

NINE

Motivating Political Responsibility for Children in Poor

Countries

Stephen L. Esquith

Article 12.1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 29.1.d. States Parties agree that the education of the child shall be directed to the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin

--*Convention on the Rights of the Child* (1989/90)

Introduction

More so than any of the other rights in the United Nations *Convention on the Rights of the Child* (CRC), the rights of participation, especially the right to form and freely express one's own views "in all matters affecting the child," depend upon a right to an education appropriate to "the preparation of the child for responsible life in a free society." When read together, Articles 12 and 29 underline the importance of a democratic political education for all children.¹

Who is responsible for providing democratic political education? The CRC assumes that "State Parties" have the primary responsibility for the realization of the rights of children under this treaty between nation-states. International and multilateral organizations have been involved

from the very beginning in discussions of the rights of children, but the burden of the CRC has fallen most heavily on states to prepare their own children to participate in their own society and advance their own legitimate interests through a democratic political process.

In this essay I argue that there are other parties responsible for the democratic political education of children besides the state, nongovernmental organizations such as Save the Children, and multilateral organizations such as UNICEF. These other parties are the individuals and institutions who benefit through their relationships with children in need in poor countries. Some are domestic and some are foreign. As sponsors of orphanages, agents of international adoption, and employers of household labor, individuals and institutions, primarily but not exclusively from rich countries, incur a responsibility for the democratic political education of children in poor countries.

My argument for this responsibility is in two parts. First I introduce two concepts of responsibility for the violation of children's rights: cause responsibility and benefit responsibility. Cause responsibility is the responsibility that perpetrators and collaborators have for the violation or unfulfillment of children's rights, particularly the use of child soldiers, the use of child labor, and the exploitation of children in sexual trafficking. Cause responsibility for these violations of children's rights has a moral and legal dimension, depending upon the severity of the harm and the particular causal connections between the antecedent acts or omissions and the harm done. It is sometimes national and sometimes cosmopolitan. Benefit responsibility is typically the responsibility of parties who do not occupy a place within the extended chain of cause and effect that defines moral guilt and legal liability.²

Benefit responsibility is political, and it belongs to parties who may unintentionally and sometimes unwittingly inherit or otherwise enjoy the subsequent benefits that accumulate from

the violation or unfulfillment of the rights of others, including children. Benefit responsible parties may be the adoptive parents of adopted children, the institutions that facilitate these adoptions, or the employers of household workers and their children. The political responsibilities of these benefit responsible parties are not to renounce their adopted children or discharge child workers and their families, but rather to educate these children so that the children (and their children) are more able to exercise their rights under the CRC to participate in determining the course of their own lives.

The second part of the essay addresses the problem of how to motivate parties who are benefit responsible for the violation or unfulfillment of children's rights to recognize and act on these political responsibilities. The solution I offer is neither Humean nor Kantian. That is, it is not a matter of cultivating a sympathy for children in need, nor is it a matter of sharpening one's rational understanding of cause responsibility. This type of political motivation is more effectively prompted by re-enacting the violation or unfulfillment of children's rights so that benefit responsible parties can (1) see themselves within the frame of reference of a longer political story than an emergency rescue story such as those told by Peter Singer and Jeffrey D. Sachs,³ and (2) imagine themselves playing a constructive role in the democratic political education of the children whose rights have been violated or left unfulfilled.

I will present two examples of this idea of narrative re-enactment, one that offers more promise than the other, as a way to motivate political responsibilities for the protection and fulfillment of children's political rights. There is nothing inherently democratic about re-enactment, anymore than simulations are inherently depoliticizing. However, the way that simulations have evolved does make their use as tools for democratic political education quite

limited. Reenactments avoid some of the pitfalls of simulations, although they can have problems of their own, as one of the examples I introduce illustrates.

1. Two Concepts of Responsibility

According to New York Times correspondent Jeffrey Gettleman,

It is well known that Somalia's radical Islamist insurgents are plucking children off soccer fields and turning them into fighters. But Awil is not a rebel. He is working for Somalia's Transitional Federal Government, a critical piece of the American counterterrorism strategy in the Horn of Africa. According to Somali human rights groups and UN officials, the Somali government, which relies on assistance from the West to survive, is fielding hundreds of children or more on the front lines, some as young as nine.

Somali government officials concede that they have not done the proper vetting. Officials also revealed that the United States government was helping pay their soldiers, an arrangement American officials confirmed, raising the possibility that the wages for some of these child combatants may have come from American taxpayers. Like many other children here, the war has left Awil hard beyond his years. He loves cigarettes and is addicted to qat, a bitter leaf that, for the few hours he chews it each day, makes grim reality fade away. He was abandoned by parents who fled to Yemen, he said, and joined a militia when he was about seven. He now lives with other government soldiers in a dive of a house littered with cigarette boxes and smelly clothes. Awil does not know exactly how old he is. His commander says he is around twelve, but birth certificates are rare. ⁴

Deleted: .



Deleted:

Formatted: Font color: Gray-80%

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.5", Don't adjust space between Latin and Asian text

The United States and Somalia are the only two countries that have not ratified the CRC since its passage in 1989, although the U.S. has ratified the subsequent Optional Protocol prohibiting the use of children in armed conflict. In what sense, if any, are the “American taxpayers” Gettleman refers to responsible for this violation of children's rights? Similar questions could be raised about U.S. government contributions to economic policies in many other poor countries that indirectly perpetuate the use of child labor and the denial of children's rights to equal educational opportunities. In what sense, if any, are American taxpayers or American citizens more generally, responsible? For example, consider the possible effects of U.S. government crop subsidies to American cotton farmers. These subsidies allow U.S. growers to reduce the price they charge on the world market and thereby make it more difficult for cotton farmers in poor countries to compete with them unless the farmers in poor countries reduce their own labor costs (or introduce other cost reduction measures). One way to reduce their labor costs is to use their own children as workers rather than allow them to continue in school. Are American taxpayers indirectly contributing to practices that violate the principles of child welfare that their own government affirms in their name?

One response to this question, articulated in detail by David Miller, is that indirect international contributions do not establish strong causal connections, and therefore cannot be the grounds for this kind of responsibility. These international contributions lack the requisite intentionality and proximity. Indirect contributions, especially international ones, are more complex and tenuous than domestic contributing factors.⁵

This argument for the priority of national responsibility holds that states like Somalia and their own citizens have primary responsibility for the violation of their own children's rights. For example, in some cases of forced labor, families respond to desperate domestic situations and

Formatted: Indent: First line: 0.5", Don't adjust space between Latin and Asian text

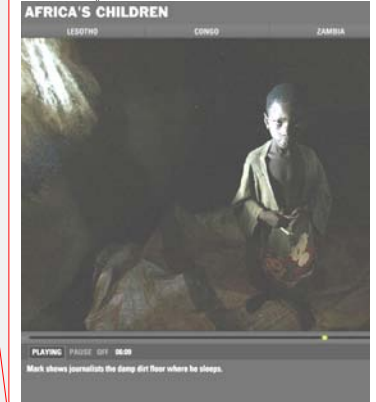
sell their children to traders who put them to work elsewhere. Take the case of 6-year Mark Kwadwo, a Ghanaian child sold into forced labor by his family, also profiled in *The New York Times*. Some West African families see child labor as a survival strategy. In a region where nearly two-thirds of the population lives on less than \$1 a day, the compensation for the temporary loss of a child keeps the rest of the family from going hungry. Some parents argue that their children are better off learning a trade than starving at home.⁶

As heartbreaking as the stories of Awil and Mark may be, according to the argument from national responsibility, domestic factors are more likely to contribute to the grim living conditions of these children than international factors. Furthermore, in a world in which national sovereignty is valued above cosmopolitan citizenship, appeals to national responsibility are more likely to have a remedial effect on problems such as these than attempts at international and regional coercion or persuasion.

I have stressed only one side of this debate. The case for global responsibility made by Thomas Pogge and Richard W. Miller, for example, can be equally persuasive when the issues involve trade in other commodities more directly linked to government corruption and worker exploitation.⁷ (I return in Part II of this essay to Pogge's view in the context of the motivational problem.) However, whichever side one takes, the debate over cause responsibility until recently has overlooked a very different concept of responsibility for the violation of children's rights and human rights in general in poor countries. This is the concept of responsibility based upon benefits.⁸ Cause responsibility focuses our attention on the guilt or liability of perpetrators and collaborators. It has both a moral and a legal dimension. At one extreme are unrepentant perpetrators who are both morally and legally responsible for violating children's rights. These are typified by kidnapers who traffic in child soldiers and child labor. At another extreme are

Formatted: Font: Italic

Deleted: ¶



Deleted: it more

Deleted: and images

desperate parents who reluctantly entrust their children to seemingly responsible friends and relatives in hopes that the child at least will have adequate food and lodging. They may have failed morally as parents out of negligence, but it would be difficult to hold them legally liable for abuse. Like the American taxpayer who has contributed indirectly to the violation of children's rights, these desperate parents are morally implicated but not legally culpable.

In contrast to national and cosmopolitan cause responsibility, some forms of benefit responsibility are neither primarily a matter of moral guilt or legal liability. They occur after-the-fact of displacement and disenfranchisement, and they create a political responsibility that cannot be discharged the way that moral and legal cause responsibilities can. Compensation may mitigate some of the harm done, but making apologies or amends is not enough.

I say "some forms of benefit responsibility," because there are other forms of benefit responsibility that do entail moral and legal responsibilities, often very severe ones. The patrons of child prostitution, for example, benefit from this practice in a perverse sense and also create a market for its continuing practice. Some patrons are predators; others are lonely, confused, and convince themselves that they are rescuing children.⁹ Both types of patron sometimes, but not always, are simultaneously cause responsible and benefit responsible for child prostitution. Like the drug user's demand for drugs, the patron's demand for child sex contributes to the violation of children's rights on the supply and the demand sides. However, neither the drug user nor the purchaser of child sex is benefit responsible in the political sense that I want to stress. In other words, the exploiters of Awil and Mark are morally and legally responsible in a causal sense. The patrons of child prostitution are morally and legally responsible in both an antecedent causal sense (contributing to the harm of a minor) and one particular benefit sense (creating a market

demand for future harm to minors). The beneficiaries of the violation of children's rights I am particularly interested in are benefit responsible in a political sense.

What does this political benefit responsibility look like? I have alluded to displacement and disenfranchisement. What exactly do these terms mean in the context of children's participatory human rights? They do not own property or vote, so how can individuals and institutions benefit from their displacement the way dam companies benefit from the displacement of villagers and ruling elites benefit from the disenfranchisement of immigrant workers?

Let me begin with an analogy to a different kind of forced labor, the use of "leased convicts" in the United States. In a July 2001 article in the *Wall Street Journal* reporting on the entanglement of major U.S. corporations with slave labor, Douglas A. Blackmon described the following case. On March 30, 1908, Green Cottenham was arrested by the Shelby County, Ala., sheriff and charged with vagrancy. After three days in the county jail, the 22-year-old African-American was sentenced to an unspecified term of hard labor. The next day, he was handed over to a unit of U.S. Steel Corp. and put to work with hundreds of other convicts in the notorious Pratt Mines complex on the outskirts of Birmingham. Four months later, he was still at the coal mines when tuberculosis killed him. Born two decades after the end of slavery in America, Green Cottenham died a slave in all but name.¹⁰

When Blackmon asked U.S. Steel officials about such practices, they denied that they had occurred and then suggested that there is no reason to revisit these matters. For corporations that believe they are being responsible citizens now, historical injustices are not an issue. Nonetheless, corporations such as this (including many of their employees and stockholders) continue to enjoy benefits from these past unjust practices. They share institutional

responsibilities to bring these benefits to light and create appropriate political methods for addressing them fairly.

This web of political responsibility can extend in surprising directions. In his subsequent book-length study of “industrial slavery” beginning in the mid-nineteenth century until 1945, Blackmon locates the Cottenham case alongside other similar stories, including his own family’s use of forced labor. “I had no hand in the horrors perpetrated by John Pace or any of the other twentieth-century slave masters who terrorized American blacks for four generations. But it is nonetheless true that hundreds of millions of us spring from or benefit as a result of the lines of descent that abided those crimes and benefited from them.”¹¹ While the beneficiaries of severe violence are often large corporations and other institutions, sometimes small business owners like Blackmon’s family and even other immigrants, refugees, and displaced persons can be the reluctant beneficiaries of the unjust actions of others.

Is there a similar responsibility for the violation of children's rights for those who benefit from the trafficking of child soldiers? Gettleman's challenges the American taxpayer: if you knew your money was going to support the use of child soldiers in Somalia, would you consent to it? The question is similar to the one posed by fair trade activists? If you knew that child labor was being used to produce the commodity you have purchased, would you still buy that commodity? This is not the question one should pose to the owners of stock in U.S. Steel today. Divesting themselves of this stock or not buying products that use U.S. Steel does not address the harm done to Green Cottenham and his descendants. It might be argued that some compensation or reparations is owed to these descendants, but the economics and mathematics of such a task have proved insurmountable when the time elapsed is so great.

If purchasing fair trade commodities does not point us in the right direction, are there other violations of children's rights that are analogous to the disenfranchisement of leased convicts? One is the case of support for orphans in poor countries. Another is the case of hiring children to do household labor in poor countries. A third is international adoption from poor countries to richer ones. The children in these cases do not literally lose their homes or their voting rights, but they are denied their right to a democratic political education as it is expressed in Articles 12 and 29 of the CRC.

Donating to Orphanages in Poor Countries. Orphanages and the young, innocent children who live there are an obvious object of affection for tourists and other visitors to poor countries. In situations where street children seem to be at the mercy of unscrupulous adults who are all too ready to exploit them, orphanages present an apparently safe way for citizens of richer countries to provide aid and make a difference. Children who have been rescued from the street or their village to become orphans seem to feel the same way. Andrea Freidus relays the following images and comments from one such orphan in Malawi at an orphanage by the name of Miracles.

Mphatso is a sixteen-year-old who has resided in Miracles for three years. In the first panel of her storyboard drawing about life in her village she included a house without electricity or running water, and with a dirt floor. The drawing is a self-portrait. She explained that in that picture she is sad, her clothes are worn-out and she lacks food. Mphatso said she was abused by her stepmother and forced to work more than others in the house. The second panel is of Mphatso at the orphanage, appearing happy and well-dressed. She is smiling and stresses the importance of school —“I am go[ing] to school, very happy” is written under her picture. She

explained, “nothing is missing at Miracles.” Her drawing is similar to those made by her peers reflecting common vulnerabilities faced by children living in poverty.¹²

The benefits of aid to orphanages flow both ways. Recipients like Mphatso receive more regular schooling, more frequent meals, and adult supervision. Benefactors receive the satisfaction of knowing that even a small contribution will have an impact. The benefits to donors, while primarily psychological, are not negligible. In countries that struggle to make use of the foreign aid they do receive, private aid to orphanages stands out as a relative success story. What's not to like about it?

Freidus does not shy away from the costs of this kind of orphan rescue. Even in orphanages like Miracles that do not swoop down on unsuspecting families who think they are only boarding their children temporarily, there are costs to the orphans in terms of their relationship to their village, to their extended family, and to their culture in general. In the orphanage they may become more individualistic and possessive about the material goods that they have received through the orphanage. As satisfied as donors may be that they have rescued children from difficult circumstances, they also should recognize that the orphans themselves may pay a more long term price for becoming orphans.

Donors who benefit psychologically from their contributions to orphanages like this tend to be more inclined to give to a program with a tangible institutional presence rather than support a more diffuse village kinship network. However, institutionalized care for orphans may create the very problem that it is designed to solve. Children who have lost one or both parents, but still have a kinship support system available to them, may be labeled orphans in order to provide new young residents for an orphanage in search of donors. Helen Meintjes and Sonja Giese have

argued that “orphanhood” in the case of South African children orphaned by the AIDS/HIV epidemic there has been this kind of ambiguity.

In some instances, children without biological parents adopt an identity as an “orphan” or get labeled that way by others. They replicate and re-circulate a global notion because it has economic valence, while having to take on the derisive connotations that derive from local linguistic histories. This is a choice that provides them with one of very few opportunities to access material support. It is also a choice that enables characteristically under-resourced children’s support organizations to garner funding. In the process, orphanhood becomes a condition embedded with contradiction. It is a globally circulated commodity at the same time as it becomes an identity lived in struggle. It is a state that is both positive in its potential access to resources for children and their social networks, and negative in its associations with failure of and rejection by social village networks.¹³

Deleted: VILLAGE

Benefit responsibility in this case, then, is the responsibility that donors have to recognize that the psychological benefits they enjoy from supporting orphanages may impose a cost on the very children they have tried to help. They are not exactly stockholders in U.S. Steel, but they are stakeholders in an institution whose continuing effects may be more equivocal than the sense of satisfaction they receive from knowing they have rescued a few needy children. It is true that there is an element of cause responsibility in this case. As donors they may encourage unscrupulous people looking to sweep up needy children and label them orphans in order to make a profit. But, even in cases like Miracles where donor demand for orphans is not creating orphanhood, the psychological benefits enjoyed by donors carries with it a separate benefit responsibility to mitigate the negative effects of institutionalization. Benefiting donors who have a stake in maintaining these legitimate orphanages have a responsibility to raise appropriate

questions about the stigmatization and possessive individualism of orphans. Eroding the supportive kinship system that orphans appear to be inclined to renounce may unintentionally make it more difficult for needy children who are not institutionalized to make a life for themselves.

Adopting Children from Poor Countries. Consider a second case of benefit responsibility, international adoption. Like the case of orphanage donors, this is also a mixed case with an element of cause responsibility as well as benefit responsibility. Adoption has become the object of serious philosophical reflection in recent years, in part as a result of feminist and race theories of personal identity. Mixed race adoptions and adoptions by single-sex couples have cast some traditional metaphysical and epistemological questions in a new light. Adoption also has raised anew the moral status of children and their rights *vis-à-vis* parents and the state.¹⁴ Much less has been said about international adoptions beyond some general concerns about its imperialist overtones and the unwillingness of adoptive parents to take the culture of their international adopted child very seriously.

I begin with the strong assumption that international adoptive parents enter the adoption relationship conceiving of themselves, not their adopted child, as the primary beneficiary of the adoption. Some adoptive parents certainly may be responding to a natural disaster or emergency when they adopt an abandoned or orphaned child from a poor country. But, they will also view international adoption as a way of having (more) children of their own, expanding their own cultural horizons, and teaching tolerance to themselves and other members of their family. The combination of generosity toward a child in a poorer country, the desire to enrich culturally their own family, and in some cases the chance to have a child that they have not been able to have through the available means of reproduction makes it difficult to rule out benefit responsibility.

In international adoptions, the adoptive parents do have a cause responsibility to the adopted child: they have taken them from their native culture and have a cause responsibility to make sure that this is a soft landing with opportunities to remain in contact with that native culture. Beyond that, what benefit responsibilities do the adoptive parents in rich countries have to their adopted children from poorer countries?

Again, the answer depends upon viewing these benefit responsibilities from a political rather than a moral or legal point of view. International adoption, like all adoptions, does not end with childhood or adolescence. There is a continuing long term relationship between adoptive parents and their adopted children in which the benefit responsibility of the parent becomes increasingly important and takes on a more concrete political character as the child matures into an adult. It becomes, in short, a responsibility for democratic political education that extends beyond the formal education of the adopted child.

Pursuant to articles 12 and 29 of the CRC, there is a responsibility to teach the international adopted child how to express her own views about international adoption and familial responsibilities. This means introducing the child to other cultures, including her native culture, in an appropriately developmental manner. It means conversing with her in a respectful way about the dangers of discrimination and stigmatization that adopted children may face, and the particular biases and assumptions that people may have in her adopted country but also from her native country toward adopted children and adoptive parents. In some cultures, for example, there is an assumption that families will only adopt children who have been conceived through the husband's extramarital affair. In some cultures, international adoptions are viewed by the poorer native culture, especially its political elite, as a sign of failure to provide for its own children. Just as orphanhood carries a stigma in some native cultures, so too does international

adoption. The inability of the international adopted child to speak her native language fluently and the fact that adoptive family may not practice her native customs (even if she herself has studied them) will create barriers between her and other children from her native country whom she may encounter.

As the beneficiaries of a tolerant multicultural family life that international adoption may afford, adoptive parents have a strong positive responsibility to teach themselves, other biological children, and their international adopted children about these obstacles to toleration and participation which international adopted children, immigrants, naturalized citizens, and refugees often face throughout their lives. These obstacles will arise in school, in social life, and in civil society in general.

Employing Children to Do Household Labor in Poor Countries. Children are often employed in poor countries to do menial housework, and it is the primary form of child labor for many young girls. Most child advocacy groups like Save the Children and Anti-Slavery International consider this a form of child slavery or indentured servitude. Child domestic workers are on-call around the clock throughout the year. They are susceptible to arbitrary termination without pay and at risk of brutal corporal punishment.¹⁵ Another interpretation, however, is that these relationships are more ambiguous and provide the children and their family a form of contact with middle class families that serves as a social safety net of sorts. On this interpretation, the child laborer may be part of a rural family that is employed by a middle class native family in the city to do the cooking, cleaning, and other routine chores. Sometimes these children attend school and receive special gifts from their employer that “mystify” the contractual agreement. In some cases by the time they have reached adolescence, they are working full-time for their employer, but the relationship is not purely one of exploitation.¹⁶

I am interested in a variation on this phenomenon of child household work, the employment of young adults and adolescents by, [for example, Western](#) expatriates working temporarily in poor countries. What are the benefit responsibilities of these expatriates to the families of their household workers, especially the young and future children of these workers? This is not a topic on which I am aware much research has been done, although there are intervention programs in place that address the legal and educational needs of young girls working in these situations.¹⁷ My remarks are based on my own limited experience. The benefits I list below are not surprising or extraordinary. The responsibilities that I believe are entailed by them are not moral supererogatory duties. They are part of the political geography that household workers and expatriate employers inhabit together.

One dilemma that the expatriate employer faces in the household labor market is how much salary to offer. Middle class neighbors who also employ housekeepers and watchmen will resent expatriates who pay their household workers more than the going market rate. On the other hand, the household workers themselves realize that their chances of working for wealthier expatriates are limited, and they do not see their higher salary as affecting the overall wage rate for household workers. The labor market, from their perspective, is segmented. The result is often something in the middle: the expatriate pays more than the going rate but less than the expatriate could actually afford. This is the first benefit expatriates receive: low cost household service that is typically much more than they could afford in their home country.

A related benefit is the reduced price for perishable goods and other household items that the household worker is able to bargain for in the market as the agent for the expatriate. Even though the household worker quickly is identified as an agent for an expatriate and therefore is charged somewhat higher prices in the market than other native consumers, these inflated prices

are still lower than the prices the expatriate would get alone, assuming he or she had the time to go to the market.

A related benefit is information. Household workers provide important information about social networks, handymen, cooks for special occasions, and the like which the expatriate will need if he or she is living and working in the poor country for more than just a short visit. Door locks break regularly, plumbing must be repaired, bills may have to be paid by standing in long lines in the heat or rain, and all these things require the ability to negotiate in the native language about technical details. An experienced expatriate with near fluency in the native language can do this alone, assuming he or she has the time. But, for most expatriates the time and energy required to attend to these quotidian chores and fix these problems are prohibitive. Household workers either can do these chores themselves, and or find someone who can do them.

Deleted: on

Deleted: is

Finally, the expatriate benefits from the sheer stamina and physical strength that household workers have who are more accustomed to the climate and living conditions of their native country. Negotiating impassable streets by foot in the rainy season and enduring the direct rays of the sun for just short periods of time, let alone driving through heavy traffic, can be exhausting for the expatriate unfamiliar with the rules and contours of the road.

Now, what should be recognized is that this mutually beneficial relationship between household workers and expatriates is temporary and intermittent. There are more housekeepers, cooks, chauffeurs, and watchmen than there are positions for them with expatriate households. When the expatriate leaves, the household worker will return to the potentially more exploitative household labor described above, and this may involve their female children as well as themselves. In order to cushion this return to the lower segment of the household labor market with all its dangers and ambiguities, the household worker will try to establish a continuing

relationship with the expatriate employer. The expatriate, on the other hand, may want to do more than temporarily raise the household worker's salary by helping the household worker invest and save for the future. This may involve setting some salary aside for future professional training or creating a small savings account to cover the school fees of the household worker's children once employment with the expatriate is over.

These small savings and investments are simple enough to imagine, but much more difficult to negotiate with the worker and implement. The household worker will have immediate family expenses for health care, funerals, transportation, etc. To forego these things in order to take advantage of the expatriate's seeming largesse (for example, setting aside funds for secretarial training or funds for the school fees of the children of the household worker) requires that the household worker have a support system that she or he may not have. If they have left their village to seek employment in an urban area, it is often so that they can send money home, not so that they can save it for themselves. They are the support system for others.

The benefit responsibility of these employer expatriates is to the family of their household workers, particularly future generations, not just the worker herself. The extended family and its future generations are the ones who will benefit from these modest savings and investment arrangements. But, to meet this benefit responsibility, expatriates and the current household workers must engage in a difficult conversation about the sacrifices that may have to be made in current consumption in order follow through on their savings and investment plans. In conversations like these both the expatriate and the household worker will have to confront some deeply held assumptions and an obvious power inequality. The expatriate will have to realize that savings and investment for education in poor countries are much more difficult and riskier than they are in richer countries. There are fewer assurances that the investments will pay

off and immediate consumption can be foregone. The household worker will have to realize that despite the goodwill of the expatriate, future support for their savings and investment plans may decline. Once they have returned to their home country, the expatriate may not have the same level of disposable income to support these plans that he or she had while in the poor country, [or over time may lose the sense of closeness and responsibility for former household workers.](#)

The inference that I draw from this is that to make support for savings and investment plans such as this sustainable, some kind of institutional structure has to be created beyond the charity of individual expatriate employers. Relying on a gift relationship between expatriate and household worker is not enough to provide greater educational and employment opportunities for future generations when there is so much uncertainty. In this far from perfect political conversation, the expatriate and the household worker must focus on the participation rights of future generations and the kind of education they will need to escape the poverty that forces them back into indentured housework, orphaning their children, or placing their children up for international adoption.

II. Two Ways to Motivate Benefit Responsibility

Thus far I have described three cases where benefit responsibility arises, and I have argued that this responsibility is political in a particular sense. It is a responsibility for democratic political education owed to children. Donors to orphanages in poor countries, parents adopting children from poor countries, and expatriates employing household workers in poor countries all may have some form of cause responsibility of a moral or legal nature. They should not contribute to orphanages that lift children out of kinship support systems and thereby create a need for more donations to more orphanages. That would be immoral. They should not adopt children from poor countries who have been taken from their biological families in haste or under false

pretenses. That too would be immoral and possibly criminal. They should not use their power as employers to make coercive wage and benefit offers to household workers of any age contrary to the CRC and other international laws. However, these moral and legal prohibitions do not address the more ambitious provisions of the CRC dealing with the rights of children to participate in the formulation of their own successful life plans. Participatory rights are political rights; they depend upon compromise, deliberation, and fairness. Most of all they depend upon a democratic political education so that, as children mature, they are prepared to participate in this fashion. The three cases discussed above illustrate how as beneficiaries of their relationships with children and their parents in poor countries, citizens in and from rich countries incur a benefit responsibility for this kind of democratic political education.

However, arguments like this can only take us so far. Motivating political responsibility is more complicated than just making good arguments. In the second part of this essay I introduce the distinction between two ways of motivating political responsibility: *simulation* and *re-enactment*. These two methods for motivating donors, parents, and employers to recognize and act on their responsibility for democratic political education have some things in common, but there is also an important difference. Reenactment has the potential to prompt a more democratic conception of political responsibility than simulation.

Hugh LaFollette and Larry May, following the eighteenth-century philosopher David Hume, have argued that bystanders have a shared moral responsibility *to* help chronically malnourished children, whether we are responsible *for* their suffering or not. Their argument is built upon an individual natural sentiment of sympathy for suffering children, which they extend in the following way. If you have sympathy for one child who is suffering because she is denied basic educational opportunities, they argue, then you should feel an analogous sympathetic

responsibility to contribute to educational institutions that offer the best strategy for educating as many needy children as possible without making undue sacrifices of your own.¹⁸

Onora O’Neill believes arguments like this are not enough. As complicated as causal arguments about responsibility for suffering may be, they can and should be made (only) where injustices such as violence, coercion, and deception have occurred.¹⁹ According to O’Neill, a cultivated Humean sympathy like the one LaFollette and May describe is not likely to be enough to motivate and guide institutional solutions to the chronic problems of adults who have been harmed in these ways. Two more rational duties exist: a strong duty (what Kant called a “perfect duty”) not to condone, not to participate in, or otherwise support an unjust offer or policy complemented by the additional responsibility (what he called an “imperfect duty”) of beneficence. This responsibility of beneficence is not merely the option to give charity, O’Neill stresses, even though it is also not a matter of legal obligation. Like “perfect duties” of justice, it rests upon a well-reasoned respect for individual autonomy and an analysis of the institutional causes of suffering.²⁰

Thomas Pogge also favors this kind of argument for motivating cause responsibility over direct appeals to sympathy, charity, and beneficence. He rejects the idea that citizens in rich countries are bystanders to global poverty. On the contrary, he argues that they often are deeply implicated in global poverty through their participation in and [through](#) the benefits they derive from harmful global economic institutions and practices. The more they participate in and benefit from the current global economy, the more they perpetuate and aggravate global economic inequality.²¹ But merely knowledge of the causal roles played by the international trading and borrowing privileges accorded by rich countries to authoritarian regimes will not be enough to make everyday bystanders take their political responsibilities more seriously. There are too many

uncertainties about the relative weight of national and cosmopolitan cause responsibilities for this rational argument to motivate those who think of themselves as innocent bystanders.

Regardless of whether one prefers a Humean, Lockean, or Kantian explanation for the sentiments of justice and beneficence, LaFollette and May are correct that one purpose of all these philosophical theories is to motivate those who do have responsibilities for suffering and violence to recognize these responsibilities and begin to act upon them. Arguments for why cause responsibility has this motivational force have thus far proved insufficient.

Simulation. Consider the virtual refugee camp sponsored by *Médecins Sans Frontières*. It is a series of images from a tour of a refugee camp in which “you” are asked questions like “Where will I live?” “Where will I find water?” “Where will I find food?”²² Then, we are faced with wide-eyed and hungry children, puzzled and sad, but not covered with flies or bellies swollen. We sympathize with them immediately, and we can “learn more.” Bystanders can tour the camp and simulate what it is like to witness the hardships of internally displaced persons, exiles, and other refugees who are fleeing severe violence. Like other simulations, this one offers bystanders a way to better understand the plight of refugees and test various strategies for helping them before the work actually begins. As we click deeper into the hypertext, eventually we can “learn more about food aid,” including how to get it and how much to get. The needs for nutritional balance can be quantified. Shipments can be estimated. Arrangements can be made. We are cautioned that we must not forget the refugees: “above all listen to their opinions and allow them to describe their needs.”

Something very important has happened on this virtual tour. The simulation begins by addressing us as potential refugees (“Where will I live?” “What if I get sick?”). We are encouraged to identify with parents desperate to find food for their hungry children. However, as

Formatted: Indent: First line: 0.5", Don't adjust space between Latin and Asian text



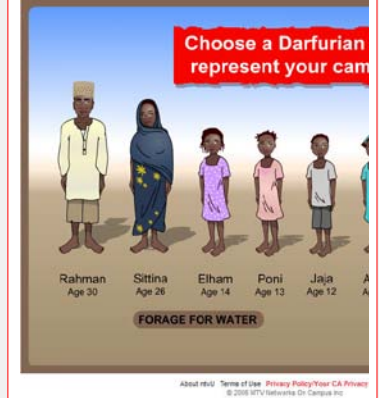
we search for information, we discover that this is not about us, but about “them.” We gradually become the representatives of agencies responsible for medicine, food, and clean water. We are there to help the refugees. We have identified and sympathized, and now we are asked to step back and help fix this problem.

A more interactive video game that also simulates life in a refugee camp is the MTV game *Darfur is Dying*. Like the *MSF* virtual tour, there is an attempt to lead the player toward greater activism and engagement, specifically with regard to the genocide in Darfur.²³ The first move is to choose a victim and then try to outrun the Janjaweed. If “you” are a young girl, then you are quickly caught and probably raped. If you want, you can try again, only to be caught and raped again. When you do resign yourself to life in the refugee camp, it proves to be not much better. Then, after glimpsing the fear and frustration that defines life in Darfur, the player can watch an interview with a Darfurian who breaks down in tears. Finally, if you are finished impersonating the virtual characters in the game, you can take real action by sending a message to the President or your Congressional representative. There are instructions for starting a divestment campaign on your own college campus or submitting a new game of your own to MTV. You also can play the games that were awarded runner-up prizes.

Darfur is Dying has received considerable publicity; however, as a video game it is not technically sophisticated. It is not so much a game as it is an interactive virtual experience of genocide. No matter which character you choose, you always end up suffering ignominiously. Consequently, *Darfur is Dying* is not likely to persuade those who do not already feel that they have an obligation to “take action.” It is more likely to offend by trivializing the suffering victims are facing in Sudan and nearby refugee camps. The *MSF* web site and others like it, appeal more directly to sympathy, particularly sympathy for the individual child. Simulations

Formatted: Indent: First line: 0.5", Don't adjust space between Latin and Asian text

Deleted: ¶



trade on the apparent fact that the face of one suffering child is more likely to motivate a response by donors than the face of many,²⁴ even if the face makes them viscerally uncomfortable as it does for many of the viewers of the media advertisements of Operation Smile featuring tearful infants and young children with cleft palates.²⁵ This is both the strength and weakness of simulations. They may evoke a powerful sympathetic response, but they also objectify the suffering children and situate the viewer on the outside looking in. Without more common ground between them, the only relationship available to the donor and the child is the apolitical relationship of emergency rescue.

Reenactment. Simulations like the ones I have described above are sophisticated training films. They are designed to prepare the viewer to respond efficiently and effectively to difficult situations, sometimes without warning.²⁶ The flight simulator remains the archetypal form of a simulation. The danger, of course, is that the algorithms built into the simulation condition a narrow-minded, arguably single-minded response that is not open to revision, let alone democratic deliberation. They are uncritically and sometimes unwittingly taken on faith, thereby creating what Sherry Turkle has called a de-politicizing “culture of simulation”²⁷

The purpose of a dramatic reenactment is to create a political space for critical self-reflection and political dialogue. The emphasis is not on speed, sympathy, and conditioned response, but rather a reenactment is designed to slow things down so that assumptions (like the algorithms of the simulation) can be questioned. Reenactments can certainly shock their viewers with larger than life faces of suffering children. This is one way to free them from the assumptions they may be holding uncritically, at least initially. But, if a reenactment is to prompt greater self-reflection on the political responsibilities which expatriate employers of household workers, international adoptive parents, and donors to orphanages in poor countries have for the

Deleted: they do

Deleted: .

Deleted: ¶



Formatted: Font: (Default) Arial, 9 pt, Font color: Custom Color(RGB(1,130,178))

democratic political education of children in these situations, it has to be more open-textured than a training film whose goal is fiercely defined in advance, and it cannot rest content with the evocation of sympathy. A deeper connection or bond must be built.

To illustrate, let me compare two film reenactments of children caught in difficult situations not unlike the ones I have described more generally above. The first is the film *Holly* (2007) about a young adolescent Cambodian girl, Holly, sold into prostitution by her economically desperate parents. Holly is befriended by an aimless American expatriate who takes it as his mission to rescue her from the clutches of a series of violent abusers and exploiters. The second film is *Cautiva* (2005), the story of a fifteen-year-old Argentinean teenage girl, Cristina, in 1994 who is suddenly forced by the state to leave her adoptive parents on the grounds that they had illegally obtained her during the “Dirty War” in the mid-1970s when her parents were executed by the military junta. Neither film presents itself as a documentary, but the practices they dramatize are historically well-documented. While *Cautiva* evokes a powerful feeling of sympathy for its main character, it is not as effective as *Holly* in building a more lasting bond between children like Holly and its viewers.

In *Cautiva*, Cristina gradually learns through the help of a politically enlightened fellow-student and the kindness of her surviving biological grandmother and aunt, that her adoptive parents were well aware of the fate of her biological parents and intentionally hid from her all of the facts of her adoption. When she confronts them with this, her adoptive father reacts violently and berates her for her political naiveté. She has no idea, he shouts, of the threat the country was under from communists like her biological parents. He and his wife not only rescued her from a personal life of ruin, as a police officer he helped to rescue the country from the likes of her parents.

Deleted: 15

The judicial system surreptitiously removes Cristina from her middle class adoptive parents and initially appears authoritarian, but it is her adoptive parents, who gradually become the villains of the story as Cristina learns the truth. Is it fair, director Gaston Biraben asks, to force an adolescent to confront her true personal identity in order to correct the larger political record? The answer seems to be that you can have it both ways. Cristina learns to live with her true historical identity and Argentina can settle accounts with one of the more unsavory parts of its “Dirty War,” the state-sanctioned kidnapping of the orphans of the disappeared.

Deleted:

In fact, the historical record is more complex. As efforts have been made to reunite surviving members of the biological families of the disappeared with orphaned children like Cristina, some children have chosen to remain with their adoptive parents and some adoptive parents have sought compromise arrangements with the surviving biological families.²⁸ *Cautiva* portrays this legacy of violence against children in a Manichean way and Cristina’s political agency falls out of the picture. Instead of asking, pursuant to Article 12.1 of the CRC, what role these orphaned adolescents who are coming of age in a post-authoritarian democracy should play in the creation of their society’s collective political identity, *Cautiva* continues to treat them as wards of the state. The difference is that the state is now benevolent. There is no sense of responsibility to educate Cristina and her cohort so that they can play an active role in Argentine public life. The assumption of *Cautiva* is that if the children of the Disappeared are told the truth in a compassionate way, eventually they will return to their extended biological families and the nation will be whole.

Deleted: should

What makes *Cautiva* unnerving initially is the shock that someone could grow up not realizing that the adults she thought were her biological parents actually had collaborated with the government that killed her parents. However, once this initial shock wears off, the story of

rescue rings hollow. There is nothing left to talk about for viewers who might otherwise suspect that their own collective political identity has been built on fear—whether it is the fear of communism or more recently the fear of a worldwide terrorist network.

Holly, on the other hand, turns a story of rescue into a story of political coming of age. Where Cristina learns the political history of her family but does not become a more active political agent in her own life, director Guy Moshé takes Holly's story in a very different direction. Throughout the film, Holly's would-be rescuer, Patrick, repeatedly gets physically and emotionally too close to Holly for the viewer's comfort. Whether it is lifting her up from behind by the waist to pick fruit from a tree, resisting her explicit overtures to be his wife so he can take her with him back to the United States, or rinsing himself off in the shower after almost succumbing to his own carnal desire for her pre-pubescent body, the director does not shy away from pressing the viewer to confront Patrick's confusion and emotional immaturity. Patrick fails, somewhat melodramatically, and Holly is left to fend for herself, but the story is not only one of Holly's tragic fate. It is primarily a story about the misguided altruism of rescuers like Patrick and their complex mixed motives that they only dimly understand themselves. Saving Holly by "taking her back to the U.S." is a metonymic device for representing a variety of other seemingly less drastic forms of foreign adoption. The viewer who initially wants Patrick to succeed is gradually encouraged to question what other alternatives should there be for children like Holly in her native country. By indulging his own desire to 'have' Holly, Patrick has only satisfied a transient and self-destructive desire of his own? He attacks one of Holly's attackers and is quickly taken into custody. By reenacting the rescue narrative rather than simulating a successful rescue mission, *Holly* prompts the viewer to go a little slower next time. The non-governmental

organization Red Light Children which the film is affiliated with provides opportunities for viewers to donate to educational and residential programs in-country for children like Holly.²⁹

Conclusion. The moral and legal status of children's rights are no longer seriously in doubt. This does not mean that everyone agrees on exactly what they are. For example, the acceptance of the most recent Optional Protocols for the CRC that explicitly prohibit the use of child soldiers and the abuse of children through organized prostitution and pornography are heavily qualified country by country. However, whatever the reservations and qualifications about these protocols may be, they are still qualified acceptances. Similarly, whether children's rights are justified on the basis of human needs, interests, or liberties, their moral status in general is not in question. Childhood, as distinguished from adulthood, has its own moral imperatives and ends. In UNICEF's 20th anniversary edition of *The State of the World's Children*, the authors claim that "to fulfill the rights of children, it is imperative to protect childhood as a period that is separate from adulthood, to define a time in which children can grow, learn, play and develop."³⁰

This same report, however, does not shy away from the gap between aspirations and achievement. The actual state of the world's children is still a matter of grave concern. Despite the progress that has been made since the *Convention on the Rights of the Child*, there isn't an area of the health, education, and welfare of the world's children that does not still require attention. In this context it may seem misguided to emphasize the participatory rights of children when there are so many other grave unmet needs. The underlying assumption of this essay on the rights of children to a democratic political education is that without this participatory right for children and the motivation to realize it, the abuses and violence children like Holly and Cristina suffer will continue to afflict them and their children.

¹ By political education, I mean an education in power and participation, not what modern political science calls political socialization or what liberal political theory describes in terms of an education for autonomy and tolerance. See Stephen L. Esquith, *Intimacy and Spectacle: Liberal Theory as Political Education* (Ithaca, NY: Cornell University Press, 1994). A democratic political education is an education in the dynamics of power and violence that prepares citizens to generate, hold, and distribute political power fairly and limit the effects of violence.

² Benefit responsible parties are sometimes described as bystanders, but this is an complex term which I avoid using here despite its importance for the general notion of political responsibility. See Stephen L. Esquith, *The Political Responsibilities of Everyday Bystanders* (University Park, PA: Penn State University Press, 2010).

³ Peter Singer, *The Life You Can Save: Acting Now to End World Poverty* (New York: Random House, 2009) and Jeffrey D. Sachs, *The End of Poverty: Economic Possibilities for Our Time* (New York: Penguin, 2005). Also see Jennifer Rubenstein, "Distribution and Emergency," *Journal of Political Philosophy*, 2007, vol. 15, pp. 296-320.

⁴ Jeffrey Gettleman, "Children Carry Guns for US Ally, Somalia," *New York Times*, June 13, 2010.

⁵ See David Miller, *National Responsibility and Global Justice* (New York: Oxford Press, 2008).

⁶ Sharon LaFraniere, "Africa's World of Forced Labor, in a 6 Year-Old's Eyes," *New York Times*, October 29, 2006.

⁷ Thomas Pogge, *World Poverty and Human Rights* (Malden, MA: Polity Press, 2002) and Richard W. Miller, *Globalizing Justice: The Ethics of Poverty and Power* (Oxford University Press, 2010).

⁸ Daniel Butt, "On Benefiting from Injustice," *Canadian Journal of Philosophy*, Vol. 37, no. 1 (March 2007), pp. 129-52.

Deleted: 37(1):

⁹ For an interesting critical contrast of these two types of patrons see the film *Holly* (2007) produced by the K11 Project as part of its Redlight Children's Campaign. <http://www.redlightchildren.org/films.php>

¹⁰ Douglas A. Blackmon, "From Alabama's Past, Capitalism and Racism in a Cruel Partnership," *Wall Street Journal*, July 16, 2001, A1. Also, see Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia: University of South Carolina Press, 1996).

¹¹ Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Doubleday, 2008), p. 396.

¹² Andrea Freidus, "Raising Malawi's Children: Unanticipated Outcomes Associated with Institutionalised Care," *Children & Society*, vol. 24, no. 4 (June 2010), pp. 293-303

Deleted: , 24(4):

¹³ Meintjes H, Giese S. 2006. Spinning the epidemic: the making of mythologies of orphanhood in the context of AIDS. *Childhood*, vol. 13, pp. 407-430.

Deleted: :

¹⁴ For example, Sally Haslanger and Charlotte Witt, eds., *Adoption Matters: Philosophical and Feminist Essays* (Ithaca, NY: Cornell University Press, 2005).

¹⁵ John Blagbrough and Edmund Glynn, "Child Domestic Workers: characteristics of the Modern Slave and Approaches to Ending Such Exploitation," *Childhood*, vol. 6 (1999), pp. 51-56.

Deleted: 6:

¹⁶ Shaziah Wasiuzzaman and Karen Wells, "Assembling Webs of Support: Child Domestic Workers in India," *Children & Society*, vol. 24, no. 4 (June 2010), pp. 282-92.

Deleted: 24(4):

¹⁷ For example, see the story of Jacqueline Dembelé ("Madame Urbaine) who has developed an education program for young domestic workers. <http://apowerfulnoise.com>.

¹⁸ Hugh LaFollette and Larry May, "Suffer the Little Children" in William Aiken and Hugh LaFollette, eds., *World Hunger and Morality* (New York: Prentice-Hall, Inc., 1996). On Hume's original conception of sympathy, see Philip Mercer, *Sympathy and Ethics: A Study of the Relationship between Sympathy and Morality with Special Reference to Hume's Treatise* (Oxford: Clarendon Press, 1972).

¹⁹ Onora O'Neill, "Ending World Hunger" in T. Regan (ed.), *Matters of Life and Death* (New York: McGraw Hill, 1993), p.264.

²⁰ O'Neill, "Ending World Hunger", p.269. For O'Neill's discussion of imperfect obligations to children in particular, see her "Children's Rights and Children's Lives," *Ethics*, April 1988, vol. 98, no. 3, pp. 445-63.

Deleted: (

Deleted:):

²¹ Consistent with his emphasis on institutionally mediated causal responsibility, Pogge also has written that "with a better understanding of the role global institutional factors play in the persistence of severe poverty, many would take this problem much more seriously...." "Assisting" the global poor,' *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee (New York: Cambridge University Press, 2004), p.280.

²² <http://www.refugeecamp.org/refugeecamp.htm>

²³ "In partnership with the Reebok Human Rights Foundation and the International Crisis Group mtvU launched the Darfur Digital Activist Context, an unprecedented competition bringing together student technology and activism to help stop the genocide in Darfur ... *Darfur is Dying* is a narrative-based simulation where the user from the perspective of a displaced Darfuri, negotiates forces that threaten the survival of his or her refugee camp. It offers a faint glimpse of what it is like for the more than 2.5 million who have been internally displaced by the crisis in Sudan. <http://www.darfurisdying.com/aboutgame.html>

²⁴ Paul Slovic, "'If I look at the mass I will never act': Psychic Numbing and Genocide," *Judgment and Decision Making*, vol. 2 (2007), p. 3.

Deleted: :

²⁵ <http://www.operationsmile.org/>

²⁶ The distinction between simulations and reenactments is developed in more detail in Chapter 4 of *The Political Responsibilities of Everyday Bystanders*.

²⁷ Sherry Turkle, "Virtuality and Its Discontents: Searching for Community in Cyberspace," *The American Prospect*, Winter 1996, vol. 7, no. 24 (1996), pp.50-57.

Deleted:

Deleted:)

Deleted: :

²⁸ Laura Oren, "Righting Child Custody Wrongs: The Children of the "Disappeared in Argentina," *Harvard Human Rights Journal*, Spring 2001, vol. 14. HLSHRJ@law.harvard.edu

²⁹ A documentary film, *Red Light*, by Guy Jacobson and Adi Ezroni, provides the background for *Holly* and information for those interested in political lobbying on this issue. See <http://www.redlightthemovie.com/index.html>.

³⁰ *The State of the World's Children*, Special Edition (New York: United Nations Children's Fund, 2009), p.2.