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Constructing Child Rights in Bangladesh: the Global and the Local[i]

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Introduction

The aim of this paper is to investigate the grounds of the vulnerability experienced by street and working children in Bangladesh. While many studies have looked at the economic basis of this, my focus here is instead on the cultural dimensions. How are children's rights and entitlements constructed in the cultural context of Bangladesh? How does this affect the constraints and opportunities that poor children face in their working lives? What might this reveal of the cultural resources that could be mobilised to support them?

In raising such questions one is faced with a conundrum. On the one hand, high levels of infant mortality, insufficient and poor quality nutrition, and high prevalence of child labour, paint a grim picture of the lives of Bangladeshi children. Evidence of serious exploitation and abuse of poor and particularly working children in Bangladesh is visible on a daily basis. The subject of numerous policy, media and research reports, this is how the children of Bangladesh figure in the popular imagination. The picture is so familiar that it needs no further elaboration.

On the other hand, visiting Bangladesh with my own children over a number of years I have found them to be welcomed and celebrated in a way that is rare in our home country of the UK. The ways people talk about and respond to children are overwhelmingly positive. Family more generally, and the relationship with children in particular, seems to be central to constructions of personal identity. This is indicated in the way that infertility represents a personal and

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social disaster in Bangladesh, particularly, but not only, for women. More positively, recent research[ii] repeatedly recounts statements such as 'I feel happy when my children call me "Ma". ' The reference here happens to be female, but parallel statements about being called father are common amongst men also. Nor are children only important to constructions of others' identity. There is also a strong sense of children's own entitlements. The demands on their mothers of small children in particular are accorded a primacy which may outweigh the women's own claims to dispose of their time as they wish. A common purpose behind women's secret savings and covert transactions is the wish to provide something extra for their children. The ironic reversal of the value accorded to children within an overall hierarchy structured strongly through age is marked in a common cultural trope. In this infants and small children are frequently addressed with the most polite and formal term for you (apni) and termed 'dada' (older brother), 'mama' (maternal uncle), or 'burri' (old woman) in a humorous exaggeration of the respect that is their due.

I believe that this conundrum holds a key to both the vulnerabilities of street and working children and the cultural resources that might be used to support them. To begin with, I suggest that these contradictory images derive from the fact that there are different discourses governing representations of children in Bangladesh, and that these shape the subjects which they discuss in very different ways. The images of deprivation, exploitation and abuse immediately suggest the 'child rights' world of the development agencies. The more positive images refer instead to patterns within Bangladeshi culture. In this paper I aim to explore these a little further, and the implications for analysis and action that they have. In particular, I consider how each of these conjures up a different 'imagined community' from which it takes its key points of reference and to which it addresses itself. 'Imagined community' is a concept introduced by Benedict Anderson (1983/1991) in his study of nationalism. It expresses the way that through the idea of nation people think of themselves as sharing a common identity, as being a community, without actually knowing one another face to face. This

can then serve as a possible motivation for a number of forms of common action, including, of course, going to war. Here, I am using the notion of imagined community more generally, to raise questions about how people situate themselves; what governs the terms on which different actors choose what to say and do, with whom, about whom, and to whom; what inclusions and exclusions are taking place.

Before proceeding, it is perhaps important to state what this paper is not about. It is not about 'the state of child rights in Bangladesh.' There are several reviews of this already and many people better qualified than I to comment on it. Instead, it is about how questions are framed and how images emerge; what points of reference are assumed and what interests these enable to be expressed. It is about two worlds, and two kinds of discourse, and how they come together. To talk in this way of two worlds is of course a vast over-simplification. There are many agencies working for child rights in Bangladesh, many individuals within them, and considerable diversity in the values they hold and approaches they follow. Similarly Bangladeshi culture is cross-cut by class, gender, religion, ethnicity and political orientation inscribing major lines of difference within it. This complexity cannot be denied. However, for the moment at least, I want to stay with the 'ideal type' contrast of policy and society, global and local. Imperfect though it undoubtedly is, this dualism can serve as a device to draw attention to the dominance of development discourse in shaping social science representations of Bangladesh. It can thus, in the time-honoured tradition of anthropology, make the familiar seem strange, and offer a means to explore alternative, more 'local' perspectives.

The paper is primarily conceptual, but it draws on a number of pieces of past and ongoing research. It is grounded, as all of my work in Bangladesh, in periodic brief visits back to the village where I did my PhD research (White 1992). It also draws on a Dhaka based study of street and working children which I undertook in 2000 (White 2002a, 2002b, 2002c). In addition, it reflects a follow up study of children's participation that I undertook with Shyamol Choudhury 2004-5 (White and Choudhury forthcoming), and a

current large shared research project into the social and cultural construction of wellbeing.[iii]

The paper begins by introducing the child rights world of the development agencies, where the imagined community is global, and 'the child' a universal category with universal rights. The following section explores briefly how this perspective has been pursued in development practice. The paper then goes on to seek an approach more grounded in Bangladeshi society. It stresses the importance of relationship in the formation of identity, and the significance of guardianship as a social institution governing children's lives. Immediately a further duality appears. For both the exploitation and the adoration of children belong within Bangladeshi culture. The discourse on children is fissured between the terms that apply to 'our children' and the very different rules for 'their children'. This has many dimensions, but in particular suggests the centrality of class to any understanding of 'child rights'. The paper closes by asking if community might be 're-imagined' in a more inclusionary way to mobilise in the interests of disadvantaged children the positive resources for children that exist in Bangladeshi culture.

Global Perspectives on Child Rights

Child rights development is rooted in the UN Convention on the Rights of the Child (CRC) 1989.[iv] The foundation of the CRC, as the legend on an early child rights t-shirt in Bangladesh proclaimed, is that 'we [children] are human too,' and therefore entitled to the full remit of human rights that adults are supposed to enjoy. But it also calls attention to 'the child's' specific entitlements, over and above those of adults, to 'such protection and care as is necessary for his or her wellbeing' (Article 3.2). This includes protection from economic and sexual exploitation and physical or moral harm, and positive rights with respect to appropriate schooling and health care provision. It also extends to some limited rights to voice. Where a child is 'capable of forming his or her own views' he or she should have the opportunity to express those views on matters that affect him or herself, such as in legal or administrative proceedings (Article 12). Overall, however, the CRC is in many ways a rather

conservative document. It is very careful to temper children's own expression of their rights with the notion of their 'developing capacities' which implicitly are to be judged by adults. It also asserts the primacy of the rights or responsibilities of parents over that of external bodies, except in cases of abuse within the home, where 'the best interests of the child' (as judged by other adults) demand intervention.

Importantly, for the argument in this paper, children within the rubric of the CRC, do not stand alone, but within the shade of parents or guardians' 'rights, responsibilities and duties', which signatory states are enjoined to respect and promote. The first reference to these core relationships occurs in the preamble, which states that the family, as 'the fundamental group of society and the natural environment for the growth and well-being of all it members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.' Subsequent references recognise the priority of parents' rights and responsibilities over against that of the state (Article 2) including in guiding children in the ways they exercise their rights (Article 5); commit states to protecting children's rights to their parents (Articles 9; 10; 18); and see a child 'deprived of his or her family environment' as specially entitled to the support of the state (Article 20).

In the UNCRC the 'imagined community' is clearly global. While it is careful to leave some space for different cultural perspectives in child rearing, the overall tenor of the document is modernist and universalist, setting standards which states everywhere should seek to observe. The dynamics in this are very familiar from earlier development initiatives, such as those aimed at raising 'the status of women'. Bangladesh becomes the object of the global development gaze. The problem – here, the lack of child rights – is defined externally by representatives of the 'global community' meeting at the UN. It is then projected internally, in theory onto all countries, but in practice rather discriminately, according to which are the subjects and which objects of development intervention. In this case, 'child rights' as defined by the CRC becomes what Bangladesh

lacks. Accordingly, 'child rights' in Bangladesh becomes what development agencies must deliver. The solution is then to be externally resourced, both discursively – for example through the distribution of CRC materials and training to inculcate 'child rights awareness' and materially, through the provision of development finance.

In drawing attention to the external derivation of the child rights agenda – like that for the empowerment of women – I am not, of course, suggesting that there are no problems with the treatment of children (or need for feminist action) in Bangladesh, as in all other countries. For too many children in Bangladesh the problems of abuse, exploitation, and denial of voice are very real. At an inter-governmental level, when seeking to introduce structural reforms or monitor nationally progress that has been made, there is no doubt that having a globally legitimated document like the CRC can be a useful tool. But in more practical, street or workplace based activities the resonance of such documents cannot be assumed. In order to address effectively the specific situations in which children find themselves, these situations need to be analysed in their own terms. This means seeking local understandings of what is taking place, from the children themselves and from others involved, such as parents, teachers or employers. It also means using social science analysis to understand the broader social, cultural, political and economic context within which the particular interaction takes place. In this way it may be possible to identify the potential spaces which give room for manoeuvre, and to seek out the local cultural resources that may be mobilised in the interests of disadvantaged children.

The Global in the Local: Practising Child Rights Development

One important outcome of the CRC was to frame a new space – or one might say market niche – of child rights development into which development agencies could move. For child-focused agencies this has meant a shift from a focus on welfare and needs to the advocacy of child rights. For other agencies it has meant the new 'discovery' of children as a potential target group. But the CRC was only the beginning. As stated in the document 'We the Children', prepared

by UNICEF for the United Nations Special Session on Children in 2002, 'the idea of child rights is dynamic – it changes us and how we approach things' (UNICEF 2001:95).

As noted there, one of the key changes is a greater attention to process: from seeking simple ratification of the Convention to seeing how implementation can be strengthened through the application of child rights principles (*ibid*). While these principles are not spelt out precisely, two aspects are prominent. The first is to bring children from the margins to the centre of development activities and thinking. Like the move to mainstream gender, this marks a shift away from a focus on special children's programmes or concentration on specific sectors such as health and education.

Instead, the challenge is to consider how children are affected by the whole range of development policies and trends and to develop a child-focused agenda in relation to these: from good governance to international trade to national budgeting. Second, there is a concern to place children themselves at the centre of development activities. Instead of being passive targets of the good intentions of others, children should become active participants in their own development.

The commitment to involve children themselves introduces a strong downward pull, towards the homes, streets, schools, fields and factories where children are to be found. Other aspects of the child rights agenda, however, carry a strongly upward and centralising impetus. Like other rights-based approaches in development, the child rights agenda shifts attention from direct programme intervention to policy engagement and advocacy. Compared with more conventional styles of development intervention, this places new emphasis on visibility, media and inter-agency profile and a premium on 'having something to show'. Meetings and events and publications abound. Theatre dramatizing children's problems takes the place of street-level programmes to address them. Children's faces, words and drawings enliven agency reports. The employment profile of development agencies change, as the skills required are not those of the fieldworker but of the communications expert. In the

global community, the corporate and individual incentives lie upwards and outwards. Significant material and financial rewards, as well as the prize of personal and career recognition lie outside the immediate country context. This inevitably has an effect on the kind of development that is undertaken. Rather than agencies going out to children, there is a strong tendency for agencies to draw children into them. Programmes and policies need to be finalised and children's participation offers an emblem of their legitimacy. From the 'children's club' in the local NGO office through the national consultative group right up to UN sponsored international workshops, the development industry increasingly needs (a small number of) children to get its business done.

The implications of this are ambiguous at a number of levels. This is discussed more fully elsewhere (White and Choudhury, forthcoming). Here, I wish to note only that promoting 'children's participation' in this way draws children out of their own contexts of family and community, and re-locates them within the rather different context of the development organisation.[v] Thus, while the foundational child rights texts stress the importance of nesting approaches to children's wellbeing within the context of their families and communities, organisational practice can instead remove children from their families, seeking to promote them as 'agents' in their own right.

Getting the balance right between working with families and communities and ensuring that children's own voices are heard is not an easy thing to achieve. The 'discovery' of children as a new 'target group' can lead to the danger - all too familiar from gender programmes - that the promotion of a 'new' group (here children) is done at the expense of another (here adults) and of the relations between them. It seems a great irony that this should occur just when gender specialists are recognising the limitations of focusing only on women, and the need to develop a genuinely relational perspective which takes proper account of men's experience and the significance of gender for them also (e.g. Cornwall and White 2000).

One of the problems of the earlier work on gender which focused on women only was the moral dualism it tended to set up, the 'good girl,

bad boy' syndrome (White 1997). In this view, for example, mothers were always seen as self-sacrificing altruists, giving their all for the good of the family, while fathers were feckless, self-interested individualists, frittering away money on alcohol, cigarettes or other women. This moral dualism is now recognised as one of the 'gender myths' which current gender and development approaches need to move beyond (Cornwall et al 2004). With this experience in a parallel sector, it is concerning to see similar patterns emerge in the child rights discourse. 'Good kids' whose voices must be heard are contrasted with 'bad parents' and 'bad employers' whose perspectives need not be sympathetically explored. By implication, of course, this also implies a further moral category, the virtuous agencies, ready to step in and save the children from the mistreatment they are suffering (Pupavac 2001).

The following examples, drawn from three different Dhaka based child rights agencies which I studied in 2000, express this moral dualism quite clearly.

> 'The problem is the parents' pressure on children to work. It is not realistic to expect children to study past class five. The parents are backward, even after you explain they don't understand.'

> 'In some cases you see the parents sending children to work – while the father sits about playing cards.'

> 'To send children to work is a temptation to poor families. In fact poor people have children in order to be able to send them to work and live off their earnings. It is not simply a matter of poverty. You have to ask them, how would they manage if there were no six year old in their family. Would the family go under? .... It is a moral issue. It is a failing in the father's moral responsibilities to send a child out to work. They are misusing their children. They don't understand their interests at all.'

Such statements do not only draw a moral contrast between blameless children and culpable parents, they are also steeped in class antagonism. The 'global' may be used to fracture the 'local', both by generation – configuring the interests of children in opposition to their parents, and by class. While the rubric of child rights may be relatively new, it can easily feed in, as here, to the

well-established cultural trope of an enlightened middle class looking down on the ignorant, feckless poor.

While senior staff may express negative views of parents and employers, fieldworkers at the programme level have to negotiate things differently. They describe how the 'global' resources of rights-talk can resonate very differently within a local, practical context. To get through to parents and employers, staff explain, they have to 'translate' their arguments into other terms. The following quotation from a national child rights agency gives a flavour of this.

> 'As employers are not educated you have to hit them through their religious minds, if any. Employers often say that they started off the way these kids are, it hadn't done them any harm so why should it hurt these kids? If you go in talking about child rights you get the response "Do I have my rights?" Instead you have to make a plea that, poor little chap, working so hard, producing as much as an adult, shouldn't you feel some *maya* (compassion) for him? And that, although doing adult work his bones are not formed in same way adults' are, so he needs some protection.'

Customising and re-packaging programme aims and approaches in this way to meet the demands of different 'client' groups is of course an everyday activity for most development organisations. Indeed, the ability to employ a 'multi-lingual' approach, mobilising and moving strategically between very different discourses, might be considered a fundamental component in development agency success. Academic analysis can seem by comparison rather wooden and mono-lingual, caught within its own reference points of the 'universal' framework and established conceptual categories. Such 'translation' is thus ignored, dismissed, or even decried as 'misbehaviour' (c.f. Buvinic 1986) deviating from the 'true' meaning of child rights. In this paper I want to argue instead that this movement between different discourses reveals some vital clues in the search for the cultural resources to support street and working children. Instead of being left outside of the analytical frame, it needs to be given a central place within it.

The difficulties of applying a child rights approach at the programme level are not limited to discussions with employers. Some agencies

have even decided that 'rights-talk' should be reserved for engagement with the state, and dropped from practical work with children themselves. There is not room here to go into details, but it is important to note some of the main dimensions of this. The first and most obvious is that rights may be universal in theory, but are very variable in practice. To preach to a poor working child about the 'rights' which they are manifestly unable to enjoy is to risk anger, frustration, and/or depression, which may be acted out in self-destructive ways. Then there is the question of whether child rights are to be interpreted on an individual or collective basis. This derives at least in part from the anomaly of child rights being established from above, by administrative action, rather than as a result of a popular struggle, as has been the case for black civil rights in the United States, women's rights, gay rights, and disability rights (Lewis 1998). Popular struggles are focused on structural demands, for a change in the terms of recognition or distribution which will bring a collective benefit to the disadvantaged group (Fraser 1997). Added to this, development itself tends to de-politicise (Ferguson 1990). In such a context any claim by a particular child even without any wider social implication, and all children's demands, even when they come from the most privileged, can be seen as assertions of 'child rights'. Over time, of course, such a situation leads to backlash. Thus, even within the agencies that have been foremost in promoting child rights there are whispers amongst the adults of 'over-empowered children.' This is particularly worrying where relations between children are involved. Who decides whose 'rights' prevail when different children have conflicting demands? How do 'child rights' relate to wider social divisions, such as those by class, or gender, or ethnic origin, or age? All such questions point again to the argument of this paper, that there is need to develop further an approach which can connect better with the realities of Bangladesh on the one hand, and is more grounded in social and political analysis on the other.

Constructing the Local

The argument above suggests two dangers in the way development agencies in Bangladesh are interpreting child rights. First, they tend

to abstract children from their relationships with significant adults, and to (re)present these in terms of moral oppositions. Second, and associated with this, they tend to obscure the differences amongst children, and so fail to acknowledge the real divisions and conflicts of interest that exist between them. This paper argues instead that relationships are critical both to the ways that child rights are constructed in the 'local' context of Bangladesh, and to children's (differential) capacities to achieve their rights. This section explores this a little further.

In interviews with working children they repeatedly stressed that the quality of the relationship with the employer was critical to how they feel about their work (White 2002a). At a more abstract level, Kandiyoti (1998:149) points out that, contrary to social science assumptions, it is typically not as the member of a distinctive category (children, women, the poor), but in terms of these cross-cutting ego-centred linkages of 'ties that bind' (my family, my tribe) that people most commonly identify themselves. The sociology and social anthropology of Bangladesh and South Asia more generally, as already mentioned above, argues that relationships are of particular importance to identity and social organisation there. Finally, to focus on children without considering the network of relationships that surround them obscures the social institutions, structures and relations which shape the opportunities and constraints they experience.

The social science literature of Bangladesh is testament to the centrality of relationship.[vi] Most immediately, relationships provide the locators of personal and social identity, the key to where an individual fits in the hierarchy of the social world. On first meeting, a wealth of information may thus be exchanged of both a general (are you married, have you children) and specific (who is your father, who is your husband) kind. A rich kinship vocabulary allows precise specification of relationship through the paternal or maternal line, including ranking by birth order within each generation, and this structuring has a significant effect on the tenor of the interaction between individuals (Inden and Nicholas 1977). Personal patron-client relationships structure the 'inter-linked markets' of land,

labour and credit which are fundamental to the agricultural economy, and critically determine the quality of the livelihoods that poor households are able to construct (Adnan 1984). As Devine (2002) states, the statement '*amar keu nei*', 'I have no-one', denotes utter desolation. For poor people in Bangladesh, to lack relationship is a far worse state than simply material poverty (Camfield et al. 2006). As the economy develops, the significance of relationship has not lessened, as in some ideal-type notion of modernisation, but its form has changed. In some areas affiliation to political parties is displacing links with a wealthy patron as the main determinant shaping distribution of public resources (Devine, ed, forthcoming). Evident everywhere, but at its most extreme in the urban slums, is the rise of *maastans*, touts or strongmen who control access to key resources. They are ambiguous figures: at once providing benefits and security to their clients, who often refer to them as 'uncle' or 'brother'; and bolstering their position by violence or its threat (Khan 2000). Relationships therefore are vital also for physical and political security. It is very difficult to achieve even the basic necessities – a job, a phone connection, health care, a school place – without seeking some mediation. At a more theoretical level, this suggests that relationships are central to what Appadurai (2004) calls 'navigational capacity'. For Appadurai, fundamental to this is the 'capacity to aspire', which has the double aspect of enabling people to stretch their imagination and to link their particular wants to broader norms and narratives. In a more tangible way, 'navigational capacity' in being able to choose and achieve desired outcomes in Bangladesh depends critically on the ability to mobilise a relationship with an empowered other (White 2006, Devine ed. forthcoming).

If relationships are important in general in Bangladesh, they are all the more significant for women and children, who are socially and legally defined as dependent on others. A common saying expresses this clearly: in childhood girls are under the authority of their fathers; at marriage under the authority of their husbands; in old age under the authority of their sons. When she has borne a child, a woman is often called by his or her name - '*name's* Ma' - rather than by her own name. Feminist readings of this tend to see it negatively, as

denoting the submersion of women's individual identity. It may be, however, that this neglects a genuine locus of women's pride and pleasure, in celebrating both their offspring and their own power to conceive. The dimensions of power and vulnerability, material and symbolic are neatly interwoven in the following statement by a village woman in recent research on wellbeing:

'Children are the wealth of women's lives.'[vii]

The significance of relationship in gaining access to resources means that personal dependency may not be avoided, as is common in the West, but actively sought, as an important idiom through which claims may be asserted. It is, however, a hazardous route. Entitlement through dependence is contingent on observing certain kinds of behaviour that the person in authority over you requires. Disobedience, or simply unconventional action, risks forfeiting the claim. In addition, this form of entitlement assumes that certain structural conditions are met – most obviously, that you do have an empowered person to protect and provide for you. This makes both women and children critically vulnerable to relationship breakdown. This dimension is a particular hazard amongst the poor. Poverty is itself associated with relationship stress, resulting in smaller households and more frequent family breakdown. In addition, the work and living conditions of the poor heightens exposure to being outside the sanctioned structures of support. This is discussed further in relation to working children below.

The cultural idiom that describes these relationships of dependency, for both women and children, is 'guardianship.' Although a Bengali term (*obhibabok*) for this exists, it is the English word that is commonly used in ordinary speech. To be a guardian (typically, as father or husband) confers a number of responsibilities. These include supplying a basic level of material provision, expressed colloquially as 'giving rice.' For children in particular, guardianship also involves 'making a person' (*manush korano)* through giving guidance and training. Again, the material and symbolic are interwoven as children learn how to manage their bodies in ways that express religious, ethnic, generational and gender differences; to favour the right hand over the left; or to distinguish safe places from those where there is danger of human or ghostly attack (see eg

Kotalova 1993; Blanchet 1984; Lindenbaum 1968). Although the term '*manush*' is gender neutral, this process is highly gendered and gendering. 'Becoming a person' thus means at once acquiring a set of skills and abilities, and employing these according to the rules of decorum. In a rural context young girls, for example, need to learn early how to carry heavy items such as water jars or other small children, but always on their hips, never on their heads or shoulders since this would signal immodesty.

Emphasis is also given to the development of mental, spiritual and emotional maturity, expressed in the term 'understanding'. This is achieved both informally, through teasing, chiding and guiding, and formally, through tuition at home, school or *madrassa* (Muslim religious school). Small children are excused responsibility because they 'don't understand anything' (*kichu bujhe na).* For older children and young people, a critical gauge of their qualification for membership of adult society is their ability to understand not only what is said, but also very importantly what is unstated or 'goes without saying' the hegemonic understandings of how the world is (see Comaroff and Comaroff 1991:19-27).

Fundamental to the idiom of guardianship is the responsibility to provide protection and control. This is backed up by the sanction of violence: if children or women misbehave, most people agree that their guardians have the right to beat them. As one boy asked with irony

'If I had an older brother who hit me would I ask for a *bichar* (community hearing)?' The dynamic between protection and control describes a field of tension. Having a guardian offers you protection from the predation of others – women and children who are on their own are chronically vulnerable to direct assault and slanderous gossip. At the same time, the guardian relationship is deeply invested in power, which can be itself the source of major abuse. More benignly, parents may assert control in order to protect – for example in restricting their daughter's movements outside the house for fear that people will speak badly of her. The following statement from a (wealthy village) mother about her daughter expresses this clearly:

> 'When she went to college, I put her in a *burqa*. It covers her all over, leaving just a little space around her eyes. Her husband is *Islami*. He said I had done well. If I hadn't put her into a *burqa* he would have had to. Let me explain to you how it is, though I don't know if you will understand. It is like a mango. When the skin is taken off, how many flies will buzz around and settle on it. But if the skin is still on, so many flies won't come, and even if they do, no harm will be done.' [viii]

The same woman described how there had been no talking between her daughter and future son-in-law when he came to see her before marriage. If it had been just up to her, she said, she would have had them talk to each other on one side of the courtyard, while other members of the family were on the other side. This reflected her own more progressive upbringing, but she accepted it would not do in the more conservative context of the village (*'polli samaj'*) where people would just gossip: 'Talking to him and not even married!!' This signals the way that guardianship looks outward, comprising a structural responsibility borne on behalf of the community as a whole. The powers it conveys are far from absolute: they are exercised in the context of a social world which aggregates to itself similar powers of protection and control, which may be a source of support, but is all too ready to criticise and find fault.

The notion of 'making a person' thus suggests the responsibility to transform an unformed infant into the next stage of life, a fully socialised human. This is codified further in the responsibility of parental guardians, particularly fathers, to arrange a marriage for the child, and so seal his or her transmission into full adulthood. While some elements may linger, the child's marriage marks the formal completion of guardianship duties: sons are transformed into guardians themselves as they take on responsibility for a wife; and the guardianship of daughters is transferred to their husbands. Although it clearly embraces the personal and the intimate, guardianship is thus fundamentally a social responsibility. It provides a structure for the reproduction of society across the generations. At its core is the representation of the family within the broader community: a community that is imagined as male.

The institution of guardianship is clearly patriarchal, configuring a hierarchy by age and gender. If sometimes age may trump gender, in general the pattern is the reverse. Research in a Dhaka orphanage revealed that most of the 'orphans' in fact still had mothers living – it was a (male) guardian that they lacked.[ix] Anecdotal evidence suggests that on the death of a father, it is more usual for the eldest boy to be declared the new 'guardian' of the family, even if he is still quite young, than for this status to be given to the widowed mother. This is not to say, however, that motherhood is unimportant. On the contrary, a 'mother's love' receives tremendous cultural celebration as an ideal of unconditional, self-giving, sacrificial devotion (Kakar 1978). The imagery here is quite different from that of guardianship, of love not law, softness not power, understanding not discipline, intimacy not demand. In practice, of course, things are not so clear-cut. Many of the guardianship functions of material provision, training, and control are in fact undertaken by mothers. And many fathers also exhibit the tenderness of a gentler care.

Where fathers are either unwilling or unable to fulfil guardianship responsibilities, some at least of the functions may also be substituted by elder brothers and sisters. This may be of their own volition, or because parents have deployed them – requiring, for example elder sibling to leave school to earn to keep younger ones in school. This seems to indicate a broader pattern of substituting of people by generation across gender and by gender across generation. One optimistic father, for example, suggested: 'If I get a good husband for my eldest daughter, then he will look after all my daughters.'

Although the hierarchical structure of guardianship is clear, there are also elements of reciprocity within it. The most obvious aspect of this is *maya* – mutual love and attachment. A Bengali proverb states that 'love always flows downwards' (*bhalobasha sob somoy nimno-gami*) meaning that the love parents have for their children is greater than the love children have for their parents. This notwithstanding, children, adolescents and adults interviewed typically express powerful feelings of love and gratitude towards their parents, and especially their mothers. Customarily these have been enshrined

structurally in a duty on children to care for parents when they are old. While this remains as a cultural norm, it is by no means practised in all cases. Even during my original fieldwork in rural Rajshahi district in the mid 1980s, some widowed mothers were living alone as beggars, in houses that bordered those of their working, adult sons. New research on wellbeing shows that while older people (in particular women) have hopes that sons will look after them in old age, they also express fears that they won't (Devine, ed, forthcoming). In part this is related to economic stress, but it also showed a regional pattern: in the district nearer to Dhaka, Manikganj, older people were far more likely to express insecurity than in Dinajpur, where more traditional customs still prevailed. There were also some indications that daughters had more potential to support aged parents than they might have done in earlier times, particularly when daughters were in paid employment.

A key aspect of mutuality within parent-child relations is in the area of recognition and identity. In the wellbeing research, both men and women express satisfaction at hearing their children call them mother or father. Conversely, one woman said how in arguments with neighbours they would taunt her that she had no son (*'puter mukh dekhli na'*). People talk of children and especially sons as the 'light of the lineage' (*bongsher alo*). This raises the issue of honour and reputation. The reputation of parents and the household are enhanced if the children turn out well. Conversely, bad children bring shame and blame – with mothers particularly vulnerable if daughters misbehave. Finally, just as parents must pass on children into the next generation through arrangement of their marriages, so children must pass on their parents to the next life through the proper observance of funeral rites.

Children on the Margins

If guardianship is the means through which children belong to the moral community, then children who lack a guardian are structurally in a position of extreme vulnerability: they do not belong, and therefore the values that adhere to 'our children' do not apply. Children born to an unmarried mother (as of course the woman

herself) are one example of this; children of prostitute women are another (Blanchet 1996). In such cases the circumstances of children's birth put them outside the moral community of the *somaj*. With respect to the mainstream Bengali society, this exclusion is also the case for children of ethnic minority families. Even for those who do 'belong', their dependent status makes both women and children critically vulnerable to relationship breakdown. Where children end up on the street, it invariably means that the structures of guardianship have broken down. This might be due to the illness or death of a guardian; the break down of a relationship – typically where there is a step-parent involved; or extreme poverty, where the fundamental provision of resources cannot be met. Poverty also means that children are more likely to be placed in situations outside the sanctioned structures of guardianship support. Poor families are less able to afford the housing that provides for purdah observance or basic security against theft or assault. Poor women and children are more likely to have to work outside their own home. Small children collecting rubbish in the street, for example, are routinely subject to physical attack and verbal abuse. Women and children working as domestics or live-in workers in others' houses are vulnerable to round the clock exploitation as well as sexual predation (Blanchet 1996; Sobhan, 1997). Relations with employers are typically expressed through the idiom of (fictive) kinship. This may mean that some aspects of guardianship are transferred – such as a responsibility for basic material provision or the eventual arrangement of marriage. Despite employers' protestations that they treat children working in the homes as members of the family, however, this does not represent full inclusion. As one employer of a child domestic worker frankly remarked:

'If I gave her all her rights my reason for keeping her would be lost.'

As this example suggests, the fracturing of supposedly universal child rights by class (along with other axes of social inequality) is not coincidental. The differential treatment of children is fundamental to class reproduction. As in all societies, this is partly because the advantages given to wealthier children ensure that patterns of privilege and social distinction are reproduced from one generation

to another. More directly, however, in Bangladesh at present, the unpaid or barely paid labour of poor children is built into the household advancement or class reproduction strategies of the rich and middle class. As more opportunities become available for poorer women's employment – for example in the garment factories – there are even some signs that the employment of children as domestic workers is on the increase. Echoing anthropological work on the significance of the circulation of women to social reproduction, one might see the 'traffic' in poor children as an important means through which poorer and richer families cement the patron-client relations which are still the predominant bearers of class relations in Bangladesh.

Conclusion

This paper began by positing an ideal type of two worlds, global and local, society and policy. Through the paper the artificiality of this has become clear, as both policy and society have shown themselves to be diverse and fractured, and each has drawn from and re-fashioned aspects of the other. The paper has criticised an unreflective application of global discourses of child rights and argued for an approach that is more sensitive to local realities. However, this is not to suggest that action to achieve child rights in Bangladesh is unimportant. Being young, poor, and away from home lays children open to mistreatment which results in physical, psychological, and emotional harm. They are not only vulnerable materially, but also suffer catastrophically low social status. They have, in Appadurai's (2004:66) terms: 'extremely weak resources where the terms of recognition are concerned.' At its best, child rights work brings children into the mainstream of development thinking in an inclusive way. It heightens awareness of more general social justice issues such as the costs of structural adjustment programmes (eg Marcus 2004). It brings attention to specific interests of children and areas of complementarity and contradiction between themselves and the adults with whom they relate.

How does taking better account of the local offer cultural resources, as promised, for the support of street and working children? The answer to this is not simple. As this paper makes clear, there are

strong contradictory and exclusionary, as well as solidary and inclusionary aspects of the ways communities are imagined and conduct themselves in Bangladesh, and these can impact badly on children who fall outside the charmed circle of 'guardianship,' as well as producing significant pressures on those who come within it. Recognition of the limitations of a universalist approach should not result in a wholesale endorsement of 'local culture' but rather a commitment to work both with and against culture, recognising how it is never monolithic, but always grounded in the politics of social difference. To work towards child rights means the local and global need to come together in a constructively critical relationship. To pursue this approach means following the lead of the NGO field worker who described how he 'translated' rights-talk in his work with employers. In appealing to the employer's religious conscience, in stressing the employee's vulnerability and child-ness, he was seeking to evoke the idiom of guardianship, to bring the child within the employer's moral community, so that he should be cared for and protected, not exploited and exposed to harm.

Notes

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ii. The Wellbeing in Developing Countries (WeD) research group, of which I am a member, is funded by the Economic and Social Research Council, UK, 2002-2007. An interdisciplinary study with country teams in Peru, Ethiopia, Thailand and Bangladesh, this involves a major programme of comparative empirical research. See http://www.welldev.org.uk.

iii. See previous endnote. In Bangladesh, this involves a teams drawn from the University of Bath, UK, the Bangladesh Institute of Development Studies and Proshika. For this paper, particular thanks are due to M. Hasan Ashraf, Taifur Rahman, Nasrin Sultana, and Tahmina Ahmed for helpful discussions in April 2006. Thanks are also due to ESCOR, the research funding branch of the British Overseas Development Administration (now renamed the Department of International Development, DFID); and the British Academy for funding of these earlier pieces of research.

iv. This was in turn based on the Geneva Declaration of the Rights of the Child (1924) and the UN Declaration of the Rights of the Child (1959).

v. This is reminiscent of the 'labelling' process noted by Wood (1985) in which people become 'cases' dis-organised from their own stories and re-organised according to development agency criteria.

vi. It is not possible to review the whole of this literature here. Good summaries can be found in Adnan (1990) and Bertocci (2002).

vii. WeD research data

viii. This is from my fieldnotes on a visit in 2003 to the village where I did my PhD research. The college was in an adjoining village, perhaps two miles' walk from their home.

ix. Research done by myself in 2000.

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