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**Lost in Translation: How KESEMPATAN Project  
Ignores Rural Complexities of Child Labour in  
Agriculture Setting in Indonesia**

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## List of Acronyms

BAPPENAS	<i>Badan Perencanaan Pembangunan Nasional</i> (Abbreviation: MoNDP)
ILO	International Labour Organizations
IPOA	Indonesian Palm Oil Association
JARAK	<i>Jaringan LSM Penanggulangan Pekerja Anak</i> /The NGOs Network for Elimination of Child Labour
KESEMPATAN	<i>Kemitraan Strategis untuk Menanggulangi Pekerja Anak</i> /Strategic Partnership to Overcome Child Labour
LSM	<i>Lembaga Swadaya Masyarakat</i> /Non-Governmental Organizations
NGO	Non-Governmental Organizations
PAACLA	Partnership Action Against Child Labour in Agriculture
SANTAI	<i>Yayasan Tunas Alam Indonesia</i> /Indonesia Universe Bud Foundation
UNCRC	United Nations Child Rights Convention
UNICEF	United Nations Children's Funds

## **Abstract**

This study examines a policy approach to eliminating child labour that impacts the process of social exclusion, using a case study of the KESEMPATAN project as a policy intervention in Indonesia that focuses on eliminating child labour in the agricultural sector. Various concepts of child labour and social exclusion were used in this study, with the following research question: What are the limitations and constraints of the KESEMPATAN project's approach to tackling child labour in agriculture that results in the social exclusion of working children? This question was addressed through document analysis and interviews with five informants from KESEMPATAN stakeholders, including NGOs, the Government, and the Business Sector. The findings of this study reveal that the abolition of child labour policy in KESEMPATAN was derived from a global context that adopted a formal/industrializing set of regulations that overlooked the actual agricultural working conditions that have shifted into the informal/domestic work sector, thereby impacting the rationalities that tend to produce stereotypical and problematic perceptions of child labour. Exploring the limitations of this policy approach helped argue that the KESEMPATAN approach leads to the trapping of children in the structural process of social exclusion; children are excluded from state social protection, societal participation, and valued work. In conclusion, these findings lead to a need for future research: a new policy framework must recognize the agency of children and consider the social factors that influence their experiences, which implies leaving behind a universal solution and recognizing the various contexts in which child labour takes place. As child labour is a structural issue, such as poverty and lack of education, policy interventions should also be directed and linked to these underlying factors.

## **Keywords**

Child labour; Agriculture; Social Exclusion; Indonesia

# Chapter 1 Introduction: Child Labour in Indonesia's Agriculture Sector

The number of child labourers worldwide remains high. According to the International Labour Organization (ILO) (2020), there are 160 million child labourers worldwide, and child labour accounts for almost one in ten of all children worldwide. In Indonesia, as per the above definition, many children can be considered child labourers. The survey on child labour by the *Badan Pusat Statistik* (BPS), the Indonesian Statistical Bureau (2009), states that 6.9% of children between the ages of five and seventeen were considered working children. More precisely, 43.3% of the working children were classified as child labourers. Among these child labourers, 20.7% worked more than 40 hours a week, which is deemed hazardous for children (Badan Pusat Statistik & ILO, 2010).

Of the high numbers of child labourers in Indonesia working in various sectors, agriculture involves many child labourers. According to the Indonesian Children Labour Survey (*Survei Pekerja Anak Indonesia*) in 2009, among four million children aged 5-17 years, there were 1.7 million child labourers. Of the total number of child labourers, around 58% work in the agricultural sector, such as forestry, plantations, and fisheries, while the rest work in the service (24%), manufacturing (7%), and other sectors. The reason behind the enormous number of child labourers in the agricultural sector is that agriculture is a strategic economic force for Indonesian development, and it has become a source of life for more than one hundred million people covering a third of the land, with an average contribution of IDR 332 trillion per quarter since 2010 (PAACLA, 2020).

The ILO's (2000) studies on child labour in agriculture recognized the physical harm arising from working in agriculture. Working in this sector is associated with an elevated risk of hazardous chemical exposure and poor working conditions. Children working in agriculture are exposed to toxic chemicals, extreme temperatures, dangerous machines, and lifting and carrying heavy objects (Andrina *et al.*, 2021:1). According to the ILO (2009), child labour in agriculture is mainly found in tobacco plantations, which are labour-intensive and capital-intensive crops in which many farmers use children as cheap labour. Some of these children are forced to work because of their poor economic status (*ibid*).



The emergence of child labour in Indonesia is due to poverty and unemployment. These factors drive children to help their parents make money by working, with many opting to work in factories because of the high demand in the industrial sector, which meets children's willingness to be paid cheaply (Ramdan *et al.*, 2022:82; Suyanto, 2010:113). Similarly, for assorted reasons, such as poverty, child labour has also begun to emerge in the Indonesian agriculture sector. The International Fund for Agricultural Development (2011) shows that approximately 70% of the Indonesian population relies heavily on the agricultural sector. Most live in the rural regions, where according to Kharisma (2017:3), 16.6% of rural residents experience poverty compared to 9.9% of residents in urban areas, indicating that rural regions are more likely to experience poverty. As a result, millions of small farmers, agricultural labourers, and fishers are physically and financially unable to take advantage of economic growth opportunities.

To ensure the protection of children's rights, Indonesia has laws and regulations to guarantee children's rights and reduce the impact of child labour. One of these is Law No. 20 of 1990 concerning the ratification of ILO Convention Number 138 regarding the worst forms of child labour. Another example is Law No. 1 of 2000 concerning the ratification of ILO Convention No. 182 regarding the minimum age of employment. In addition, the Republic of Indonesia's Decree Minister of Manpower and Transmigration No. Kep. 253/MEN/2003 regulates the types of work that endanger the health, safety, or morals of children. Article 74, paragraph 3 of the Indonesian employment law states that companies that employ children are subject to certain obligations (Angelia, 2022:383).

Responding to child labour in Indonesia's agriculture, JARAK (*Jaringan LSM Indonesia Bebas Pekerja Anak*/NGOs Network for Elimination of Child Labour) launched a project named KESEMPATAN that operated in 2019-2023. KESEMPATAN here is short for *Kemitraan Strategis untuk Menanggulangi Pekerja Anak*/Strategic Partnership to Overcome Child Labour. However, the word *kesempatan* itself refers to opportunity or chance in English. Supported by the Eliminating Child Labour in Tobacco Growing (ECLT) Foundation, a foundation that works to bring together stakeholders against child labour in the tobacco growing supply chain, KESEMPATAN claimed to involve several stakeholders associated with Partnership Action Against Child Labour in Agriculture (PAACLA), which is "an organization developed by stakeholders at the national level; representatives from government, Non-Governmental Organizations (NGOs), and the business sector legitimized by The Ministry of

National Development Planning (BAPPENAS) to make a collective effort to achieve the goal of Indonesia being free of child labour in the agricultural sector, as well as contributing to national development, Sustainable Development Goals (SDGs), United Nations Guiding Principles on Business and Human Rights (UNGPs), and Children's Rights and Business Principles (CRBPs)" (PAACLA, 2018:2).

For the aim of eliminating child labour in agriculture, KESEMPATAN runs the program by raising awareness of the harmful of child labour to *"encourage both children and parents to not only receive the benefits of prevention, but the community is also encouraged to become active actors by having awareness of the risks associated with child labour"* (KESEMPATAN, 2020:1). According to KESEMPATAN (2020:2), the stakeholders involved in the project are the government, namely The Ministry of National Development Planning, The Ministry of Manpower and Transmigration, and The Ministry of Women Empowerment and Children Protection, the business sector, non-governmental organizations (NGOs), and the JARAK and Indonesia Universe Bud Foundation. These stakeholders collaborated in developing KESEMPATAN and coordinated the program to run effectively. The KESEMPATAN project not only targets child labour in agriculture, but also parents, farmers, communities, and local governments that run in two locations in Indonesia: East Java and East Nusa Tenggara.

The KESEMPATAN project brings together a variety of stakeholders to tackle the issues of child labour in agriculture. Non-governmental organizations (NGOs) and community groups actively participate in preventive measures by disseminating information, providing direct assistance to children engaged in hazardous labour, and establishing networks for targeted interventions. They also closely monitored child labour activities to ensure that effective interventions were promptly implemented.

Simultaneously, government agencies and local leaders play a crucial role in enacting legislation aimed at protecting children's rights and preventing exploitative labour practices. They oversee government programs to ensure that preventive measures and interventions are implemented at both central and local levels. They also advocate for educational opportunities for all children and support mechanisms for impoverished families to alleviate the economic pressures that drive child labour. Private sector companies are also an essential component of the initiative, instituting codes of conduct, conducting awareness campaigns, and actively monitoring child labour to provide necessary support services.

Children's forums will focus on carrying out awareness together in peer groups to build empathy and solidarity among children, as well as organizing relevant activities to achieve these goals. Last, but most important, is the involvement of parents in this effort. They are expected to actively utilize community-based media to ensure the negative impact of child labour in agriculture, collaborate with other parties to campaign for the elimination of child labour, and form associations with parents concerned about this matter.

Together, these stakeholders collaborate to develop a comprehensive approach to combat child labour in agriculture. KESEMPATAN recognizes the multifaceted nature of the issue and the importance of coordinated efforts across sectors.

## **1.1 Problem Statement**

Despite sharing certain common characteristics within their groups, such as their dependence on others for survival and their susceptibility to age-based discrimination, children are not a homogenous group and vary in many ways (White, 2014:11). The old-school field of childhood studies used to view child development as a natural state; consequently, their needs were studied and defined within that context. More recently, social science research has contested this idea, asserting that childhood is fundamentally a social phenomenon embedded in the social and cultural contexts that surround development (ibid). Consequently, they must have been subjected to social differentiation shaping their existence: children from high-income families will not have the same lived experience as children from marginal families; boys will be expected to have different household chores compared to girls.

Work has consistently been an inherent part of children's lives and has progressed through various stages of societal development. White identified two compelling reasons why child labour continues to persist in the modern world. "First, it appears that the widespread involvement of children in economic activity is not a feature of preagricultural societies, but a relatively recent development in human social evolution. Second, while economic development and the spread of education may have put an end to full-time child employment in some countries, it has not removed children from the world of work, or from labour markets" (White, 2014:12).

However, the type of work performed by the children also changes over time. Motivation, expectations, remuneration, and intensity all evolve. In the agriculture sector, particularly among smallholders and landless peasant households that need to seek a balance of subsistence, relying on their production in the family labour force is unavoidable. They need to achieve what Chayanov argues is a ‘Labour-Consumer Balance (Van Der Ploeg, 2014:33), where the number of available workforces in a household and consumption level should achieve equilibrium. Therefore, in this type of household, children are expected to contribute their labour to ensure that a basic livelihood is achieved.

We all agree that no individual should be subjected to exploitation and detrimental working conditions or denied opportunities for basic rights such as economy, education, and social welfare, regardless of their class, age, race, gender, caste, religion, and so on. Thus, working people and social movements around the world are mostly advocating for the fulfillment of decent working conditions and basic rights as human beings. However, historically, the issue of child labour has been exceptional. This has been addressed through the goal of complete abolition, instead of the betterment of working conditions, through blanket prohibition, or other policy interventions. This prompts a contentious debate about why child labour is uniquely addressed through specific laws, rather than focusing on eliminating discrimination against them in the workplace (White, 1994:887).

In this research paper, KESEMPATAN is perceived as part of a policy intervention in Indonesia, the aim of which is to abolish child labour in the agricultural sector by raising awareness among employers about its adverse impact. This approach claimed to effectively “encourage both children and parents to not only receive the benefits of prevention but the community is also encouraged to become active actors by having awareness of the risks associated with child labour” (KESEMPATAN, 2020:1). According to the Ministry of National Development Planning, there is an urgency related to the nature of Indonesia’s agriculture, which has become a tradition of letting children work. The Ministry claimed that the high number of child labourers in the agricultural sector was due to this problem. Consequently, the farming community must be fully aware of this traditional view to make Indonesia free from child labour.

However, based on the evaluation results for 2019-2023, KESEMPATAN has failed to raise children’s and adults’ awareness of child labour in agriculture. The Smeru Research

Institute (2021) reported a study on children in tobacco plantations in KESEMPATAN project locations with 500 households. This report shows that there is a different perception of child labour, because children are unaware of the harmful effects of child labour in agriculture and the need to eliminate them. Both children and adults believe that children can work under the legal age to work. Moreover, adults were more likely to feel that their children were capable of working. Interestingly, very few children think that children's work leads to negative impacts (Andrina *et al.*, 2021:55). In addition, according to the initial data, KESEMPATAN duty bearers revealed that such different perceptions occurred because of the legal term of child labour, which is not in line with current children's work in agricultural situations. Their experiences as duty bearers showed the impact of child labour perception on the effectiveness of the approach determined by the KESEMPATAN project, in this case, the approach of raising awareness of child labour in agriculture.

This failure to achieve the complete abolition of child labour is again not unique in the journey of regulating child labour, as shown by the comparison study of White (1994) between The Netherlands and Indonesia's case as a former colony. However, this research paper does not attempt to explain why the abolitionist approach is somehow haunted by the lack of success. Instead, it would problematize the approach by KESEMPATAN, which, I assume, is irrelevant, problematic, contradictory, and ignorant, leading to the social exclusion of working children.

I assume that the work of children in most smallholders to landless households in the productive agriculture sector is an avoidable part of achieving subsistence level or other needs. A comprehensive study by White (2012) in Kali Loro from 1972 to 2005 sheds light on the changing patterns of children's work in both productive and reproductive sectors. In the past, "the school system was in some ways adapted to the needs of households, which depended on work inputs from their children." He further explained how normal it is for a local school regulation to adapt local practices of everyday life aimed at accommodating working children: "*A local regulation of the education authorities in that part of Kulon Progo district even provided a flexible week's holiday, announced as soon as the first rains arrived in October or November, to allow children to help in planting the first maize crop; this prevented children of poorer households from falling behind during this busy period while their better-off friends could afford to remain in school*" (White, 2012:89).

During this era, engaging in productive work and attending school are not inherently contradictory, nor are they viewed as a means of generating income, particularly for disadvantaged and marginalized households. Despite this, White observed a shift in this trend over time due to external factors such as improvements in education. However, empirical data still reveal the prevalence of child labour in agriculture, making it a topic that remains relevant today as it continues to be subject to regulation, including what this paper discusses (the KESEMPATAN Project).

Although it can be difficult to distinguish between working children and child labour, many children are currently involved in economic activities that fall under the child labour category (Omokhodion *et al.*, 2005). The ILO Convention also describes the most comprehensive international definition of the minimum age, and this refers to “economic activities” (Oktavianti and Nahdah, 2021:155; Setiawan and Wardianti, 2020). Moreover, “child labour” has come to be associated with abuse and harm to children and is now a loaded word used by the ILO, trade unions, governments, and many academics. Therefore, there is no juvenile equivalent for phrases such as “adult labour,” “women’s labour,” “farm labour” and so on, which are used in both ordinary and technical contexts without necessarily implying issues or harm (White, 2012:83; Lieten and White 2001:10).

KESEMPATAN also has an intrinsic understanding that resonates with Indonesian laws regarding child labour adopted from the UNCRC, ILO, and other institutions perceived as child labour. It argues in its documents “We define children as individuals under the age of 18, following the definition UN Convention on the Rights of the Child (UNCRC)” (Hermanus *et al.*, 2021:6), as well as based on three concepts of age, working hours, and the nature of work by defined by ILO. (Statistics Indonesia, 2009:9; ILO, 2009). KESEMPATAN also views child labour in tobacco plantations as harmful work because it is not safe to come into direct contact with tobacco leaves, and these children mostly work for employers, not for families (Hermanus *et al.*, 2019; Andrina *et al.*, 2021:56).

Based on this discussion, I hypothesized that numerous factors led to the failure of the KESEMPATAN approach in this study. First, the KESEMPATAN project report reveals different perceptions of child labour, which reflects a lack of understanding of children’s working conditions in agriculture. Children often believe that they can work under the legal age limit because they perceive their work as not harmful. Secondly, in addition to overlooking the working conditions of children, the KESEMPATAN approach also disregards

their agency. Raising awareness of child labour based on this approach assumes that all child labour is the same, which can lead to the social exclusion of working children in agriculture. This is because the work done by children in the agriculture sector is diverse and difficult to regulate with a single, universal rule.

In carrying out this research, the focus will be on examining problematic aspects. This will be done considering the issues created by the KESEMPATAN project. Specifically, there are three points of concern: 1) The definition used by KESEMPATAN assumes that all child labour is the same, regardless of the laws and regulations that are applied. This approach is problematic because it does not consider the unique perceptions, conditions, or motivations of working children in agriculture. 2) KESEMPATAN reproduces the assumptions of child labour, which creates a complicated situation by excluding certain groups of children from society. 3) These issues are compounded by the fact that KESEMPATAN does not consider the specific needs and circumstances of working children in agriculture.

## **1.2 Research Question**

Based on a case study of the KESEMPATAN program, this research seeks to explore the following:

***What are the limitations and constraints of the KESEMPATAN project's approach to tackling child labour in agriculture that results in the social exclusion of working children?***

## **1.3 Relevance to Development Studies**

This topic is relevant to development studies as it sheds light on KESEMPATAN as a policy intervention in Indonesia to protect child labour in agriculture from harmful exploitative work and to obtain their rights. This research paper suggests that a top-down policy that ignores local contexts will implicate the social exclusion problem that leads to marginalization. Moreover, this paper elaborates on how child labour in agriculture is perceived in child labour policies in Indonesia to regulate various forms of work conducted by child labour in agriculture. The concept of child labour implies the need for scholars to research the importance of perceiving it in the actual context to prevent the production of policies that create problems.

# **Chapter 2 Conceptual Frameworks: Child Labour and Social Exclusion**

## **2.1 Introduction**

This chapter discusses two relevant conceptual frameworks: child labour and social exclusion. These concepts form the basis for understanding the approach of the KESEMPATAN Project, which aims to eliminate child labour in agriculture by raising awareness. To describe the concept of child labour, this paper will explain the definitions in universal terms used by the ILO and UNCRC; the terms adopted in Indonesian laws, regulations, and definitions used in KESEMPATAN; and the historical view of the child labour approach. With the aim of this research paper to examine KESEMPATAN's approach, this chapter will also discuss debates on these concepts. Finally, because the approach of KESEMPATAN indicates creating social exclusion, the variety of social exclusion to child labour concepts will also be discussed in this chapter.

## **2.2 Child Labour: Definitions and Approach**

ILO defines child labour as “work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development.” This refers to works that are dangerous and harmful to them mentally, physically, socially, or morally, and that interfere with their education by denying them the chance to attend class, forcing them to leave early, or making them try to balance attending class with unduly demanding and lengthy work. Meanwhile, the United Nations Convention on the Rights of the Child (UNCRC) defines children based on their age. According to UNICEF (n.d.), UNCRC defines a child as everyone under 18 unless, “under the law applicable to the child, majority is attained earlier” (“II. The Filipino Child and the Adolescents – Studocu”).

It is important to address the definition of child labour by the ILO in this research paper because Indonesian laws and regulations regarding child labour as well as the statistics bureau have adopted this definition. In the lens of history, in 1973, the ILO adopted Minimum Age Convention No. 138 regarding the minimum age of employment admission that shall not be less than the completion of schooling, in this case, 15 as the minimum age for



children to work and a minimum of 13 with exceptional conditions of light work and limited time. At the 87th Annual International Labour Conference on June 17, 1999, the ILO Member States unanimously adopted the ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182) (Noguchi, 2002:355). 26 years after the ILO issued this convention, in 1999, Indonesia ratified these two conventions to its National Law number 20 in 1999.

Looking at contemporary Indonesian legal terms for child labour, the definition used by Manpower Law No. 13 of 2003 is based on the three concepts of ILO No. 182 (Minimum age) and ILO No. 138 (The Worst Forms of Child Labour). This law defines the type of work that is allowed or not allowed for children as follows: 1) Children aged 13-15 years are allowed to do light work for a maximum of three hours a day; 2) children aged 14 years are allowed to work as part of the education curriculum or training; 3) children are allowed to work to develop their talents and interests, with a maximum working time of three hours a day; and 4) children under 18 years are not allowed to work in the Worst Forms of Child Labour (WFCL).

In the case of KESEMPATAN, this project uses the definition of a child by the UNCRC, which is based on children's age determined as everyone under 18 years old, and several other definitions to describe child labour from law and regulation. The first is the definition used by the International Labour Organization and Statistic Indonesia/*Badan Pusat Statistik* (BPS). It is based on three concepts: age, working hours, and the nature of work (Statistics Indonesia, 2009:9; ILO, 2009). Second, the definition used by Manpower Law No. 13 of 2003 is based on the three concepts outlined by the ILO and BPS, which define what kind of work is allowed for children. Third, the Ministry of Manpower used this definition. This ministry defined forms of work that are acceptable to children (Ministry of Manpower and Transmigration, 2005:10; ILO, 2005).

Table 1 Definitions of Child Labour from ILO, Law, and Ministry which adopted into the KESEMPATAN Project

<b>International Labour Organization and Statistic Indonesia/ <i>Badan Pusat Statistik</i> (BPS)</b>	<b>Manpower Law No. 13 of 2003</b>	<b>Ministry of Manpower</b>
1. All working children were aged 5-12 years, regardless of the nature of their jobs.	1. Children aged 13-15 years are allowed to do light work for a maximum of 3 hours a day.	1. Helping parents with simple tasks, the objectives of the work environment are practice, instruction, and training, and children continue to attend and register in the school.
2. Children aged 13-14 years who worked for more than 15 hours per week.	2. Children aged 14 years are allowed to work if it is required for their training or education and for up to 3 hours a day to develop their interests and talents.	2. The work is done during the child's free time or for a brief time.
3. Working children aged 15-17 years who worked more than 40 hours per week.	3. Children under 18 years are not allowed to work in the Worst Forms of Child Labour (WFCL).	3. The children's health and safety were ensured.

Sources: ILO (2009) in Statistics Indonesia (2009:9), ILO (2005) in Ministry of Manpower and Transmigration (2005:10)

The variety of sources of child labour definitions adopted by KESEMPATAN is important to acknowledge because, in this research paper, I describe how the KESEMPATAN project perceives child labour, which creates different perceptions among children and parents who work in the agricultural sector, such as the perceptions of children can work under the legal age and how harmful the work that is done by children is.

Considering the problem of different perceptions of child labour in KESEMPATAN, it is in fact that the terms of child labour have been debated in previous

studies. One of them revealed that the term child labour can create connotations of exploiting children for cheap labour and harming their safety, health, and future (Nandi, 2001:3). Richard Rothstein (1994) in Bessell (1999:353) also stated that “child labour is represented a homogenous phenomenon that is inhuman and necessarily abusive” and it is problematic to represent all forms of child labour in this way, as it only serves to blur the crucial differences between them that lead to unrealistic campaign and policy responses that can be extremely harmful to the children involved. Moreover, research and practical experience also indicate that laws and initiatives regarding child labour predicated on naive or excessively broad assumptions are likely to be ineffective (Myers, 1999:17).

Concerning the KESEMPATAN approach to child labour, there is one debate that this research paper also focuses on that explained by White (1994:851); “*Child labour laws and regulations (and the various concern organizations lobbying for their enactment or enforcement) have historically defined such ideas as “child”, “labour”, and the “workplace” to reflect several common arguments or assumptions that have persisted despite the persistence of dissenting voices.*” This debating quote explains how policies, specifically focusing on the abolitionist approach, look at work outside factories (helping parents inside a home, unpaid work, or work in small-scale business) as more acceptable work than work in factories. While the two kinds are included as working children, such policies tolerate working children outside factory conditions and are controversial because this kind of policy takes sides with a group of working children among the others.

Moreover, the characteristics of ‘harmful works’ and less strict regulations to allow children to work in a family business are never stated in the ILO Convention. Looking at the core definition of work, it is defined as all economic activities both paid and unpaid work, or in and outside the home, which is debatable for some children that are working part-time, and seasonal work is considered as not harmful and would not be considered “child labour” (Bourdillon *et al.*, 2009:107).

Historically, responses/approaches to child labour have become a concern, since poverty and underdevelopment are the main causes of child labour persistence. Evidence shows that developed countries employed many children in all types of jobs during the development period. Development continued to diminish when the number of children under a certain age was extended. Therefore, general economic improvements in the affected countries, upgrades to their educational systems, and initiatives to raise awareness of the need for

change are necessary for the steady removal of unacceptable labour by people too young to perform it (Swepston, 1982:579).

Hence, the concept of child labour in this research paper is important for understanding how KESEMPATAN and current Indonesian laws perceive child labour. In addition to addressing the problem of different perceptions in the KESEMPATAN project, existing debates on child labour terms also need to be acknowledged, as I will discuss how the KESEMPATAN approach of eliminating child labour in agriculture by raising awareness potentially harms children through an irrelevant and ignorant approach to working children's conditions and assuming them in one homogenous definition that leads to social exclusion.

### **2.3 Social Exclusion on Child Labour**

To empirically answer the hypothesis that the KESEMPATAN approach eliminates child labour in agriculture by raising awareness of harmful child labour failure, which leads to social exclusion, I used the concept of social exclusion proposed by Levitas et al. (2007). According to Bradshaw (2004) in Crous and Bradshaw (2017:1), the term “social exclusion” or “sociale exclusion” first appeared in the French discussion of poverty and living standards in the 1990s. After several attempts to operationalize social exclusion in empirical research, Levitas et al. (2007) eventually created a “working definition” of social exclusion in the study of the Bristol Social Exclusion Matrix (B-Sem): *“a complex and multidimensional process. It involves the lack or denial of resources, rights, goods, and services, and the inability to participate in normal relationships and activities available to the majority of people in a society, whether in economic, social, cultural, or political arenas. It affects both the quality of life of individuals and the equity and cohesion of society as a whole”* (Levitas et al., 2007:25).

This definition does not address the fundamental problems of inequality, polarization, social mobility, and social closure. Instead, this definition is a purposeful structure that makes it easier to investigate how exclusion manifests itself or has an impact on individuals and/or households (Levitas et al., 2007:25).

Early proponents contended that it offered a more structural and dynamic view and broadened the definition of poverty beyond metrics based solely on income or spending to

encompass multidimensional disadvantages. In this study, existing sources of multidimensional disadvantage or severe forms of social exclusion from The UK Poverty and Social Exclusion Survey 2015 analysis of families with children and The UK Cabinet Office’s investigation of multidimensional social exclusion throughout the life course, including young people, were reviewed. To examine the life course, Levitas et al (2007:10), in the study of Bristol Social Exclusion, grouped the framework into three domains that consist of ten sub-domains, as follows:

Table 2 Frameworks of Social Exclusion

<b>Resources</b>	<b>Participation</b>	<b>Quality of Life</b>
Material/economic resources	Economic participation	Health and well-being
Access to public and private services	Social participation	Living environment
Social resources	Culture, education, skills, political and civic participation	Crime, harm, and criminalization

Source: Levitas et al (2007:10)

The concept of social exclusion discussed above is significant for application in the case of the KESEMPATAN project approach. This research paper explores the multidimensional process of social exclusion, beginning with the lack of resources (rights, goods, and services) and participation (relationships and activities available to most people in a society), which affects quality of life (equity and cohesion of society as a whole).

I hypothesize that the different perceptions of child labour in the KESEMPATAN project indicate a lack of knowledge regarding the working conditions of children in agriculture and ignorance of children’s agencies. This is because children think their work will not hurt them, and they frequently think they can work under legal age limits (Andrina *et al.*, 2021:55). Raising awareness by assuming child labour in one homogenous definition could exclude other types of work done by children; however, these children will be excluded from state protection services because of the lack of working conditions in the state’s agricultural knowledge and denying children’s agency to work. This is also reflected in the concept of social exclusion proposed by Rene Lenoir (1974), as cited in Cvejić and Bogdanov (2011:5),

Social exclusion refers to individuals and groups of people who were administratively excluded from state social protection systems (such as uninsured unemployment, single parents, and physically impaired).

Excluding children from state social protection services also indicates the lack of availability of working children in agriculture to participate in social as well as economic participation. In the case of working children in smallholder landless households, children work in the productive agriculture sector as an avoidable means of meeting their requirements, whether for subsistence or something else. A thorough investigation conducted in Kali Loro between 1972 and 2005 by White (2012) provides insight into the evolving trends in children's labour in the reproductive and productive sectors. Burchardt (2000) in Alston & Kent (2009:93) referred to social exclusion as the inability of people to participate in key activities in society through their lack of fault (Burchardt, 2000 in Alston & Kent, 2009:93). This indicates that children will be excluded from social participation to perform key activities in society due to poverty.

In terms of economic participation, the lack of understanding of the changing trends in child labour in the reproductive and productive sectors by the state leads to the exclusion of children from value production/remunerated work. The KESEMPATAN project report 2019-2019 shows that earning income is the main motivation for child labourers to work on tobacco plantations, and in fact, children did contribute to the economy by doing so (Andrina et al., 2021:56). However, the initial data from the KESEMPATAN project implementation show that children still need to be regulated under existing laws that prevent them from working in any kind of job, even if they contribute to the economy. This case is like a study conducted by Olga Nieuwenhuys (1996), who criticized current child labour policies as related to this case. Nieuwenhuys (1996) stated that current policies view children as a vulnerable group, so the production of value for working children is not seen in child labour policies, which, in the end, are excluded from the production of value.

Therefore, the multidimensional social exclusion concept is significant in discussing the failure of the KESEMPATAN project approach that leads to social exclusion. This concept helps to analyze different forms of exclusions that affect child labour in agriculture's quality of life through the process of lack of resources and participation produced by the KESEMPATAN Project.

# Chapter 3 Methodology

## 3.1 Research Design

This study used a qualitative method. A qualitative method enables detailed analysis of people's experiences by utilizing a particular set of research techniques, such as in-depth interviews, focus group discussions, observations, content analysis, visual approaches, and life histories or biographies (Hennink *et al.*, 2020:10). The methodology used in this research was an in-depth interview. This methodology is suitable for this research because it explores the experiences of KESEMPATAN project stakeholders who have worked closely with child labour in agriculture to realize the program's goals, namely: 1) JARAK and SANTAI as duty-bearers to facilitate children's awareness; 2) the Ministry of Women's Empowerment and Children's Protection and the Ministry of National Development Planning as policymakers; and 3) IPOA as government policy advocators. Despite the respondents that have been mentioned, however, this research has the limitation of not involving any children's experiences as data; therefore, the experiences of KESEMPATAN project stakeholders used as representatives of children's voices that implicated this research are still based on adult perspectives.

The three main secondary datasets used in this research include the KESEMPATAN project's report 2021, KESEMPATAN's project report 2019-2023 conducted by The Smeru Research Institute, a variety of contemporary Indonesian laws regarding child employment, and the International Labour Organization (ILO) policy dialogue report. I observed these main secondary data, which were later triangulated with the primary data that I received from the interviews. To analyze and understand the implications of the KESEMPATAN approach, I used several concepts, numbers from the thesis, and journals.

## 3.2 Respondents

Snowball sampling was used to identify interviewees. Snowball sampling is one of the most frequently used sampling techniques in qualitative research, and is based on the principles of networking and recommendation. It often begins with a limited number of initial contacts invited to participate in the research because their backgrounds and specialties

are correlated with answering the research questions. The willing participants are then requested to suggest further contacts who also potentially fulfil research requirements and may be willing participants who, in turn, suggest additional volunteers, and so on (Parker *et al.*, 2019). However, I acknowledge the limitations of snowball sampling. First, it is commonly used by qualitative social researchers (particularly interviewers and ethnographers) as a non-random sample method, where generality, representativeness, and external validity are not desired (Parker, 2019). Therefore, in this research, I only attempted to reach the representatives of each sector involved in the KESEMPATAN project to select non-random samples. To illustrate, I started to contact my connection, the leader of *JARAK*, the NGO involved in the KESEMPATAN project, as a duty bearer to raise children's awareness. Subsequently, the first interviewee was asked to suggest relevant candidates for the next interview.

My respondents were from three sectors involved in the KESEMPATAN project: Government, NGOs, and Business Sector. The relationship of each sector in the program was created from a partnership action established and regulated by The Ministry of National Development Planning of Indonesia in 2018, namely the Partnership Action Against Child Labour in Agriculture (PAACLA). PAACLA applies a multi-stakeholder partnership approach; KESEMPATAN is one such project. Therefore, these five respondents collaborated and had experience with child labour in an agricultural situation.

My first respondent is the leader of the NGOs *Jaringan LSM Indonesia Bebas Pekerja Anak*/NGOs Network for Elimination of Child Labour (JARAK). This NGO works as a community representative and duty bearer of the KESEMPATAN project with the responsibility of carrying out preventive activities by publishing information, communication, and education media; providing direct assistance to child labour regarding the worst forms of child labour; building networks at central to regional levels for developing interventions for child labour to receive direct intervention; and monitoring child labour to provide direct intervention. My first interviewee referred me to another NGO, *Lembaga Swadaya Masyarakat Tunas Alam Indonesia*/Indonesia Universe Bud Foundation (SANTAI). SANTAI has the same roles and responsibilities as JARAK, but it works in various locations (West Nusa Tenggara); thus, it broadens the perspectives on the condition of each child's labour in each location.



The other two respondents were representatives of the government: the Assistant Deputy of Special Protection in the Ministry of Women Empowerment and Children Protection and the Head of the Employment Division of the Ministry of National Development Planning, which has the role of creating legislation related to the fulfilment of children's rights and intervention efforts against child labour and the worst forms of child labour, carrying out supervision to both the central and local governments to ensure prevention programs and direct intervention on child labour and the worst forms of child labour; and the government should be encouraged to direct the program to access education for all children and interventions for poor families.

In the beginning, I gained access to The Ministry of Women's Empowerment and Children's Protection from my first interviewee (*JARAK*) because both sectors collaborated in PAACLA. This respondent was relevant because the deputy of special protection in this ministry was the division that created legislation for children's protection. Therefore, seeking information on the policy and regulation of child labour from this respondent is appropriate for triangulating data on limited practices in the KESEMPATAN Children's Forum. Afterward, because I would like to explore KESEMPATAN's objective of eliminating child labour in agriculture, this respondent referred me to the head of the employment division in The Ministry of National Development Planning, who can provide data regarding child labour in agriculture in Indonesia, as well as its policy and regulations. Finally, one representative of the head of the human resource development department business sector is the Indonesian Palm Oil Association (IPOA). I interviewed the head of the human resource development department in this association after I interviewed The Ministry of National Development Planning to explore their experiences with child labour conditions in palm oilfields.

Conducting interviews with the respondents, I asked them about their preferences and whether they were willing to have their names and backgrounds openly published in this research or preferably to be anonymous respondents. Five respondents were willing to share their identities, positions, and roles in the programme, except for their names. I also attempted to simplify the discussion in this research by simply mentioning their positions and roles by classifying them with specialized letters and numbers in the text into codes. I refer to two government officials as "GOV1" and "GOV2," two Non-Governmental Organizations as "NGO1" and "NGO2," and one Business Sector as "BS1." More detailed participant profiles are provided below.

Table 3 Participants of Research

No	Participants	Time	Nationality	Code
1.	Leader of the <i>Jaringan LSM Indonesia Bebas Pekerja Anak</i> /NGOs Network for Elimination of Child Labour (JARAK) - National Secretary of Partnership Action Against Child Labour in Agriculture (PAACLA) Indonesia	14-08-2023	Indonesia	NGO1
2.	Assistant Deputy of Special Protection of Children - The Ministry of Women Empowerment and Children Protection (MoWECP)	23-08-2023	Indonesia	GOV1
3.	Leader of Indonesia Universe Bud Foundation (SANTAI)	25-08-2023	Indonesia	NGO2
4.	Head of Human Resource Development Department - The Indonesian Palm Oil Association (IPOA)	31-08-2023	Indonesia	BS1
5.	Head of Employment Division – The Ministry of National Development Planning (MoNDP)	01-09-2023	Indonesia	GOV2

What should be highlighted about my respondents is that this study did not involve children. I tried to reach child labour as a potential respondent via *JARAK*; however, they were informed that it was difficult to communicate with their children online. Other than that, they also informed me that it was part of children's protection. Therefore, from their side, there is no way they can connect me with children, and by that, for this research: 1) I do not hear the voices of children, 2) By protecting the children, they do not allow them to

speak. The implication of speaking on children's behalf is that I did not get the perception of the children, and this research is based on adults' perspectives.

### **3.3 Method of Data Collection**

The primary data for this research were gathered from in-depth interviews with respondents who worked on the KESEMPATAN project. As stated earlier, I chose an in-depth interview because the objective of my research paper is to understand people's experiences; therefore, this method is appropriate. According to Burges, an in-depth interview is like a conversation, and it is important to have a conversation with people to conceive of their experiences (Burges, 1982, as cited in Ritchie and Lewis, 2003). All interviews were conducted online because of consideration of geographical reach, accessibility, and schedule flexibility. Five of my respondents were in Indonesia and one was in the village of Lombok West Nusa Tenggara, where access to be presented is difficult. In addition, the scheduling flexibility of every informant to be interviewed offline is incompatible with the required research process time. Because of the online interviews, participant selection was based on participants who were able and comfortable with an online platform. Therefore, it is difficult to reach children, as, according to JARAK, it is difficult to connect with children through online media platforms.

At the beginning of each interview, I asked for their willingness and consent to be interviewed through zoom meetings and to be recorded in the data transcript. I also described the purpose of conducting this research to ensure that all respondents are aware that the information they share will be used as a data source. The guidelines for the interview questions were the same for every respondent, but I used different approaches to the way I interviewed, especially for respondents from the government, as they asked for a list of questions beforehand so that they could answer the questions effectively. The question I formulated was based on the information I received from the 2021 KESEMPATAN project report, KESEMPATAN 2019-2023 project reports by The Smeru Research Institute, its social media platform, and its website.

The first question concerned the vision and mission of KESEMPATAN's project establishment. For both governments, other than asking about their experiences with child labour, my questions revolved around contemporary policies. For the NGOs, as project duty

bearers who have been working closely with children, I asked about their experiences of working to implement the KESEMPATAN project enforcement, the actual child labour conditions, their difficulties in selecting the audience for the awareness forum, and their implications for child labour. How do children's perceptions of child labour and how are their voices treated. Finally, for the business sector, as the government's policy advocates, they explained my questions regarding working children's conditions, which are mostly found in the field in which this experience is important to consider when examining actual child labour conditions.

### **3.4 Method of Data Analysis**

The primary data from the interviews were transcribed, divided into categories, and translated into English. The division of categories in my data was based on each respondent's experience in collaboration with children while giving them awareness of child labour in the KESEMPATAN project. The secondary data used in this research are KESEMPATAN's update project 2019-2020, which contains the project's profiles, and SMERU Institute's research report (2021), which consists of KESEMPATAN project report documents for 2019-2021, Indonesian laws regarding child labour, journals, and theses. I received information about these documents from my respondents as they suggested that I need to look for additional information regarding this project.

First, I read these documents to understand KESEMPATAN's project profiles; its objectives of eliminating child labour; recent child labour in agricultural conditions; laws and regulations on child labour claimed by the KESEMPATAN project; and what this project responds to, thereby raising children's awareness. Second, as I went through the KESEMPATAN project report evaluation from 2019-2021, this project has limitations in achieving its goals. The report shows that many children are still unaware of what child labour is because of the different perceptions of the concept of child labour proposed by the KESEMPATAN project and how children reflect on themselves. From this observation, I would like to explore this project's awareness of raising awareness of child labour through KESEMPATAN stakeholders' experiences during its implementation to study its limitations. Third, as I delved into journals and papers, I learned that sometimes the current policies of child labour misinterpret children who work in agriculture, leading to some implications, such as putting children in a vulnerable position and excluding them from many forms.

The analysis in this research started with secondary data, which includes the report document of KESEMPATAN, the KESEMPATAN project's report 2019-2023 conducted by The Smeru Research Institute, some current Indonesian laws regarding child employment, and the ILO policy dialogue. From there, I observed KESEMPATAN's project objectives and the frameworks of current laws and regulations regulating child employment. After that, I triangulated the data with the primary data from the interviews I conducted, my observations of the interviews, and lastly, I used several theses and journals to support my analysis.

### **3.5 Limitations**

I acknowledge that the limitation of this study is sufficient data collection owing to the number of respondents and data generation from online interviews. Children in the KESEMPATAN project as the main potential respondents, I could not reach them because of the difficulties in accessing digital media in the online format, as well as the form of child protection obligated by JARAK as the duty bearer. Therefore, I obtained children's perspectives from the representatives of JARAK and SANTAI on behalf of these children. In addition, I found limitations in the communication dynamics through online interviews. I interviewed NGOs that openly shared detailed information on recent children's participation in the forum. After that, I interviewed the government and business sector; however, the responses were not at the same rate as NGOs, as they shared slightly different information. Moreover, Online interviews reduced my ability to observe body language and facial expressions, so I found gaps in answering all my initial questions.

## **Chapter 4 Findings and Analysis: Unpacking the Rationale of the KESEMPATAN Project Approach**

Before delving into the experiences of KESEMPATAN project duty bearers' distinctions in how child labour is perceived within the KESEMPATAN project and the exclusion that arises from such perceptions, it is essential to comprehend the rationale behind the project's goals. KESEMPATAN claims that eliminating child labour by raising awareness of its harmful nature is an effective solution for Indonesia's agricultural sector. The project contends that the best way to accomplish this is by raising awareness among child labourers and their parents about the hazards associated with their work, which is suitable for encouraging children and their parents in agriculture to not only receive the benefits of prevention but also encourage them to become active actors through awareness (Kesempatan, 2020:1).

However, adopting a blanket approach to represent all forms of child labour is problematic (as Rothstein (1994) highlights, as cited in Bessell, 1999:353). This approach obscures the nuanced distinctions among them, which can lead to unrealistic campaigns and policy interventions that may have detrimental consequences for children who are trapped in the complex web of labour exploitation (ibid). Thus, it is crucial to examine the substantive reasons for the elimination of child labour, as advocated by policymakers. Additionally, a thoughtful evaluation of the current state of child labour in the agricultural sector of Indonesia is necessary. This chapter provides a forum for exploring these viewpoints and the urgency that drives the pursuit of such policies.

### **4.1 The Urgency to Eliminating Child Labour in Indonesia's Agriculture Sector**

On August 18, 2021, a policy dialogue was held by the International Labour Organization (ILO) attended by the Ministry of National Development Planning/BAPPENAS, the Ministry of Women's Empowerment and Children's Protection, and the Ministry of Manpower, the primary labour ministry. During the dialogue, Valerie Juliand, the UN Resident Coordinator for Indonesia, emphasized the significance of considering low-income workers and their families, as the pandemic has exacerbated the pressure on children from these households to engage in employment, and those who do work often put in longer hours (ILO Policy Dialogue, August 18, 2021). From this policy dialogue, it can be concluded that

the ILO has previously set the goal of eradicating child labour in all forms and proposed delegating Indonesian ministries to achieve this goal by 2025. The concern was strengthened due to a pandemic that could pressure children from low-income families to be involved in employment, or in other words, child exploitation.

In line with the response of GOV2 in the interview I conducted, eliminating child labour was a measure to uphold several global agreements. Although GOV1 did not specifically mention the ILO, other international agreements were mentioned, such as 1) Sustainable Development Goal (SDG) No. 87, which calls for immediate and effective action to eradicate forced labour, end modern slavery and human trafficking, and prohibit and eliminate the worst forms of child labour, including the recruitment and use of child soldiers, by 2025; and 2) the United Nations Guiding Principles on Business and Human Rights (UNGPs on BHR) document, which requires states to protect against human rights abuses within their territory and/or jurisdiction by third parties, including business enterprises, by taking appropriate steps to prevent, investigate, punish, and redress such abuses through effective policies, legislation, regulations, and adjudication (United Nations, 2011:3). Beyond that, as a representative of policymakers in KESEMPATAN, GOV2 also reflects on the state of agriculture in Indonesia, where it was revealed that a considerable number of children are employed. This indicated that apart from BAPPENAS's commitment to supporting SDG No. 87 and a series of rules to fulfil international agreements, BAPPENAS is also aware of the condition of agriculture in Indonesia as a sector that involves a high number of children, as well as the nature of agriculture in Indonesia that has become a tradition.

Concerning the nature of agriculture in Indonesia, the respondents from JARAK and SANTAI (NGO1 and NGO2) voiced similar concerns. They indicated that agriculture in Indonesia is labour-intensive, requiring a significant amount of both household and wage-based labour for production. According to them, the impact of intensive labour may perpetuate the involvement of children in the agricultural sector, necessitating policy intervention. Employing impoverished farming households, who often view children as an investment, is a practice that cannot be avoided. According to them, this type of practice could be hazardous if it persists. It can cause children to be employed on behalf of agriculture "tradition;" therefore, NGO1 stated that there needs to be awareness among farming communities to discern genuine traditions and practices that involve child labour.

*“Poor families or business sectors often argue what the children do is not part of the job, rather children are helping their parents as part of their responsibility of being their children. For us, this is a problem because culture is like a trap for children. Normalizing children to work as part of the culture brought some chances for children to work overtime at night or during school time, work with heavy tools, and so on” - (NGO1)*

From the discussions of KESEMPATAN’s stakeholders’ viewpoints on the urgency of eliminating child labour in agriculture, it can be concluded that the objective of eliminating child labour originates from a set of international agreements that Indonesia is obliged to follow. In addition to international agreements, the nature of Indonesia’s agriculture, such as labour-intensive practices, has become a tradition that has affected many child labourers in the agricultural sector. This tradition could involve children in work, especially for impoverished farming households that see children as an investment. The continuous perspective of children as an investment will have an impact on children working in harmful environments, becoming trapped in tradition, and being exploited. Therefore, KESEMPATAN claims that it is necessary for the farming community to have full awareness of this traditional view and to be aware of the period when children are involved in work that violates the rules.

## **4.2 KESEMPATAN Policy and Contemporary Indonesian Laws Regulating Child Labour in Agriculture**

Understanding the urgency of eliminating child labour in agriculture by raising awareness of the harmful effects of child labour from KESEMPATAN’s stakeholders’ perspectives, it is also necessary to analyze the extent of the efforts of the KESEMPATAN project toward the seriousness of tackling child labour issues. This is important to avoid campaigns and policies that could lead to the detriment of child labour, as stated by Rothstein (1994) in Bessell (1999:353).

When previously the urgency to eliminate child labour in agriculture was due to the misinterpreted tradition of seeing children as an investment which harmful for children to get exploited, the KESEMPATAN project has differentiated the terms between “working children” (children who work) and “child labour” (children who are employed). According to The Smeru Research Institute (2021:6), KESEMPATAN refers to the term working children set out by The Ministry of Manpower Law No. 13 of 2023 articles 68 and 69: “Companies are prohibited from employing children” “children aged between 13 and 15 years can



be exempted from doing light work as long as it does not interfere with physical, mental, and social development and health” (The Ministry of Manpower, 2003, Law No. 13 of 2003, Article 68 & 69). Meanwhile, KESEMPATAN refers to child labour using the categories of children that have been regulated in the United Nations Convention on the Rights of the Child (UNCRC); “we define children as individuals under 18 years following the definition of UNCRC’ (The Smeru Research Institute, 2021:6). According to UNICEF (n.d.), UNCRC defines a child “as everyone under 18 unless under the law applicable to the child, majority is attained earlier” (“II. The Filipino Child and the Adolescents – Studocu”).

The representative of the Ministry of Women’s Empowerment and Children Protection (GOV1), one of the government bodies responsible for devising policies to protect children, has also identified tradition as the most significant obstacle to ending child labour in agriculture. When I mentioned the traditional issue in the interview, GOV1 explained that to tackle it, it is essential to implement policies that promote changes in long-standing agricultural practices, such as enacting regulations that restrict child labour within family settings.

*“There is a need to implement a policy, especially at the family level in agriculture, because at the village level, most of the businesses are family businesses. In the agricultural sector, children are the most involved, but they are involved at the family level.” - (GOV1)*

This indicates that the implementation of policies that are appropriate for children working at the family level is lacking. GOV1 explained that policies that promote agricultural practice change have been on the agenda for quite a long time, being aware of and formulated by policymakers. GOV1 mentioned, at least by the Ministry of Women’s Empowerment and Children’s Protection and the Ministry of Manpower, the primary ministries assigned for child labour in agricultural matters. Interestingly, GOV1 continued to reveal that the lack of existing child labour policies still faced challenges such as the appropriate definition of child labour.

GOV1 clarified that contemporary laws and regulations regarding child labour are based on the age of the child, which is the main factor allowing children to work in all forms, including doing light work that may not interfere with physical, mental, and social development and health, as stated in Law No. 13 of Article 69 of 2013.

*“The law that regulates child labour is limited by legal age, so all children under the age of eighteen are not allowed to even do light work, even for example just one hour per day. That is still categorized as working”*

-GOV1

Moreover, GOV1 explained that the regulation of legal age in contemporary Indonesian laws is intended for children who do productive work, or in other words, for children who are involved in the industrial sector/factory. Meanwhile, as discussed earlier, the nature of traditional agriculture and family-level work are the main problems regarding the condition of child labour in agriculture. The results of the Economic Social Survey (2019) show that approximately 1.96 million children aged 10-17 years are in the working group. This number reaches approximately 5.25% of the total population aged 10-17 years (37.29 million). Of the total working children, most child workers work in the informal sector. Susenas data from 2017-2019 shows that the percentage of working children who work in the informal sector is always above 70% (Satriawan, 2019:2). Therefore, GOV1 explained that there is a need to define child labour under the actual conditions of working children in agriculture, which is still one of the limitations of contemporary child labour laws and regulations in Indonesia.

Several points are highlighted here. KESEMPATAN sees that efforts to work with the urgency of eliminating child labour in agriculture must be supported by distinguishing between working children and child labour. KESEMPATAN has adopted terms from both Law No. 13 of 2013 and the definition of children by the UNCRC. There is a need for these distinct terms to support the actual condition of working children in agriculture and to eliminate any misinterpretation of tradition that allows children to work exploitatively. GOV1, as a stakeholder of KESEMPATAN, also recognizes the importance of implementing policies that promote long-standing agricultural processes.

However, the limitations of contemporary child labour policies persist. GOV1 revealed that, first, the legal age for children to work is inappropriate to support children in domestic/family level work that may be considered light work and may not interfere with children's physical, mental, or health. Second, Law No.13 of 2013 is intended for children who are involved in productive work; therefore, there is no existing legal law or legal term for child labour that appropriately works for the actual condition of working children in

agriculture. An expansion of the definition of child labour is still needed, especially in the agricultural sector.

### 4.3 Unpacking the Logic of the KESEMPATAN Approach

*“It is unthinkable that society, and above all the parents themselves, should be left in ignorance of the prerequisites for children's physical and mental development. National research institutes should also undertake and publish studies on the effects on the life and health of children of each of the occupations in the country concerned in which there is a preponderance of child labour, describing the actual conditions in which their work is performed.” (Mendelievich, 1979:567)*

The phrase above is a representation of how the first typology of child labour's global governance considers abolitionist schools. This school advocates the end of child labour in all forms as inherent exploitation and harm to the children it carries. They believe that strict laws are needed to protect children from being employed in the workplace and that the fulfillment of children's rights to education would be more important and strategic. Bessell (1999) argues that these proponents tend to ignore the realities of children in developing countries, where paid work is needed as a survival strategy due to poverty and other structural conditions.

Abolitionists' perspective is typically regarded as the pioneering force behind the first of the three waves of global child labour governance, as identified by Bessell (1999). This wave originated in industrializing countries such as Europe and the United States, concentrating on establishing standards and methods for eradicating child labour practices. In contrast, the second wave began in the late 1970s and was marked by the rise of protectionist schools, which aimed to improve working conditions, shield children from exploitation, and provide services such as healthcare and education. Finally, the third wave, which she categorized as the abolish-it-now school, emerged in the late 1990s, with a focus on the connection between child labour and global trade practices, particularly about global commodities. This wave aimed to immediately eliminate the practice of child labour.

Table 4 Wave of Global Labour Governance

The wave of global child labour governance	Description	Period	Proponents
First Wave	<ul style="list-style-type: none"> <li>• Started in industrializing nations of Europe and the United States.</li> <li>• Focusing on setting standards and regulation to abolish child labour</li> <li>• Dominated by the "abolitionist" school advocating for total abolition of child labour.</li> </ul>	Early 20th century to mid-20th century	International Labour Organization (ILO), Child Rights Organizations, Human Rights Activists
Second Wave	<ul style="list-style-type: none"> <li>• Focusing on improving working conditions, protecting children from exploitation, and providing services like health and education.</li> <li>• Dominated by the "protectionist" school advocating for addressing the immediate needs of working children.</li> </ul>	Late 1970s to 1990s	UNICEF, Save the Children, Child Welfare Organizations, Social Workers
Third Wave	<ul style="list-style-type: none"> <li>• Focusing on visible examples of exploitation and highlighted the link between child labour and global trade practices (especially for global commodities)</li> </ul>	Early 1990s to present	Government Agencies, Labour Unions, Development Organizations, Policy Makers

	<ul style="list-style-type: none"> <li>• Emerging early 1990s, known as “abolish-it-now” approach aiming for immediate elimination of child labour.</li> </ul>		
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Source: Bessell (1999)

In Indonesia, Bessell also views the transformation of child labour governance, which aligns with the global wave. She identified three waves of national policy to regulate this matter. The first wave’s period started in the initial period of Independent Indonesia, from 1945 to 1965, and was signified by the issuance and implementation of “the 1948 regulation” which aimed to completely prohibit the employment of children under the age of fourteen, clearly resonating and conforming to the abolitionist school.

Then, in the establishment of a new order of Suharto from the 1970s to 1990, the policy was directed to "provide protection for children compelled to work so as to assist in the improvement of the quality and safety of life," by issuing “the 1987 ministerial regulation.” This regulation allows the employment of children “under the age of 14 for up to four hours per day with the consent of a parent or guardian. Children were prohibited from working in specified occupations considered to be hazardous and at night and were to be paid according to minimum wage regulations” (Bessell, 1999:359). Some scholars argue that it is part of the strategy to attract investment by a new order regime by allowing them to employ child labour. However, Bessell believed that these arguments oversimplified the situation and context at the time. She argued that this regulation was a “transitional measure” for protecting children who remained in the workforce (ibid).

In the third wave, the governance of child labour was signified by the visibility of public and political agendas, both domestically and internationally. It includes the issue of global trading, which demands the ethical production of global commodities and implies the complete abolition of child labour. During this period, the Indonesian government adjusted its regulations “*First, in 1992 the Government permitted the ILO to establish a programme designed to end child labour in Indonesia. Second, the first draft of new industrial relations legislation, released in 1996, prohibited the employment of children under the age of fifteen. Third, the sixth official five year development*

*plan extended the period of basic education from six to nine years, to be fully implemented within fifteen year.”*  
(Bessell, 1999:363).

Table 5 Transformation of Child Labour Governance in Indonesia

<b>Wave</b>	<b>National Policy example</b>	<b>Period</b>	<b>Proponents</b>
First Wave	Coinciding with the initial period of independence, Indonesia’s newly formed state issued and implemented “the 1948 regulation” which aimed to prohibit the employment of children under the age of fourteen	Independent Indonesia: 1945-1965	Government of Indonesia
Second Wave	Issuing “the 1987 ministerial regulation” which aimed to "provide protection for children compelled to work so as to assist in the improvement of the quality and safety of life”.	Late 1970s to 1990s	Indonesian Government, Indonesian Child Welfare Organisation ( <i>Yayasan Kesejahteraan Anak</i> ), NGOs promoting child welfare
Third Wave	<ul style="list-style-type: none"> <li>• Child labour issue becomes visible on public and political agendas both domestically and internationally</li> <li>• More collaboration with the International Labour Organization (ILO) to abolish child labour.</li> </ul>	1990s to present	International Labour Organization (ILO), Indonesian Government, Advocacy Groups

Source: Bessell (1999)

The policy interventions outlined by Bessell indicate that the trajectory of child labour regulations in Indonesia has consistently been influenced by international dynamics. This can also be observed in the KESEMPATAN project, which I argue resonates with the third wave of child-labour governance in Indonesia.

In the previous chapter, I demonstrated that since the inception of this project, Indonesia has fully adhered to the ILO's primary objective of eradicating child labour. This approach represents a top-down policy mode in which the rationale is derived from global dynamics rather than more local context. The perception of KESEMPATAN's stakeholders interviewed in this research also **reflects the problematic rationale behind the project**, especially regarding child labour in Indonesia. They have shown a stereotypical and questionable view of child labour issues, overlooked the complex dynamics of poverty and neglected the broader socioeconomic factors that push families into such situations.

For instance, GOV1 and GOV2 see this problem as only a matter *of the tendency of marginalized families to treat their children as investments*. It is reasonable to question whether impoverished families completely disregard the logical consequence of sending their children to work instead of pursuing education, which is perpetuating cycles of poverty. Missing schools deprive children of the opportunity to acquire skills and knowledge that could help break the cycle of poverty for future generations. Moreover, even if poor families believe that child labour may provide short-term economic benefits, it is unclear how they may be unaware of the possibility of hazardous working conditions that could increase their children's chances of losing more than gaining. White's research in Kali Loro provides a clear example of how this policymaker's claim does not hold in marginalized households. White (2012) shows how the decline in the number of hours children engaged in paid work from 1970 to 2005 revealed that one of his respondents instructed his daughter to never miss school and seek a salaried job instead of helping him in the fields, as he aspired for her to have a better life than he did as a farmer. Therefore, their view of seeing "poor family tends to see children as an asset" is both stereotypical (as if it is only entitled to this group) and problematic.

Moreover, I would add that beyond poverty and inequality, realities in the rural world are also overly complex. White explains how children in rural contexts engaged in paid work due to a variety of reasons influenced by the changing lifestyle (which is mostly inspired by social media, television, advertisement, and etc), "reflecting new cosmopolitan interests" (White, 2012:93). This comprehensive study shows the various motivations that shape the realities of children's work. They do not solely engage in paid work simply because of the

compulsion of their poor life. As I have stated before a recent social science study on childhood has agreed to see the influence of “social” in shaping childhood. This means that motivation can be shaped by everyday life and society.

Additionally, GOV1's statement on the urgency of implementing a policy in the agriculture sector aimed at limiting child labour at the family level is problematic for several reasons. Child labour is linked to structural and cultural issues. Some marginalized families may depend on the labour of their children for survival. Without proper intention to address the root of inequality between agricultural households, like what Lieten (Lieten, 2014:27) referred to as a “comprehensive state-supported welfare system,” this will only lead to a perpetuation of poverty. A nuanced approach is needed to determine the children from which households should engage in policy processes. Treating all agricultural households in one village equally without considering their social differences could disadvantage impoverished households. This is reflected in the perception of duty bearers, who often view “marginalized households” as those who allow their children to work. Emerson (Emerson, 2014:3) stated that *“This view failed to consider the supply side of the equation—it did not examine the motivation of families to send their children to work. Implicitly it assumed that families were simply exploiting their children and that demand-side interventions would benefit those children. However, those who worried about the plight of poor families in low-income countries observed that these demand-side interventions **could end up further impoverishing the very individuals they were intended to help.**”*

In conclusion, my findings regarding KESEMPATAN’s perception of the rationale behind the KESEMPATAN project show problematic and stereotypical assumptions underlying their understanding of child labour issues, which may further harm marginalized families (those who are supposed to be helped). The intricate and challenging circumstances faced by children in developing countries such as Indonesia are sometimes overlooked. Pushing for abolition without considering the structural and cultural complexities underlying these situations would lead to the risk of oversimplifying the multilayered issue. It also tends to neglect the nuanced realities of children from marginalized households, where systemic inequalities and cultural norms play significant roles in shaping their interests, experience, decisions, and motivation of engaging in ‘work’ itself.



## **Chapter 5 Research Findings and Analysis: Social Exclusion in the KESEMPATAN Approach**

After discussing the rationale of the KESEMPATAN approach in the previous chapter, this chapter explores the experiences of duty bearers and the business sector in the implementation process. The experience of these participants occurred in socialization forums where duty-bearers were tasked with raising awareness of harmful child labour for the targeted children and parents. My aim is to explore the experience of duty bearers to learn the actual working conditions of working children in agriculture, and to analyze the actual conditions that indicate that the KESEMPATAN approach also reproduces forms of social exclusion to child labour in agriculture.

### **5.1 Misperceptions of Child Labour Lead to the Exclusion of Social Resource**

During the three years that the KESEMPATAN project has been implemented, the outputs from The Smeru Research Institute (2021) on the KESEMPATAN Project 2019-2021, show that there are different perceptions regarding child labour among KESEMPATAN duty bearers, children, and parents. Children were unaware of the harmful effects of child labour in agriculture and the need to eliminate them. Both children and parents believed that their children could work under the determined legal age, and parents were more likely to feel that their children could work during that age. Surprisingly, a few children perceived that their work could have negative effects (Andrina *et al.* 2021:55).

From the data above, two different perceptions can be analyzed in the KESEMPATAN project implementation during that period. First, there is a legal age limit for children and harmful work done by child labour. After discussing the claims of KESEMPATAN's stakeholders in the previous chapter, one problem that needs to be highlighted is that GOV1 has expressed that Indonesia does not yet have a legal term to define child labour, and still relies on the definition in the existing laws that are based on age and refers only to formal workers in industrial/formal sectors, while according to KESEMPATAN's stakeholders, the urgency to tackle child labour in agriculture lies in Indonesia's agricultural sector, which is based on tradition and family setting. Of the two resources (law and KESEMPATAN stakeholders), KESEMPATAN stakeholders are aware

of working children's conditions in agriculture; however, the limitation is that the law does not apply to actual conditions.

White (1994:851) stated that *“child labour laws and regulations (and the various concern organizations lobbying for their enactment or enforcement) have historically define such ideas as “child,” “labour,” and the “workplace” to reflect several common arguments or assumptions that have persisted despite the persistence of dissenting voices.”* In addition, Nieuwenhuys (1996:239) stated that the International Labour Organization has created and disseminated child labour laws, which many nations have now either ratified or implemented in a modified form. However, there are many ramifications—laws unjustly associated with child labour, excluding a vast array of non-factory jobs. Hence, knowing that there is a misperception regarding the harmful nature of child labour and the legal age of children safe to work, as well as forms of non-factory work in the current agricultural system, I interviewed KESEMPATAN duty-bearers to determine facts about child labour conditions and analyze the impacts of existing assumptions in the form of a project approach that creates social exclusion.

In the interview, I first sought confirmation of the different perceptions in the KESEMPATAN project report 2019-2021. This was confirmed by NGO2. NGO2 shared the experience when at that time the duty bearers worked to provide awareness in the project’s forum about the harm of child labour. NGO2 admitted that duty bearers often found many children who did not understand what child labour perceived by KESEMPATAN, and they did not even understand the aims and objectives of the duty bearers/NGOs of the KESEMPATAN project came to their villages. Although some of the children were willing to receive information about the harm of child labour, some agreed with the information conveyed in the forum. However, many children and parents disagreed because they mostly did not feel that their work was exploitative like what has always been conveyed in the forum. Therefore, the KESEMPATAN approach commonly received poor responses from children and parents, and many of them chose not to participate in the forum anymore.

From this discussion, it can be concluded that the misperception of the legal age to work and harmful child labour in the KESEMPATAN approach is a top-down regulation system. Therefore, this project’s approach failed to create a bottom-up regulation system by raising awareness of the actual needs of child labour or simply raising general awareness of child labour. Looking at the outputs of the KESEMPATAN project 2019-2021 shows that many children did not feel their work included was harmful, as well as the experience of

NGO2, which pictured many children being clueless towards the aim of the KESEMPATAN project approach, this approach has not yet addressed the actual need for child labour. Therefore, instead of raising awareness to eliminate child labour, this enforcement complicated the situation.

This complicated situation can be seen from the perspective of the social exclusion process introduced by Levitas et al. (2007), where one of the frameworks introduced is the denial of resources. In the case of the KESEMPATAN approach, they denied that working children, especially those working in informal sector/reproductive sectors, would obtain social resources from the state. The fact that the KESEMPATAN approach assumed child labour that failed to meet the actual working conditions and needs of children implies that children chose not to be included in the awareness forum because they did not feel that the forum activity was appropriate. Therefore, the KESEMPATAN approach excluded child labour from state social protection. It is in line with what Rene Lenoir (1974), as cited in, Cvejić and Bogdanov (2011:5) referred to social exclusion as individuals and groups of people who were administratively excluded from state social protection systems.

Still, in a framework of social resources, an interesting story comes from NGO1, which pictured that a father addressing the KESEMPATAN approach does not support parents in educating their children working in the agricultural sector. At that time, one of the audience members in the forum was a father who often taught his children to pick up dry leaves. According to NGO1, the father perceived his child was not in any harmful situation at all because picking up dry leaves is not included as a dangerous process, such as putting leaves in the oven or burning processes that the father is aware of the actual dangerous work task for children. The father continued to complain about the regulation that children under 18 years old are not allowed to work because children are usually taught to work starting from a young age, and if they are only allowed to work after the age of 18 years, the father perceives that it is too late and usually young people above 18 years already have a desire to choose a job other than working in the agricultural sector. NGO1 showed that this case was a dilemma felt by the duty-bearers, as explained below:

*“For us, this is a dilemma too. On the other hand, we are aware of the importance of education farming, but on the other hand, we are also required to follow the regulations that children under 18 years are not allowed to work in any form” - NGO1*

Based on the perceptions of harmful work according to KESEMPATAN in the Smeru Research Institute (2021), child labour is mostly involved in tying fresh tobacco leaves before the drying process and in untying dried tobacco leaves, which is considered dangerous because of contact with fresh tobacco leaves (Hermanus *et al.*, 2019 in Andrina *et al.*, 2021:56). From both perceptions from the father and the KESEMPATAN approach regarding harmful work in tobacco plantations, it is shown that the KESEMPATAN approach does not provide resources for children to get an opportunity to obtain farming education from their parents nor provide training public services that support the education. Moreover, a policy that chooses chronological age as the standard for assessing psychological and biological development rejects the social and cultural connotations associated with regional age-classification schemes. More precisely, it downplays the need to expose children to conventional jobs or artistic crafts at an early age, which might be vital for their socialization (Nieuwenhuys, 1996:239).

## 5.2 Exclusion on Social Participation

Highlighting the condition where children chose not to participate in the awareness forum provided by KESEMPATAN because children felt it was not appropriate, NGO1 revealed in the interview that when the awareness forum takes place, the audience can vary greatly and tends to underrepresent child labour in agriculture. NGO1 explained that this was also related to the impact of differences in perceptions regarding child labour and poor responses from children and parents to the KESEMPATAN project.

*“When children are gathered in a forum to provide awareness, the children who attend are not representatives of child labour, but rather the children of village elites who already understand the dangers of child labour.” -NGO1*

NGO1 further discussed that when there are different perceptions of child labour, selecting target audiences for the forum will also be problematic. At this time, they assumed child labour while picturing conditions such that they were trapped in poverty and forced to work to help their parents, forced not to attend school, and abandoned their other essential rights. A forum that enforces awareness of child labour, as in KESEMPATAN, is clearly not a top priority for children with such conditions. Imagine that when they must work all the time, they will not have the spare time to participate in this forum. Apart from their spare

time, even their accessibility to reach the forum's place is lacking because they may not have any proper transportation. In addition, how would they know that there is a forum in their villages when living in remote areas where access to information is limited?

The underrepresentation of child labour in the awareness forum of KESEMPATAN was also experienced by NGO2. NGO2 shared the experience of an audience member who was a female worker who admitted that she had never let employ her child but often received warnings and was reported by her workplace because of accusation. NGO2 clarified that this woman felt that she did not belong to the forum and felt blamed. When NGO2 asked for reason, this woman admitted that she always took her child to work but did not employ her child; rather, she was a single mother who lived alone with her child. Therefore, when this woman must go to work, she has no option but to take her child everywhere. After this woman was reported many times, she no longer dared to bring her child to her workplace anymore; in the end, she was forced to entrust her child to her neighbour and spent some of her wages to pay for the service.

This story is interesting to me because when I interviewed BS1, BS1 also mentioned the phenomenon of female workers bringing their children to their workplace, which often occurs. BS1 admitted that this phenomenon has been recognized by private sector stakeholders, including the actual condition of mothers/female workers. However, the private sector has no other choice but to follow the existing rules, and these female workers need to be strictly regulated to not bring their children to work, which will bring consequences to the international agreements that will impact the business.

From the two stories experienced by the two duty bearers, both experiences focus on the existence of mistargeted audiences in the project's forum. The first story shared by NGO1 shows that while all this time, child labour is perceived as a group of children who are being forced to work, a forum where child labour is persuaded to attend will not be their priority; children who come from poor families and live in remote areas will not even have resources to get to the locations or receive the forum's information, which causes the forum's audiences to vary greatly, even unrepresented child labour.

From my point of view, the KESEMPATAN approach to raising awareness of child labour is irrelevant and tends to ignore the target's resources to obtain public services, such as this forum. Moreover, ignoring the lack of resources for child labour to receive public

services will worsen the situation in which child labour, as a part of society, loses its rights and abilities, impacting children's exclusion from participating in society's key activities. Burchardt (2000) in Alston & Kent (2009:93) referred to social exclusion as the inability of people to participate in key activities in society through their lack of fault (Burchardt, 2000 in Alston & Kent, 2009:93). Children who are trapped in poverty are excluded from participation in key activities. In line with the story, those who must work all the time and those who do not have proper access to the forum's places will not have the ability to participate and this is not their fault; rather, poverty leads them to be excluded.

In addition to the KESEMPATAN approach to raising awareness in the form of social forums, reflecting on the story of female workers bringing their children to the workplace, the forum reproduces the stigma of child labour that leads to a mistargeted audience. In my view, the more the stigma of child labour is reproduced, the greater the marginalization of child labour. In other words, focusing on child labour will create a label in society that increasingly marginalizes child labour to get labelled. Seeing the fact that the forum targets child labour, which does not follow actual conditions, meaning that it purposely labels a group of society. Thus, the perception of child labour will be increasingly produced, and such an approach that aims to eliminate child labour will never be achieved. Instead, it creates a vicious cycle. Even worse, with the forum providing information about the harmful effects of child labour on children and parents, it is blaming the victim for targeting those who are victims of poverty as a group that violates the regulations regarding the harmful effects of child labour.

### **5.3 Exclusion of Economic Participation**

NGO2 reported a case in the KESEMPATAN forum in which a child was motivated to work to gain tertiary needs because his parents could not afford to fulfill them. One of the forum's audiences was a boy under 18 years old and admitted that several times after school, he was asked by the employers of the tobacco plantation if there was anything he could do. Often, he asked to simply help load employers' bags full of tobacco leaves from the field into the vehicles. The boy admitted that he was doing this only when he needed extra money, such as buying cell phone data; therefore, he rarely worked there. He also had never worked for more than an hour because the boy was aware that he only wanted to work

when he wanted to fulfill his desires, which his parents, who also worked in a tobacco plantation, had not been able to provide for this boy. With the intention of not wanting to burden his parents, the boy always looks for any job opportunity according to his abilities in the tobacco plantation area. However, NGO2 revealed that, under such conditions, the boy is still categorized as a child labourer and required to be socialized to stop working because this boy is still under 18 years old.

This kind of story is reflected in the study conducted by White (2012), who discovered a shift in the trend of working children in a Javanese village, Kali Loro, for three generations (the 1930s to the early 20<sup>th</sup> century). In this study, he discovered that Children in Kali Loro today, particularly those in older primary schools and early adolescence (*remaja*), require money for a variety of reasons, reflecting their increasingly cosmopolitan interests and lifestyles (influenced by TV and other new media): *uang jajan* (snack money) to purchase snacks at school, cash for clothing purchases, transportation expenses, entertainment, cigarettes, rental fees at one of the three recently opened PlayStation kiosks in the village, and more expensive items (White, 2012:93). In this study, he showed that the paradox is that children are becoming increasingly dependent on their parents to meet their requirements as their demands for education and a wider range of sophisticated consumer goods increase. However, they were also excluded from jobs that might have allowed them to earn the money necessary to purchase these products. In the case of KESEMPATAN, regulating children with similar conditions means that this project also excludes them from purchasing their lifestyle interests.

Analyzing the KESEMPATAN project leads children to be excluded from earning money, a study conducted by Nieuwenhuys (1996) also reflects that the current child labour policies deny children's agency and negotiation of value. Looking at the child labour agency in motivation to work and value contribution to tobacco plantations according to The Smeru Research Institute (2021) on the KESEMPATAN Project report 2019-2021, earning income is the main motivation for children to work on tobacco plantations. On average, children earned an IDR of 270,000 per month (USD 19.29). The average income among older children (15-17 years old) was more than IDR 500,000 per month (USD 35.71). After the tobacco season ended, the prevalence of child labour fell from 7.04% (six months) to only 9.8% (one week). Some child labourers are involved in producing handicrafts or working in construction, but these jobs are also considered harmful to children (Andrina *et al.*,

2021:56). From here, it shows that children have agency through their motivation to work, and they indeed contribute to the economy through their incomes.

However, KESEMPATAN still views child labour in tobacco plantations as harmful because children mostly work for employers, not families (Hermanus *et al.*, 2019; Andrina *et al.*, 2021:56). BS1 in the interviewees shared a similar fact, which usually children found working in the plantation are children who were employed. A characteristic of these child workers is that they only come to plantations when they have a desire to work, which can be up to once a month. BS1 views this activity as part-time work, but with regulations prohibiting the employment of children and various international agreement standards, child workers must be regulated and socialized.

*“Part-time work for children in plantations is common, but the trend of this type of work is not yet well known in rural areas as well as flexible laws regulating this activity, especially in the agricultural sector. So, child labour remains regulated and the business sector always tries to explain by conveying the legal realities that are available” -BS1*

Based on the reports above, looking at children’s motivations to work, either to gain income by doing part-time jobs or to fulfill the needs that their parents cannot afford, shows that their motivation leads to value in contributing to the economy, proven by the average income of child labour in tobacco plantations. However, these kinds of children’s working conditions, agencies, and their negotiation of value are ignored by KESEMPATAN, which still targets these children to stop working because of the claim that such jobs harm children and that children are under the condition that they do not work for families that need to obey. Although KESEMPATAN seems to tolerate children who work in family settings, according to Nieuwenhuys (1996:240), this policy is still considered paradoxical. In her study, she stated that *“legislation condemns any work undertaken by a child for his/her own upkeep, with the notable exception of the work undertaken to obtain pocket money. The denial of gainful employment is the more paradoxical in that the family and the state often failed to provide children with what they need to lead a normal life.”* This argument shows that it is such a paradox that current policies do not prohibit children who are working in family settings where families and states often cannot afford to provide children’s needs, but rather prohibit work that is valued more to provide children’s needs that lead them to a normal life.



In addition, from a historical perspective, agricultural society has always included children in the workforce, which is a normal experience for children. It is natural in the economy to hunt and gather, and this continues today. Hence, child labour in Indonesia has existed for a long time and has always been part of the natural economic system (Stearns, 2011:17). Webbink et al. (2013) and Nugraha et al. (2022:59) argued that working children are influenced by culture. In Indonesia, the residential areas between rural and urban areas affected the cultures of each child, such as the generational aspects that show children have always worked, especially for children in the agricultural society as historically formed childhood in the context of hunting and gathering that linger until today even under different economic conditions (Stearns, 2011). Therefore, KESEMPATAN socializes children and tries to stop them from work, which means that they also ignore several aspects that lead to children obtaining a normal life, including culture and generation.

The persistence of child labour in agriculture must be viewed through a nuanced and empirically grounded approach. Olga Nieuwenhuys (1996) argues that the emergence of problematization of child labour is derived and associated with factory work in Western societies, where working conditions are worse and highly harmful for children; however, it is unfair to engage with the debate on child labour using the same reference in non-industrialized non-Western countries, where one of the biggest sectors is agriculture. Kali Loro's intergenerational study has presented how the pattern of work and childhood has evolved throughout time in the agricultural community, mediated by the enhancement of school, changing lifestyles, and modernization, which induced an increasing age of marriage and dynamics in the labour market. However, these changes have not prevented children from working. Many factors matter, including but not limited to the structural approach to children's agency.

Therefore, any attempt to address them through policy treatment should not ignore and consider local dynamics (including any reference to the agriculture sector, household livelihood, and labour market), and most importantly, children's agency and participation in their approach. Failure to achieve this will worsen the condition of the groups that are supposed to be beneficiaries of this policy.

## Chapter 6 Conclusion

This research paper found that the KESEMPATAN project, which aims to eliminate child labour in agriculture, resonates with global dynamics, resulting in a top-down policy system that overlooks the local context. Consequently, the KESEMPATAN policy approach's rationale has led to stereotypical and problematic views of child labour, such as viewing it because of "poor families who see children as a valuable asset." However, numerous factors, including motivation, interest, experiences, and decisions, contribute to rural children's involvement in paid work, which is not solely due to impoverished living conditions. Therefore, it is crucial to explore the dynamics of child labour policies in Indonesia, focus on working children in agricultural settings, and examine the shortcomings of creating an exclusionary social structure.

The first limitation identified in this research is the misperception induced by the KESEMPATAN approach regarding the concept of child labour, which has led to the exclusion of children from accessing social resources in the form of state social protection. Bessell (1999) argued that the abolition of child labour practices started in industrialized countries, such as the United States and Europe, and this industrialization-based practice has remained in Indonesia's contemporary child labour policy. This is reflected in KESEMPATAN's adoption of the legal definition of child labour, referring to a formal/industrial universal term based on age, which is contrary to the actual condition in which many children in agriculture work informal/domestically. The policy's failure to recognize the diverse types of agricultural work and the disparity in perceptions of working age and harmful work between children and parents, as seen by KESEMPATAN, led to the exclusion of children working informally/domestically from receiving equal protection. In addition to ignoring the condition of several types of work in agriculture, a policy that follows the legal age does not support the condition where children need to receive farming education resources. According to Nieuwenhuys (1996:239), chronological age tends to exclude children exposed to conventional jobs or artistic crafts at an early age, which might be vital for their socialization.

Second, KESEMPATAN mistargeted child labour, resulting in the underrepresentation and exclusion of child labour from societal participation. This project failed to prioritize the needs of children from low-income backgrounds and provided them with a platform to

express their voices and concerns. As a result, the group of children who are supposed to be the target of this project are denied their rights and ability to participate in society's key activities and are excluded socially due to their economic status. Moreover, KESEMPATAN perpetuates the stigma associated with child labour, while concentrating on child labour will result in a societal label that increasingly marginalizes child labour, resulting in mistargeting child labour. Given that the forum specifically targets child labour, which does not adhere to real conditions, it intentionally stigmatizes them.

Third, KESEMPATAN ignores children's agency and negotiation of value to support work and childhood patterns that have changed over time in rural areas, influenced by modernization and lifestyles, leading to children being excluded from jobs that allow them to earn money. Children's motivation to earn money on tobacco plantations contributed to the economy, such as fulfilling their lifestyle needs; however, KESEMPATAN overlooked children's value by assuming that the type of work is considered harmful because children do not work within family settings. Thus, children will lose the opportunity to be exposed to changing patterns of rural work, such as part-time work on tobacco plantations. White (2012) argued that this kind of phenomenon drives children to be dependent on their parents, while on the other hand, not burdening parents is also one of their motivations to work. Moreover, Nieuwenhuys (1996) also argued that it is such a paradox to allow children to work in family settings, while families or states are often unable to fulfill their needs but do not allow children involved in paid work that may give them more value to support their normal life.

## **Implication for Future Research**

This research aims to contribute to the analysis of the existing policy and measurement of child labour in Indonesia by critically examining the KESEMPATAN project. Broadly concluded, it presented several limitations of the project by unpacking the rationale behind it. The initial failure is how it ignores the material condition regarding child labour in the agricultural sector, especially in the context of rural areas. Therefore, there is an urgent need for future policy research to shift towards alternative methods that prioritize contextual understanding and inclusive participation. In addition, any new policy framework must recognize the agency of children and consider the social factors that influence their experiences, which implies leaving behind a universal solution and recognizing the various contexts in which child labour takes place. As child labour is a structural issue, such as poverty and lack

of education, policy interventions should also be directed and linked to these underlying factors. Aspects such as the social protection policy system and education policy must be incorporated as goals beyond the abolition of child labour.

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