *Child Theology*, p 6.

²⁵⁹ Willmer, H. *Child Theology*, p 6.

²⁶⁰ Willmer, H. *Child Theology*, p 6.

²⁶¹ Willmer, H. *Child Theology*, p 6.

²⁶² Willmer, H. *Child Theology*, p 6.

²⁶³ Pais, J. *Suffer The Children*, p 24.

²⁶⁴ John 10:10.

²⁶⁵ Pais, J. *Suffer The Children*, p 26.

the suffering children in Matthew 11:28 as Jesus says “come to me, all you who are weary and burdened and I will give you rest.”

Willmer’s understanding of the relationship between Jesus and children gives the church in Zimbabwe the theological foundation as to why it is important to care for children. The way Jesus presented children in the synoptic gospels reveals that in addition to being the sign of the Kingdom, signs of the state of the world and signs of the presence of hope and love, children are also a sign of the presence of life and sanctity on earth. Jensen quoted in Holness says, “Jesus’ birth, like those in the world’s poorest nations, is full of the promise of new life yet also threatened by the forces of power and privilege that prey on the vulnerable.”²⁶⁶ Also the birth of a baby brings assurance of the continuity of life on earth, while vulnerable to the evil practices of the world.

Though children are threatened by forces of power that prey on their vulnerability, the birth of Jesus the child gives hope to everyone in the world including the poor. Holness says, “God enters human history as a poor child - a child whose family is situated on the lower rungs of society and whose parents were soon to be refugees”²⁶⁷ and amazingly sustains life to all by feeding, healing and welcoming the poor.

In order to respond and welcome children the way Christ did calls for a liberative theology of children that will respond to their suffering. To do this, the study outlines a framework for a liberative theology of children by discussing the key themes important to children’s wellbeing and freedom.

5.4 A framework for a liberative theology of children: key themes

5.4.1 Dignity and identity

²⁶⁶ Holness, Lyn *A little child shall lead them* unpublished paper delivered at Theology and Spirituality Conference in Honour of Prof. Denise Ackermann, University of Western Cape.(5 September 2008), p 5.

²⁶⁷ Holness, Lyn. *A little child shall lead them*, p 5.

Keith White identifies five basic needs to be met in some measure if children are to experience the process and wonder of loving relationships.²⁶⁸ These basic needs include security, significance, boundaries, community and creativity.²⁶⁹ In this study the five themes that will be used to construct a framework for a liberative theology of children are dignity and identity, love, justice and freedom. These five concepts are corresponding with White's five basic needs though not directly.

Poverty has been identified in Chapter two as the root cause of child labour. Apart from poverty, ignorance and negligence by civil societies such as the church, local governments and local institutions in Zimbabwe also contribute to the indignity of children. Due to the negligence by civil societies, some families are giving away their children as cheap labour, with the majority of them living from the income earned by their children. Child labour in Zimbabwe has not only prevented children from acquiring education; it has also exposed them to physical and sexual abuse while damaging them psychologically and destroying their self-confidence. A liberative theology of children needs to focus on the concept of the dignity and the identity of children.

Human dignity and identity are crucial for children to enjoy living a respectable life. Dignity and identity are crucial to issues of justice and to the well-being of children. Fraser Watts says theologically human dignity is a gift from God.²⁷⁰ Human dignity is for all creation and it is posited by God with the fact of human existence. Soulen and Woodhead explain that the concept of human dignity is rooted in the concept of *Imago Dei*, in Christ's redemption and our ultimate destiny of union with God.²⁷¹ Human dignity neither exceeds any social order nor is approved by any society; it is inherently God's attachment to humanity when God self chose to create humanity in God's own image. In human dignity every human being is acknowledged as an essentially valuable

²⁶⁸ White, Keith. *A Biblical Perspective on Helping Children in Need*. <http://viva.org?page_id=194> accessed 5 March 2009.

²⁶⁹ White, Keith. *A Biblical Perspective on Helping Children in Need*.

²⁷⁰ Watts, F. "Human dignity: Concepts and Experiences" in Soulen, K. and Woodhead, L. *God and Human Dignity*. (Grand Rapids: William B. Eerdmans Publishing Company. 2006), p 254.

²⁷¹ Soulen, K. and Woodhead, L. "The contextualization of Human Dignity in Early Christian Thought" in Soulen, K. and Woodhead, L (eds) *God and Human Dignity*. Grand Rapids: William B. Eerdmans Publishing Company. 2006, p 4.

member of a community and as a unique expression of life with an integrated bodily and spiritual nature.²⁷²

Similarly, human identity is rooted in the concept of *Imago Dei*. De Gruchy says “all people find their identity in God or as Genesis 1:27 has it, through being made “in the image of God”...no matter what earthly status any person may or may not have, all people are of equal worth and dignity.”²⁷³ Our Christian faith requires us to respect each other regardless of age, race and creed because of *Imago Dei* and for this reason there is a need for an egalitarian community. John Paul II says in *Centesimus Annus*, “Human persons are willed by God; they are imprinted with God's image. Their dignity does not come from the work they do, but from the persons they are.”²⁷⁴ Thus because of the dignity and identity of all humans, including children, rooted in the image of God, children deserve to be treated with humility and respect.

All humans, including children, are made in the image of God. Jensen says one dimension of the image of God is human vulnerability and difference, constituted in relation to God and in relation to each different human being.²⁷⁵ The suffering of children in Zimbabwe injures and humiliates God in them. This is because the God that is in children is a vulnerable God. For this reason James Cochrane argues that “this has to do with the mystery of childhood: that besides being the origin of the adult individual, childhood is also the beginning of openness to God...”²⁷⁶

In addition, as much as life is a gift from God, human dignity is also a gift from God.²⁷⁷ The moment a child is born and grows up it shows that she or he has a potential for “something”. Pais says children ““know” how to develop into the adult God intended,

²⁷² “Principles of human dignity”

http://www.ascensionhealth.org/ethics/public/key_principles/human_dignity.asp. Accessed 17 April 2008.

²⁷³ De Gruchy, Steve “More Harm than Good”

<http://www.sorat.ukzn.ac.za/theology/development/CWM/15.pdf> accessed 17 April 2008.

²⁷⁴ Centesimus Annus- Ioannes Paulus PP.II-Encyclical Letter

http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents accessed 17 April 2008.

²⁷⁵ Jensen, D. *Graced Vulnerability*, p 32.

²⁷⁶ Cochrane, James. “To Dream the impossible dream: On the Contemporary Calling of the Beloved Community” in the *Journal of Theology for Southern Africa*. (129) (November 2007), p 27.

²⁷⁷ Watts, F “Human dignity: Concepts and Experiences,” p 254.

just as a seed “knows” how to develop into a plant”.²⁷⁸ Pais argues that “Christ the child is the new creation, and for this reason every child in God is a new creation.”²⁷⁹ For this reason, every child’s dignity and identity should be respected and protected from all threats.

With human dignity every human being is accepted as an essentially valuable member of a community. The current situation of children in Zimbabwe is contrary to this. Child labour in Zimbabwe negates children’s dignity by forcing them to do work that is beyond their capabilities. To respect the dignity and identity of children it is important to treat children as people rather than statistics or a group of vulnerable people. Thus, White argues that there should be an assurance that children are infinitely precious as people²⁸⁰ who carry the image of God. The image of God in children is the basis of human dignity and of the immutable rights deposited in them at creation.

The Roman Catholic Church has a strong emphasis on the prominence of humanity. For example, the *Compendium of the Social Doctrine of the church* explains that every political, economic, social, scientific and cultural programme must be inspired by the awareness of the primacy of each human being over society.²⁸¹ Because of respect for children’s dignity, children must not be manipulated or be used as a means for someone’s ends. The Roman Catholic *Compendium* explains that because of human dignity “a person cannot be a means for carrying out economic, social or political projects imposed by some authority...”²⁸² Instead each person must be treated as an end and source of agency in their own right. Considering child labour in Zimbabwe the Roman Catholic *Compendium* enhances a sense of moral worth, where every person is valuable and entitled to equal respect. This equity guarantees genuinely equal human rights to all humanity. This is because according to Jensen “children en flesh and help clarify some of the Christian understanding of *imago Dei*.”²⁸³ Because of this in God’s eyes everyone is equal, thus in Galatians 3:28 “There is neither Jew nor Greek, there is neither slave nor

²⁷⁸ Pais, J. *Suffer the Children*, p 26.

²⁷⁹ Pais, J. *Suffer the Children*, p 26.

²⁸⁰ White, Keith. *A Biblical perspective on Helping Children in Need*.

²⁸¹ *Compendium*, p 74.

²⁸² *Compendium*, p 74.

²⁸³ Jensen, D. *Graced Vulnerability*, p 32.

free man, there is neither male nor female; [*there is neither child nor adult*²⁸⁴] for you are all one in Christ Jesus.” This implies that as with adults, children need to be respected and treated with dignity.

Moreover, Sturm explains that “children, like adults, are creative participants in the world. They are centres of understanding and action. Even in the earliest stages of infancy they are citizens of a world community to be respected as such.”²⁸⁵ The identity and dignity of children in Zimbabwe will be respected if they are loved unconditionally and are allowed to enjoy justice and freedom in their communities. The church can implement the concept of dignity and identity as a framework to protect children from all kinds of oppression.

5.4.2 Love, Justice and Freedom

In view of the fact that children carry the image of God, the respect for God’s image will be revealed only if children are loved enough to be protected from any forms of abuse such as child labour. To love children is to love God who lives within them. Love for children can be done by providing enough security for them and to give them freedom to do work within their capabilities. White says security which is revealed through love is a primal need for children.²⁸⁶ This is because “without security there is no safe base for exploration, relationships, play and development”²⁸⁷ for children. Children must be loved so as to be able to give them opportunities to play with and socialize with their age group and not to keep them in child labour. Given the poor economic situation in Zimbabwe, where there are no social grants to sustain the disadvantaged children, one may be tempted to support child labour, because it may seem a blessing to some children who may have otherwise died of starvation. Nevertheless, child labour remains a threat to children even those who are surviving through it. The way out of child labour is for the national government of Zimbabwe to put aside political battles and focus on the country’s citizens, especially children. Considering the children’s needs begins with love. To love

²⁸⁴ Own understanding of the implication of Paul’s argument.

²⁸⁵ Sturm, D. “On the Suffering and Rights of Children,” p 47.

²⁸⁶ White, K. *A Biblical perspective on Helping Children in Need*.

²⁸⁷ White, K. *A Biblical perspective on Helping Children in Need*.

children is not only to have a good relationship with them or simply buying them gifts. According to Sturm

love... is not merely a feeling of attraction nor is it merely a quality of personal relationships. It is a drive to act in a certain way, a motivation to expend one's energies toward the enhancement of relations, an effort, in its social manifestation, to shape institutional forms to enrich our common life.²⁸⁸

To love children is to care for them holistically. To love them is to transform institutional forms that perpetuate their suffering. Christ commanded his followers to love one another.²⁸⁹ To love one another is a drive to act in a certain way as Sturm explains: The church and communities cannot claim to love their children and yet remain ignorant of the social context that forces children to drop out of school and seek for employment. Likewise, government authorities cannot claim to love children and yet remain ignorant to the political and economic situation that forces children to drop out of school and seek for employment. The visible manifestation of love is revealed when there is social transformation in institutional forms in favour of the well-being of children. If children are deprived of love, the incarnated God is also deprived of love. According to Sturm deprivation is associated with child abuse, domination and degradation.²⁹⁰ Children who are loved enjoy justice and freedom. The absence of love, justice and freedom is contrary to children's liberation.

Since love is key in our Christian faith and life, Sturm makes it clear that love informs the way we do theology; as a result "love...has to be the reason why theology cannot do anything but become actively involved with children and their suffering".²⁹¹ In agreement Holness argues that "for although an outsider to Christianity may be forgiven for thinking otherwise, children are in fact at the very centre of Christian faith."²⁹² Their suffering is contrary to the Christian message of love for one another.

²⁸⁸ Sturm, D. "On suffering and rights of Children," p 41.

²⁸⁹ 1 John 3:23.

²⁹⁰ Sturm, D. "On suffering and rights of Children," p 41.

²⁹¹ Swart, I. and Yates, H. "The rights of Children, p 330.

²⁹² Holness, L. A little child shall lead them, p 1.

God's love (*agape*) which is unconditional love, is experienced as an attempt in its social expression to shape institutional forms to increase our common life.²⁹³ If love is able to ensure the respect of human rights by shaping the institutional forms then justice will be able to prevail. Theologically, justice implies an element of equality and respect of human dignity. The suffering of children is a result of injustice or alternatively the absence of love.²⁹⁴ Where there is love and justice people enjoy living in peace with each other. According to Albert Anderson the real question of justice is not theoretical but practical, because the world is filled with concrete, urgent problems that need solving.²⁹⁵ The practical problem of justice, according to Anderson, is that of distributing scarce resources²⁹⁶ that force children to live in poverty and seek for employment as child labourers. Justice calls for the protection of children from child labour. Asquith and Hill argue that the protection of children has to be balanced with a concern for their growth to independence and respect for their rights as individuals through love.²⁹⁷

Love in the construction of all forms of human interaction intends freedom. Sturm explains that a test of whether love is present is when there is freedom, in the sense that if one loves someone one intends to speak and act in such a way as to always optimize the other's freedom.²⁹⁸ Love leads to release from all kinds of oppression such as child labour and promotes the mutual self-development of all participants in the human community, including children.

Freedom is an important concept for the wellbeing of children. Freedom humanizes the dehumanized child. Freedom enhances liberation of the oppressed child. The Roman Catholic Compendium explains that "[humans] can turn to good only in freedom, which God has given to them as one of the highest signs of God's image...hence [human]'s dignity demands that [they] act according to a knowing and free choice that is personally motivated and prompted from within..."²⁹⁹ Freedom also determines the growth of a

²⁹³ Sturm, D. "On the Suffering and Rights of Children," p 41.

²⁹⁴ Sturm, D. "On the Suffering and Rights of Children," p 40.

²⁹⁵ Anderson, Albert A. *Universal Justice*. (Amsterdam- Atlanta, G.A, 1997), p 2.

²⁹⁶ Anderson, A. *Universal Justice*, p 2.

²⁹⁷ Asquith and Hill, *Justice for Children*, p 14.

²⁹⁸ Sturm, D. "On the Suffering and Rights of Children," p 41.

²⁹⁹ *Compendium*, p 75.

child as a person through choices consistent with the good life. Theologically, freedom “...is not merely an opening of opportunity for the individual. It is as well, a quality of interaction. It specifies a form of association.”³⁰⁰ Theologically, freedom recognises that humans are made for a community, for relationships, and hence in those relationships there should be respect and love for each other. Each community member should live freely from any exploitation. Children like adults, are part of creation and are also creative participants in our common life. It is for this reason that they must be granted equal status in the distribution of rights and privileges.³⁰¹

5.5 Conclusion

This chapter discussed key concepts in a liberative theological framework for children. The chapter argued that in order to do theology from children’s experience there should be a framework that begins with their context. The framework outlined the key concepts identity, dignity, love, justice and freedom. These concepts were applied to the suffering of the Zimbabwean children through child labour which were discussed in chapter two. The notion of the image of God was seen as significant because it calls for the response to children’s suffering. This framework is informed by Jesus’ response to children as evidenced in the Biblical text. The next chapter concludes the study.

³⁰⁰ Sturm, D. “On the Suffering and Rights of Children,” p 42.

³⁰¹ Sturm, D. “On the Suffering and Rights of Children,” pp 42-43.

Chapter Six

Conclusion

6.1 Key Findings of the study

Child labour in Zimbabwe reveals characteristics that other studies have acknowledged. It is complex in its form, and hard to quantify both in terms of a number of children involved and areas where this evil practice takes place. The study has revealed that the basis of child labour is complex though caused by social and structural deprivations.

Regarding the cause of child labour in Zimbabwe the study's finding is that the underlying cause of child labour in Zimbabwe is poverty. Poverty is a result of bad economic and policy implementations such as ESAP (Economic Structural Adjustment Programme) which was implemented in 1991 and is commonly known as ESAP *phase 1* and ZIMPREST (Zimbabwe Programme for Economic and Social Transformation) which was announced in 1996 after ESAP *phase 1* failed in 1995. This is commonly known as ESAP *phase 2*.

Moreover, with poverty deepening in Zimbabwe due to bad economic policies HIV and AIDS found a breeding space in the country. Children are losing one or both parents due to the epidemic. The only remaining strategy is to look for employment for survival. As children lose their parents or guardians, their lifestyle drastically changes from childhood straight to adulthood as a breadwinner or caregiver to a sick family member. As the country's economy is melting down, the Zimbabwe African National Union – Patriotic Front, (ZANU-PF)³⁰² the ruling party of Zimbabwe led by Robert Mugabe,³⁰³ abused children by using them as the party's militia. This has left most children who joined this militia socially, physically, economically and psychologically negatively affected.

³⁰² ZANU-PF is a Zimbabwean political party that has been in power since independence. It is currently known as a party of corruption that has led Zimbabwe to its fall.

³⁰³ Robert Mugabe is the president of ZANU-PF and a President of Zimbabwe; he has been in power since independence in 1980.

The study determined that child labour legislation in Zimbabwe is parallel to that of the UNCRC because Zimbabwe is a signatory to the UNCRC and because of this Zimbabwe accepts that child labour is a crime. The study analysed the labour regulations of children in the Statutory Instrument 72 of 1997 and the Labour Act (Chapter 28:01) as amended at the 30th December, 2005. In this analysis the study discovered that informal employment and work done by children in family markets is not included in the labour regulations of Zimbabwe. The Statutory Instrument 72 of 1997 is a document with laws protecting the employment of children and young persons. The study's finding is that Statutory Instrument 72 of 1997 claims to protect children and young persons but in reality children are still suffering and exploited through child labour. This is a document with laws that are not being implemented.

Furthermore, the study found that children who face pain and trauma due to child labour are neglected by theological studies and the church. The lack of theological reflection on the exploitation of children is perpetuating the status quo. There are theologians in and around Zimbabwe, and there is also the church but surprisingly little concern is being shown about how society treats children. The study analyzed the church's concern about children in the history of the church. In this analysis the early church, through the Reformation up to the current church and scholarly theological work on children was analysed. The study's finding is that the early church's and the reformation's concern was mainly sacramental and ignored the social life of children. Theologies of the fall, original sin and infant baptism were the debates of that time.

Currently the church is reserved on the issues that affect children socially. The study acknowledged that though the church has responded and is still responding to children and childhood issues; the church is not putting in enough effort as it does in other social issues. The lack of theological and social teaching on children reinforces the suffering of children. Thus Janet Pais argues that church teachings have failed to have concern for the

smallness, weakness, and neediness of children.³⁰⁴ Also issues of childhood are overlooked by theologians as a subject of intellectual and moral concern. The lack of a refined liberative theology of children undermines justice for children and it also undermines their unfolding potential as future leaders of tomorrow.

In order to respond theologically to children's suffering the study's finding is that there is a need for a liberative theology of children that will focus on children and their current context. Also the study discovery is that, unlike other oppressed groups, children cannot construct a theology of liberation that condemns their suffering and effects change. Thus, for children's liberative theology to effect change the study determined that this theology should be done by adults. The departure point for a liberative theology of children is to reflect on Jesus' response to children in the synoptic gospels. A liberative theology of children considers the image of God in children by acknowledging the identity and dignity of children. To acknowledge the image of God in children a liberative theology of children is concerned about love, justice and freedom of children. The study's finding is that identity, dignity, love, justice and freedom all recognize the image of God in children. Also that in a liberative theology of children God is a child and is vulnerable as a child is.

In conclusion, the study discovered that lack of theological concern on issues that affect children partly causes their suffering. Therefore the study's findings are that one has to begin with children and Jesus in the Bible and also to consider children and their own context in order to reflect theologically on issues that affect them.

6.2 Summary of the study

The study was motivated by the pain and sufferings of children caused by child labour in Zimbabwe. The aim of the study was to understand and outline the underlying causes of child labour. The study critically engaged with the current debate on whether the work

³⁰⁴ Pais Janet, *Suffer The Children: A Theology of Liberation by a victim of Child Abuse*. (New Jersey: Paulist Press, 1991), p 136.

that is done by children is child labour or child work. The study went on to argue a contextual reflection that is necessary so as to make a theological response to the issues that affect children such as child labour and other forms of child abuse. Zimbabwe was used as a case study.

The study outlined the underlying causes of child labour in Zimbabwe. Poor economic policies are the primary causes of child suffering in Zimbabwe. The study argued that ESAP and ZIMPREST pushed children out of school into child labour. These policies led to the collapse of the education system which in turn deepened poverty.

Due to the fall of the economic system in Zimbabwe children were and are still dropping out of school on a daily basis. One of the most common survival strategies for children in Zimbabwe is to look for work. In that work children are exploited with many not being paid but given food and old clothes as their salaries. Poverty in Zimbabwe has also left many children in the streets where they are exposed to abuses. Rape of children is common with many not being reported because after rape a girl or boy will be given money enabling them to survive for that day. Also, poverty has forced those children who choose to remain within their family settings to take up adult roles of being bread winners and primary care givers to relatives dying of HIV-AIDS related diseases.

Zimbabwe is one of the countries that are affected by HIV and AIDS and this is one of the major causes of child suffering and exploitation in the country. The epidemic has forced millions of children to miss developmental stages to adulthood because they have to become caretakers of their sick parents or relatives. As a result of this the time, energy and financial resources required to care for dying parents takes its toll and forces children to leave school and seek work. As they are desperate, people exploit them and many are forced to engage in prostitution to pay for their parents' health requirements and their siblings' school fees.

In order to describe a liberative theological framework for children, the study initially analysed how the church understood children in history. This was done by examining the Patristic period and the Reformation period. According to the study the Patristic period's

concern about children was on the images of children, parent-child relationship, and the development of a child physically, the extent to which a child can sin, and the extent to which a child can understand religious ideas and precepts. During this period issues that affected children in their day to day life were not widely researched.

In the analysis of the Reformation period the study examined Martin Luther and John Calvin's understandings of children. The study's finding is that the reformers' concerns were that children of their churches should be appropriately nurtured and educated in the Christian faith. The family was crucial in the Reformation period so that religious belief and social stability would be fostered. Though the family was crucial during the Reformation period child labour which was present during that time was not criticised by the reformers. Martin Luther emphasized the issue of children respecting their parents. He supported corporal punishment, including beating, in order to help children learn to resist the many vices that the world pressed upon them. But he saw extreme abuse, neglect, and overindulgence as threats to children. Though children are not widely found in Calvin's theology, he emphasised the importance of children in society as well as their physical, intellectual, and spiritual wellbeing. In other words, one can use Pais' idea that the theology of the reformers and the Catholic Church was centred on theologies of the fall and original sin, together with the "spare the rod and spoil the child" theology of Proverbs.³⁰⁵

The current state of the theology of children was then critically examined. In this analysis the study discovered that the church's voice is not clear regarding the exploitation of children. Also from the literature reviewed in the study, it is clear that a gap exists in the theological reflection of children. Most scholars argue that children are ignored especially by theologians including feminist theologians. However, the gap in theological reflection or a theology of childhood, have motivated some researchers to shift their attention to reflect on childhood issues.

³⁰⁵Pais, J. *Suffer The Children*, p 136.

As a result, to contribute towards a liberative theology of children the study engaged with the scholars of theology who are currently examining childhood social issues. The study engaged with Pais who argues that a theology of liberation for children must be done by adults who should find a child-self within them and speak for that child. A liberative theology of children is not done by children as the oppressed group like other liberation theologies but it is done by adults. Jensen's idea that says a liberative theology of children should start with acknowledging the image of God in a vulnerable child was also discussed. In other words the argument in the study is that God is found in all human beings including the child; in a child God becomes vulnerable because a child is vulnerable. For this reason the study argued that a liberative theology of children should pay close attention to the blessings and threats of children's lives and that it should be a theology that upholds the care of children as one act of faithfulness to God.

In summary the study argued that a liberative theological framework of children focuses on the dignity, identity, justice, love and freedom of children. These principles were related to the Zimbabwean context. The presence of love, justice and freedom according to the study acknowledges children's identity and dignity as much as God's image in children. The study's finding is also that the significance of children is explicitly revealed by Jesus in his ministry. Jesus in his ministry proclaimed that a child is the greatest sign of the Kingdom of God and that anyone who wants to enter the Kingdom of God should transform and become like a child.

6.3 A challenge to the church

The understanding that child labour is a European problem is one reason that has encouraged African countries such as Zimbabwe to deny the existence of child labour. The church too, has been silent on the matter. Christian scholars and Christians should ensure that theology as well as the Christian faith supports the cause of children. Theologians should be aware that their silence does not aid and abet child suffering. Our Christian faith should recognize and honour the child as a real, true and fully human being with value, dignity, integrity and made in the image of God. This can be done

through theological training, bible studies in congregations and Non Governmental Organisations (NGO) can run workshops on the subject.

By not speaking out against issues that affect children, theologians and church leaders are becoming complicit in the oppression of children. The church as the voice of the voiceless should speak for children and their rights. As each oppressed group sees it as crucial to liberate themselves from their oppressors by speaking and protesting against unjust systems, children as an oppressed group are weak and powerless to speak for themselves. Children do not have the resources that adults have, such as education and influence to effect change. For this reason theologians who have resources should speak for the voiceless children. As the church is commanded by God to protect the weak, poor and the orphans,³⁰⁶ it can surely do so by constructing a social teaching that explicitly speaks for children.

³⁰⁶ Deuteronomy 10:18.

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