

Street Working Children, Children's Agency and Challenge of Children's Rights: Evidence from Minas Gerais, Brazil

Young people take the restricted and often meaningless available jobs in ways which seem sensible to them in their familiar world as it is actually lived (Paul Willis 1977: 171)

Children working and living on the street or in other public spaces in Brazil became iconic symbols of dispossession and vulnerability in the 1980s. In fact, there have been significant numbers of poor children inhabiting the streets of towns and cities in Brazil and other developing countries since the onset of urbanisation. In Latin America, governments have been trying to move poor children off the streets for around 150 years. For most of that time, their presence on the streets was attributed to the faults of their families, class or ethnicity (Rizzini 2002; Milanich 2009). State responses to vulnerable children in Latin America have, however, changed considerably over the last twenty years as a consequence of greater awareness of children's rights, human rights more generally, and democratisation.

The UN Convention on the Rights of the Child (UNCRC) is ratified across Latin America. But although governments are generally sincere in their ratification, they are often unclear as to what they should do to promote children's rights or how, and how far, rights should operate as a frame for public policies (Grugel and Peruzzotti, 2010, forthcoming; on sincerity see Simmons 2009). The CRC treats children's rights as comprising both procedural ('freedom from') and substantive rights ('right to') (Hamm 2001; Grugel and Piper 2009), but provides little in the way of a template for action. Using data drawn from a study of street working children in Brazil's second largest state, Minas Gerais, we show how some of the complexities of their lives make it difficult for programmes that address child poverty in general to address their needs. One issue that they do not tackle is that of children's agency and the choices, however, limited, that they may make. Our research suggests that policies that reward school attendance do not always work in the ways they are intended to for this cohort of children. Our data indicates that school can operate as a complement, not a direct alternative, to work for street working children; that depending on their age, the decision to

work on the street may be taken by children themselves, not by their parents; and that children sometimes perceive aspects of street work as valuable to them. We offer some reflections on the policy implications of these findings at the end.

Data, Method and Ethics

The data for this paper come from a survey of over 3,000 children in 2007, the first large scale survey of children working on the streets in Minas Gerais, which is home to 20 million inhabitants with 21 towns and cities, ranging from 30,000 to 2.4 million in size. The field work was carried out under the supervision of Frederico Ferreira Poley and the Fundação Joao Pinheiro in Belo Horizonte. It is important to note that the survey focused on *street working* children, not street children at such, and it includes only children who were visibly engaged in work-related activities at the time of the survey.

The research was a response to Brazil's 2006 household survey which suggested an increase (in the order of 5.6 per cent or 375,839 children) in the numbers of working children in Minas Gerais, against a backcloth of steadily declining child labour figures nationally (PNAD 2006). Since Minas Gerais has experienced a demographic shift away from the countryside to the cities over the last twenty years, it was assumed that the increase must be due to rising numbers of children working in the cities. Since little was known about the lives of street working children in Minas Gerais in particular, who it was further assumed were a significant sub-set of working children in the state, the government departments responsible for social policy and child policy (the *Secretaria Estadual de Desenvolvimento Social* and the *Conselho Estadual da Criança e do Adolescente*) agreed to commission a large scale, independent survey, to be carried out by the Fundação Joao Pinheiro (for full details, see Ferreria Poley and Costa 2008).

The difficulties of sampling hidden or marginalised groups and fluid populations such as street children and the risk of bias are well-known (Kwena 2009). In this case, in order to reach as many street working children as possible, a time-location sampling approach was adopted. Experienced social workers and psychologists who worked for local children's NGOs were able to identify the streets, corners and markets where street working children tended to congregate and acted as interviewers. In some cases, the children themselves helped introduce the interviewers to other groups of street working children. All 21 cities in the state

were included. The date for the survey was chosen specifically to avoid local festivals and holidays and adjusted to guarantee a day with good weather so as to increase the chances of maximising the number of children who could be reached. The interviewers approached all children and young people who appeared to be under 18 years old (those who said they were older were excluded) working on the streets and used age-appropriate language to explain the aims of the research, emphasised the confidentiality of the data, showed them the questionnaire and explained the kind of questions it contained. Questions were deliberately straightforward and simple – do you work, do you work for yourself or someone else, how many hours do you work, do you go to school etc. The questionnaire was road-tested in advance to check that the questions were understandable to children. The interviewers tried not to interfere with the work the children’s activities and in many cases agreed to return later or to meet the children in a different place. The survey was informed by the view that the children were for the most part competent to answer questions about themselves (Alderson 1992). In cases of young (under the age of 7) children, information was provided by older companions or accompanying adults. We are aware that the children may not always have told the truth and may even have sometimes said what they thought the researchers wanted to hear (see Punch 2002). But there is always a need for caution in this regard with survey data, whether with adults or children (Weisberg, Krosnick and Bowen 1996) and we have been careful not to read anything from the findings unless the data is very clear.

We share Qvortup’s (2000) view that large scale surveys of children are important as a way of capturing the diversity of children’s lives. But we also recognise that survey data is thinner than intensive qualitative data. Our questions focused overwhelmingly on labour aspects of the children’s lives; it is a survey of street working children, not street children. We can infer very little, for example, about extent or the quality of support mechanisms, from family or NGOs, the children may have had. But in order to capture something of the texture of children’s daily lives in more depth, some open questions about how the children felt about their lives and the nature of their aspirations were included in the questionnaire. Care was taken not to force the children to respond to these questions if they did not wish to and to allow them to make short and brief statements. The responses were recorded exactly how they were made. This technique is different from in-depth qualitative interviewing, participative observation or the range of adaptive techniques designed for working closely with children and it is much less probing. It is also different from semi-structured interviewing. There are limits on what can be inferred from qualitative data gathered in this

way. But the answers still allow us to put the questionnaire in a broader perspective and allowed the children to express something that was unique to them¹.

Standard guidelines on ethical engagements with vulnerable children were observed and verbal consent from the children was sought in advance. The *Conselho Estadual da Criança e do Adolescente* approved the project and local civil society organizations that work with vulnerable children were consulted in its design and in some cases were involved in carrying it out. The identities of the children were protected by anonymising the data. In our interpretation of the data, we have tried to work to the standards set out by Hungerland, Liebel, Milne and Wihstutz (2007) that ‘above all [research] should contribute to the improvement of working children’s living and working conditions’ and we have sought to be reflexive and considered in thinking about what that improvement might consist of.

Children’s Rights, Children’s Work and Children’s Agency

The UNCRC established a new international paradigm for the relationship between states and children, centred on the delineation and realisation of children’s human rights. All ratifying governments agree to progressively transform policies in ways that uphold children’s rights. Poor children and those who experience social, cultural and other forms of exclusion and marginalisation (of whom a majority live in developing countries) should benefit from rights-based policy making. Nevertheless, the UNCRC has not yet brought about the radical transformation in the wellbeing of the world’s children that it sets out to do.

The weakness of the UNCRC has been attributed to the problems inherent in the international human rights regime and, in particular, the absence of effective mechanisms of enforcement (Hathaway 2002). The vulnerability of children also derives from a global political economy that permits, and indeed encourages, extreme forms of exploitation (Watson 2004, 2009). The absence of capacity means that states in the developing world often struggle to finance the

¹ The qualitative data was gathered through non-structured questions – that is, children were asked simply if they would like to say what they thought about their work and their lives and the comments they made were recorded. They were not pressed to speak if they did not wish to and not all children did so. This means that we cannot confidently put percentages on any of their responses. Where we note a theme recurring with some frequency in the data – around 100 times for example - we say here that ‘many’ or ‘lots’ of children expressed this view and we were able to correlate that with the age of the child. Our aim in the presentation of the qualitative data is not to say something definitive that applies to all or most of the children surveyed but to capture something of their individual experiences and, where possible, group these experiences together.

delivery of children rights policies (Grugel and Piper 2007). Finally, it is not always clear what the precise meaning of rights in the context of public policies. As Sarah White (2002) notes, how to translate ‘the universalist ideals of child rights as inscribed in international convention to practical policy and programme outcomes’ is simply not clear. This is particularly problematic in the face of multiple and structural human rights abuses of the sort that poor and highly vulnerable children face. Rights violations of this sort are, according to Farmer (2004) not random but manifestations of ‘pathologies of power’.

Successfully challenging structural abuse inevitably requires a wide range of interventions, ranging from institutional change, legal reform and budgetary and tax changes to the way difference is socially constructed and raising the visibility of structural violence. It also requires an intimate understanding of the lives of those who experience everyday rights abuse. For this reason, there is much to be learned in the policy making world from the new sociology of childhood, which acknowledges the importance of children’s own life worlds, their contextual and contingent human experiences and ‘the meaningful understanding of the world the child has constructed through her culturally mediated experience with it’ (Donaldson 1978). The new sociology explores children’s agency and identifies how children take reflexive action and shape their own destinies, even in structured environments, in ways that are consistent with a recognition that children are ‘persons [and] ...sentient beings’ (Greene and Hill 2005). Starting in the 1960s, anthropological and sociological research on the cultural and social politics of childhood (James, Jenks and Prout, 1998, James and James 2004) demonstrated that the ‘normal’ childhood, characterised by innocence, protection, learning and nurturing does not describe the lives of most of the world’s children. Not only are children’s lives all very different but children are ‘active in the construction and determination of their own social lives, the lives of those around them and of societies in which they live’ (Prout and James 1990: 8). The extent of their agency varies, of course, according to individual and context. But even very poor children can and do exercise agency (Redmond 2009). Indeed poverty sometimes facilitates, as well as constrains, agency since coping mechanisms are desperately required to manage the consequences of being poor (Lister 2004). Moreover, poor children, as well as adults, can display capabilities that those who have are protected and cosseted do not possess; and, as Panter-Brick (2001: 94) argues, we must accept that ‘children may make their own decisions [even] in coping with poverty’.

Despite its potential insights, the new sociology of childhood has not generally been taken up in the policy making world (Smith 2004). Instead social policies for children, and especially those concerned with child labour, are more usually inspired the 'New Household Economics' approach that treats the household as a single decision making unit (Becker, 1982; Basu, 1999). The New Household Economics approach regards child labour as resulting from rational decisions taken by heads of households, in situations where the needs of household members are not being met by income deriving from adult labour. Parents or heads of the household that live in poverty are assumed to send their children to work outside the home in the light of identifiable preferences and opportunities, in the same way as they might take decisions on how many children to have (Emerson and Souza 2007, Cardoso and Souza 2002, 2003, Basu 1999, 2003, Basu and Van 1998, Psacharopoulos 1997). The logic, therefore, of policy inspired by the New Household Economics is to provide incentives to parents and carers not to send their children to work.

If child labour is understood to be a decision always taken by adults, not children, policy interventions that principally or exclusively provide meaningful incentives to adult carers not to send children into the labour market make sense. Since it is further assumed that children who are not working will have rates of school attendance, taking children off the streets and into school also becomes a way to contribute to their long term human capital formation and education and, by implication, their 'best interests'. These views have helped shape a generation of social policies in Latin America that emphasize the provision of financial subsidies to poor households as a way of tackling both child poverty and child labour. It is not our intention to criticise the operation of these policies *grosso modo* or to deny their very significant anti-poverty aspects. But it is also important to point out that they do not 'see' the child in his or her own right and do not take the agency of children seriously. With regard to urban street working children, this has some unintended consequences, as we show now.

Making Policy for Street Working Children in Brazil: the Problems and the Pitfalls

The overall levels of child labour in Brazil have fallen steadily over the last 60 years and especially since 1980, but the number of working children remains high (ILO 2007; Manacorda and Rosati 2010). Rodrigues do Santos (2005: 210) calculates that children working on the streets form the second largest group of such children. The large numbers of street children in Brazil is partly a function of the size of the country. But, more

substantively, it reflects the persistence of exceptionally inequitable patterns of income distribution (Skidmore 2004), alongside a geography and political economy that have encouraged the poor to migrate to cities throughout the twentieth century. Brazil is home to five of Latin America's 'giant' cities (Sao Paulo, Rio de Janeiro, Belo Horizonte, Porto Alegre and Salvador), all of which have intense social problems around employment, education, access to recreational space, housing and crime; all have a thriving informal labour market in public spaces in which children and young people can find work (Gilbert 1996).

Brazil pioneered an early endorsement of children's rights in the 1980s and Brazilian scholars have also been in the forefront of intellectual debates about childhood and human rights (Rizzini 2002; Rizzini, Barker and Cassaniga 2002). Democratization changed the terrain on which policy towards children was made and demands for children's rights and citizenship were expressed forcefully during the transition to democracy in the 1980s. In 1990, before the UNCRC was even ratified in most Latin American countries, the *Estatuto da Crianca e do Adolescente* (ECA - Statute of the Child and the Adolescent), which codifies children's rights in national law and formally guarantees children 'life, health, food, education, sport, leisure, preparation for a future profession, culture, dignity, respect and liberty' (Article 4) became law. Brazil promised children 'integral protection' (Article 1 of the ECA) and 'absolute national priority' (article 4). At the same time, democratisation was also accompanied by concerns about the worst manifestations of child poverty which gave rise to what has become known as the 'new social policy agenda' (Cortes 1999).

Since the 1990s, however, and in particular with the election of Lula Da Silva in 2003, social policy has become a major concern of government (Hunter and Power 2007). Since 2004 especially, the government has introduced a range of anti-poverty reforms targeting child poverty have been introduced, including an (adult) minimum wage and a series of cash transfer programmes. The social programmes are significant in size and families can claim benefits if parents 'choose' education for their children over work. The Programme for the Eradication of Child Labour (PETI), has reached over a million children and the largest, *Bolsa Familia*, covered 11 million families by 2006. In terms of reducing headcount poverty, the programmes have been a resounding success (Barrientos and De Jong 2006). But there is little conclusive evidence that they significantly reduce child labour (World Bank 2001). Ravallion and Woodon (2001) argue that schooling and working are not mutually exclusive for the poor and Cardoso and Souza (2003) suggest that poor children with families in receipt

of benefits tend to combine school with work. Moreover, the programmes do not distinguish between types of child labour and they fail to engage with children's own perceptions of their lives or consider children's choices as salient. Certainly with regard to street working children, the dichotomy that constitutes the very essence of the programmes, namely the distinction between the world of school and the world of work, does not capture the complex dynamics of street work, in which schooling is not always a simple *alternative* to work but rather a *complement*: many children in our study, especially up to the age of 12, claimed to do both. Additionally the most significant programmes do not reach those children working on the streets who were largely outside the family structure or for whom the family offered little in the way of support.

Urban street work in Minas Gerais

Urban street work is a very specific sub-set of child labour. It is not driven by market demand but by the need of the workers themselves to earn income. Its hours are flexible; children may, or may not, be working as part of a family; and they may be working independently or for a 'boss'. It is informal and small scale and the market is elastic. Most street workers are boys; only 17 per cent of the 3,000 children surveyed in Minas Gerais were girls. 70 per cent of street workers in our survey were aged over 10. Most children in our survey claimed that they were not 'abandoned'; over 80 per cent said that they slept in their parents' house or with close family. These figures tally with other studies of street children (Martins 2002; Rodrigues and Huggins 2004; Pinzon-Rondon, Hofferth and Briceno 2008; Marias, Neiva-Silva and Koller 2010). In total, almost 20 per cent of the children we surveyed were without significant family ties. The needs of this group, logically, fall outside policies that rely on the provision of parental incentives.

Our study revealed a street labour market shaped by firm 'rules' on gender, pay, status and jobs. The street in Minas Gerais is not an inchoate, confused and anarchic space and children who are working there 'know their place'. The stratification of the labour market in Minas Gerais is similar to that described by Pinzon-Rondon (2008: 1419) where 'the activity that [street working] children perform depends on their developmental stage. The older children are expected to sell products, the ones in the middle to perform and the little ones to beg or accompany the adults.' The younger children carried out tasks such as begging or collecting papers and other materials for recycling (see Table One). As they got older, they gradually

took on more physically demanding tasks such as cleaning cars, entertaining passers-by (through juggling for example) and carrying goods in markets. Children were also more likely to be employed by someone else as they got older (see Table Two). The few girls who worked in the street were employed mainly in selling goods, although some were sex workers. Jobs that could sometimes be rewarded with generous tips such as cleaning, watching cars or shoe-shining tended to be dominated by boys.

TABLE ONE AND TWO ABOUT HERE

Children were asked how they felt about their work. Many complained that they earned very little for their work. Those who were over the age of 12 reported more episodes of violence or humiliation, by the police especially, than younger ones. Some children over 12 also spoke of feeling discriminated against, especially by the police. Others had a very negative perception of their work but justified it as the only alternative to criminal activity. When they were invited to talk about their aspirations, some said simply that they had few expectations that their lives would ever get better. Others wished to get a 'proper' job, such as driving a lorry, working in an office or a garage or even becoming a doctor, dentist, fireman or policeman. Some recognised that these kinds of jobs were not options for them but said that perhaps their children might move up in the world and it might be possible for them to have a 'normal' job. Living a 'quiet life', 'living 'in peace', 'living with dignity' or 'living a better life' was something lots of children wished for. Several said that they would like to stop using drugs. Overall, as the children got older, they understood that their lives diverged from dominant images of the 'good childhood' that they themselves had internalised.

Much of what the children reported, then, conveyed the difficulties of working on the street and their sense of vulnerability and marginalisation. Drugs and violence loomed large in many of their lives. But this was not the whole story. Evidence of choice and agency also came through strongly in the data, especially in terms of their decision to enter the street labour market and in relation to how they spent their money. Only a small number of children and young people were working directly because their parents made them; and very few were there because they have dropped out of school completely (Table Three). Some of our findings on these issues corroborate small scale qualitative studies of children that emphasize the agency of children, their social linkages and their strategies for dealing the problems that

living and working on/in the streets throw up (for example, Cisneros and Neuman 2010) but which, because of their size, have not always been seen as policy significant. Indeed the survey echoes some findings from qualitative studies of the lives of vulnerable young people in general; we note that the attitudes of the children in Minas Gerais to street work were in many ways similar to those in Willis' classic study of young people in the UK in the 1970s who understood their life-world well and exercised choice in taking on dead-end and poorly-paid jobs.

TABLE THREE ABOUT HERE

This evidence of agency challenges the foundational assumptions of child labour studies, namely that parents make the decisions as to whether and when children enter the labour market and children work in poor families primarily to contribute to family income (Becker 1982; Emerson and Souza 2007). In fact, many of the children in Minas Gerais were not using the money they earned to support their families, or at least they were not using it directly or exclusively to do so. Only around a third of children claimed that they gave all the money directly to their families (Table Four). More girls than boys reported using the money they earned to help their families but even here this was not the only use they put the money to (Table Five). More than 30 per cent of all children said that they spent most of the money they earned on themselves. This may be one of the reasons that many children reported enjoying aspects of working on the street. The pleasure of having spending money and a degree of financial autonomy came through in the qualitative data. Many reported that earning money gave them a sense of independence. 'Buying things' made a lot of children feel good, even if they were only spending the money on food or on school expenses.

TABLES FOUR AND FIVE ABOUT HERE

Children and young people also expressed pleasure and gratification in aspects of their work in ways that went beyond getting and spending money. 70.4 per cent per cent of children aged between 10 and 14 said that they 'liked' or 'liked a lot' their work (see Table Six). Interestingly, there was little gender variance on this issue. In fact, it is only after the age of 16, that this sense of pleasure in the street began to tail off, perhaps as they realised the long term damage to their health and to their job prospects that street work entails or possibly as sign of boredom with the jobs on offer to them. Still, even at 17, more than 50 per cent of

children enjoyed aspects of street work. The reasons children reported enjoying being on the street were extremely diverse. Lots of them said that being away from home was a sufficient pleasure because they felt they were escaping from (unpaid) work or even violence there – again raising questions about the underlying assumptions about Brazil’s social welfare programmes which are based on supporting families to keep children in the home and in school. For others, being at home was simply ‘boring’. Many enjoyed the socialibility of the street, the time they were able to spend with friends, the freedom and the absence of adult supervision. Some reported that they liked seeing how people lived and the activities that went on around them – they liked being part of the bustle of the streets. Several reported enjoying watching television through the glass of shop windows – evidence of the ways in which being on the street can, bizarrely, offer children access to goods and pleasures that are often associated exclusively with home life. For us, this suggests that child street workers are just like their peers: they enjoy separation from the confines of home life, even when there are costs associated with it.

TABLE SIX ABOUT HERE

Finally, perhaps the most important revelation of the survey, in policy terms at least: the fact that the vast majority of child street workers claimed to be attending school. Over 90 per cent of 10 year olds (almost a third of the population of urban street workers) said they went to school full time. More than 80 per cent of 12 years olds also said that they attended (see Table Seven). Even allowing for some exaggeration, these are still high figures (though lower than non-working children). It was only once the children passed the age of 12 that school attendance fell. The children seemed to understand the state-family bargain that underpinned the new social policies and that meant that they had to take going to school seriously; at the very least they understood enough to know that they *should* be in school if their families were collecting cash transfer benefits for their attendance. But the point is that they did not see school attendance as carrying with it an obligation not to work. The children did not see school and street work as incompatible. The findings points to the need for more detailed research not only about the relationship between school, street work and the cash transfer programmes in general but also to greater consideration about how these policies play out in terms of the wellbeing and life trajectories of school age children who are engaged in street labour.

TABLE SEVEN ABOUT HERE

Overall, then, the survey data suggest that children find many aspects of street work to be disagreeable and humiliating. They recognise that it can damage their health and marginalise them. But other aspects of the research echo the findings of smaller-scale qualitative research on street working children in Brazil (Hecht 1998; Panter-Brick 2001; Rizzini, Barker and Cassaniga 2002; Butler and Rizzini 2003), which have rarely been considered sufficiently in the policy process, in that it identifies benefits children sometimes gain from street work and points to the agency of children in shaping aspects of their lives. As Hecht (2002: 243) points out, despite the desperate vulnerabilities associated with it, street work can be not only remunerative but play a positive, as well as a negative, role in the day to day wellbeing of children who sometimes achieve a sense of worth from it that they are not getting from other spheres of their lives.

Conclusion: making sense of the findings

Let us start with some of the key findings of the research in Minas Gerais: whilst the social welfare programmes that attempt to deliver child wellbeing through parental incentives by encouraging children to attend school have contributed to an overall decline in child poverty, in Minas Gerais at least, they have not stopped poor children from going to the street to earn money. A full 20 per cent of child street workers are not living with their families and are, by implication, outside the reach of these programmes, although they may well be the group of street working children most in need of them. Other children and young people, especially the under-12s, appear to be combining some degree of school attendance (and the families are claiming the welfare programmes associated with them) and work. As families, they are almost certainly less poor than before; but the children are still going to the street to earn money. Moreover, the street working children in Minas Gerais are clearly agents in their own lives and they make decisions about how and when to work, as well as how to spend the money they receive from their labour. As a group, they have very different attitudes towards their work, some valuing aspects of it whilst at the same time recognising that the dangers and social exclusion that come with it.

All of this suggests that we do not know enough about the impact or the detail of how anti-poverty programmes impact specifically in relation to the lives of child street workers and it

may be that we need different theoretical and methodological approaches to the study of child street work that have hitherto dominated in order to uncover the specificity of these experiences and explore their policy significance. Much can be learned, we have argued, from the new sociology of childhood approach. In policy terms, any attempt to build sustainable, rights-based policies for these children will have to come to terms with children's agency and the complex choices they sometimes make. There is a need, we would say, for a genuine dialogue, one that goes beyond merely formulaic consultation, to work out what rights and rights-based policies mean in relation to street working children and how governments and state agencies can best support them. Complementary programmes aimed specially at child street workers that do not make a priori normative judgements about what children's rights mean for child street workers and that do not assume that agency is exclusively a parental attribute may be one way forward. Certainly, interventions from above, without the participation of the children themselves, and that, moreover, eliminate their principal sources of income are unlikely to succeed.

THE TABLES

Table One
How the children are employed

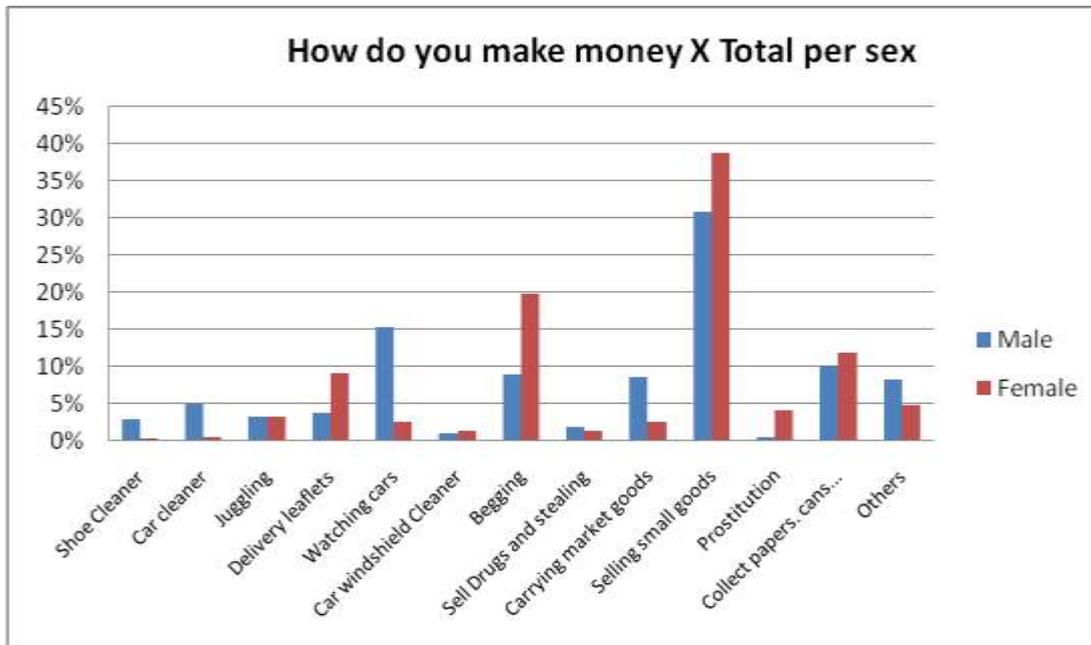


Table Two
Children and the labour market: independent workers or controlled by bosses?

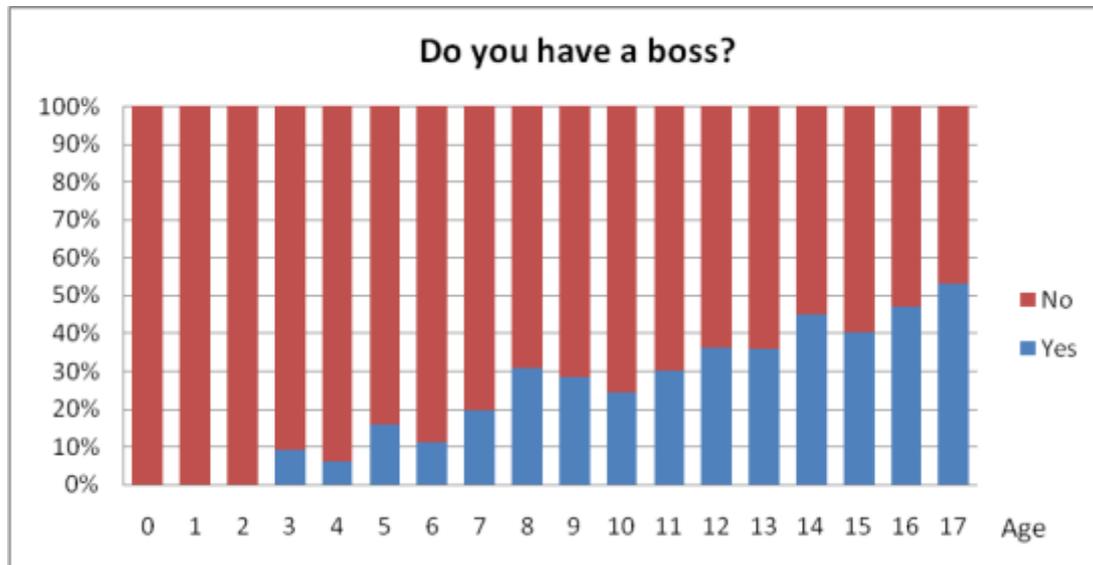


Table Three
Children's reasons for being on the street

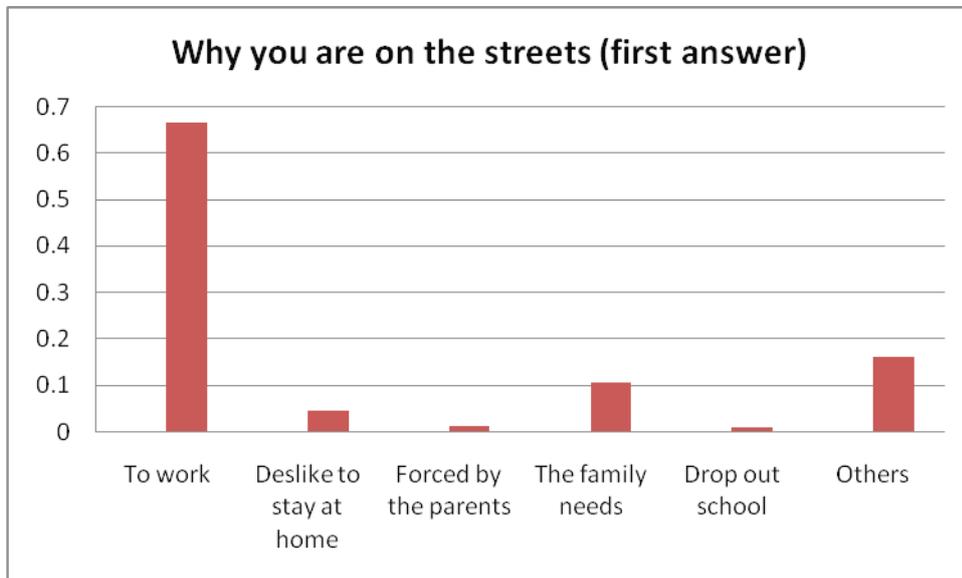


Table Four
What Children Spend Money on



Table Five
What Children Spend Money on by Gender

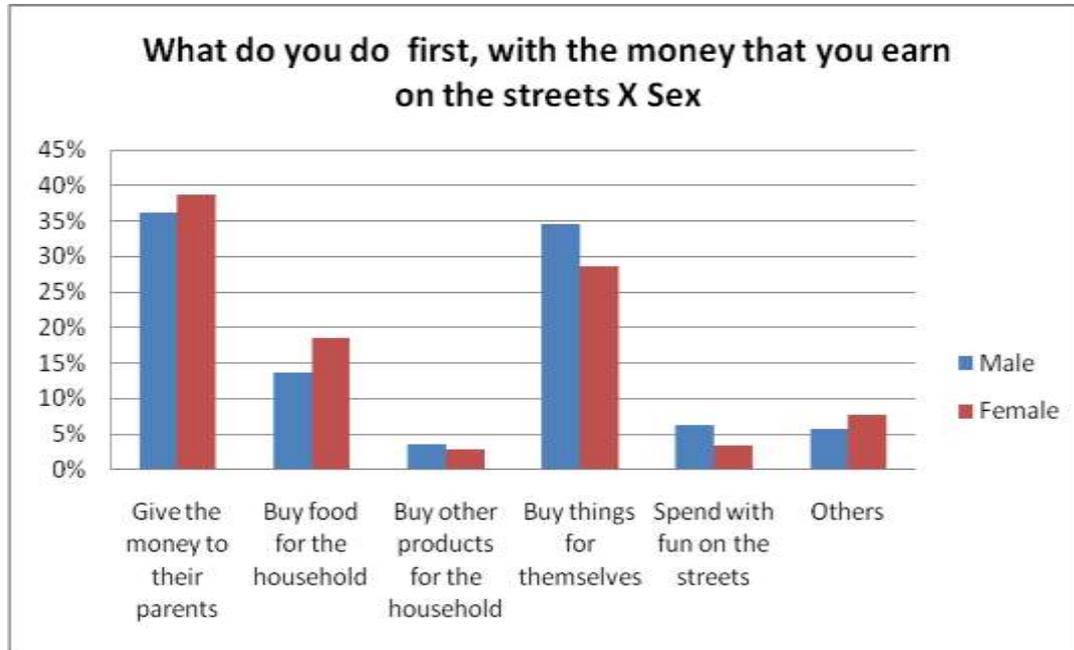


Table Six
Children's attitudes to the street

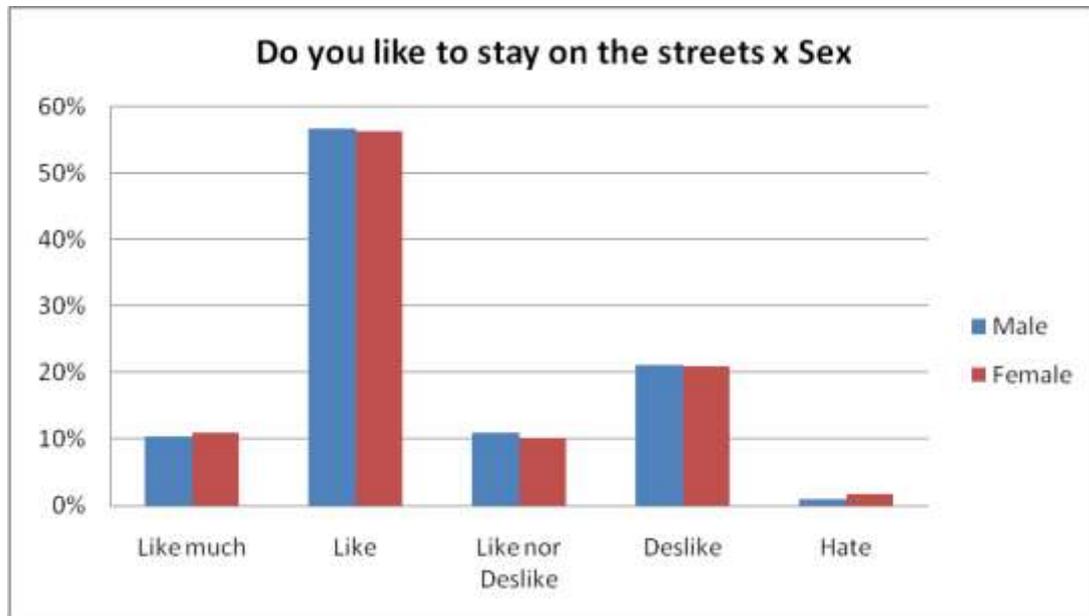
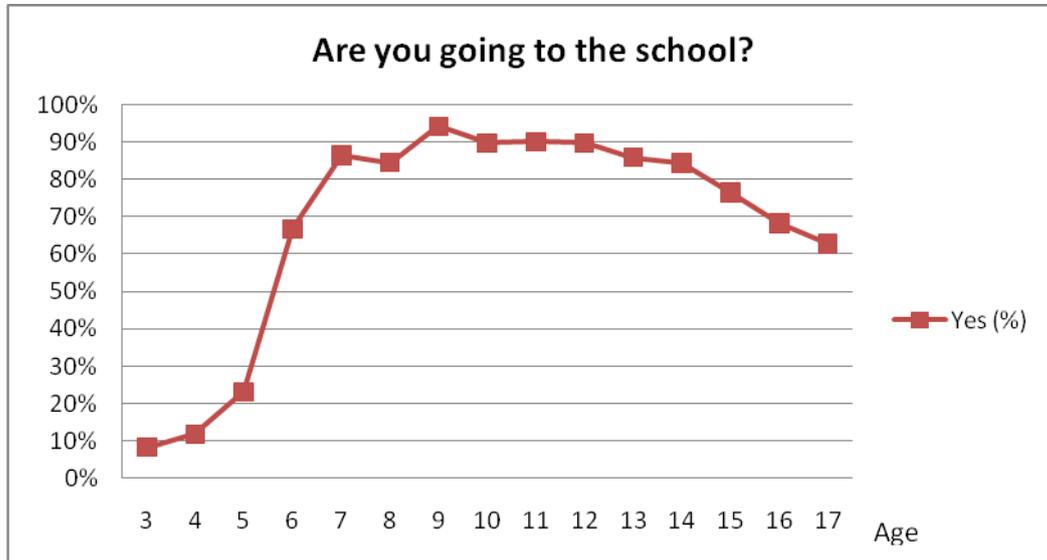


Table Seven
School attendance



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