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"Vivir Bien": A Discourse and Its Risks for Public Policies. The Case of Child Labor and Exploitation in Indigenous Communities of Bolivia²

On the 5th of June 2015, one of the headlines of an important Bolivian newspaper announced: "*The government was left in a very bad situation at the ILO meeting for authorising child labour*"³. The article described the outcome of a meeting in Geneva that representatives of the Bolivian government attended to defend the position of their government regarding changes in the legislation of the country on child policies, specifically on child labour. The result was the corollary of a national (but essentially international) controversy on the opening of the Bolivian State to accept child labour from 10 to 12 year old children (as "exceptional"), when the International Labour Organization (ILO) (that Bolivia endorses) sets the minimum age for employment at 14 years⁴.

The *Código Niño Niña Adolescente* (CNNA) (the "Boy, Girl and Adolescent Code") was amended and approved in 2014 amid critical and supporting opinions. For the first time in Bolivia and Latin America something unprecedented occurred: a state

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² The article "*Vivir bien: A Discourse and its Risks for Public Policies*" resulted from a presentation given by the author at the Society for Latin American Studies Conference (SLAS) 2015 in Aberdeen. It was originally published in ... on ...

³ The article was published in the newspaper *Página Siete* on the 5th of June 2015: <http://www.paginasiete.bo/sociedad/2015/6/5/gobierno-quedo-muy-parado-reunion-autorizar-trabajo-infantil-59016.html>.

⁴ Convention 138 of the International Labour Organisation (ILO) regarding the minimum age to start employment. This convention bans work of children under 14 years as agreed with the Bolivian government.

had defined its policy reforms in negotiation and dialogue with representatives of working children and adolescents (Niños, Niñas y Adolescentes Trabajadores, NATs)⁵. In 2005, the government of Evo Morales started, as part of its political strategy, to work together with social, indigenous and peasant organizations. Child labour policies were not excluded from this new model. This way, the participation of child workers in meetings with the president and ministers evoked recognition by the population and media.

However, the reaction was different among civil society, development organizations and various public actors such as the Ombudsman, who expressed their concern about the implications of the new code. The lack of a clear categorization of child labour, the limited capacity of institutions that should do the follow-up of working children between 10 and 14⁶ in the new scenario, and the risks of its interpretation⁷ with regards to child labour, were reported both in the country and abroad.

The controversial code also includes new definitions that have not attracted much attention from civil society, but that have a deep impact on the protection of children against labour exploitation: the so-called "training jobs" or "family and community activities". These are understood as any kind of child labour within indigenous and peasant communities, which are "free" from all forms of labour exploitation, assuming that everything referred to "community" or "indigenous" is of a "different nature", in this case, of a "training nature". These types of activities are assumed to be different from the ones that take place in cities, where mercantilism involves, among other things, exploitation.

The "Vivir Bien" ("Good living") concept ("Suma Qamaña" in Aymara), which also has its parallels in Peru and Ecuador where it is called "Sumak Kawsay", is a

⁵ Working Boys, Girls and Adolescents (Niños, Niñas y Adolescentes Trabajadores, NATs), associated with the NATs Union of Bolivia (UNATSBO), demanded meetings with the president of the state claiming the abolishment of child labour prohibition and demanding at the same time their acknowledgement as workers.

⁶ The new code establishes that the offices of the *Ombudsperson for Children and Adolescents* are the ones that are responsible for the follow-up and protection of working children.

⁷ Several development organizations and the Ombudsman warned about the possibility that this code could be used as an excuse for the legal labour exploitation by employers.

fundamental part of the Bolivian national policy and is a transversal in the state's official discourse. The idea is promoted as an essential part and "spirit" of the so called *proceso de cambio* (process of change) led by Evo Morales, and it is central to understanding the position of the state with regard to various national policies.

The philosophical concept "Vivir Bien" is thought to represent an alternative to the capitalist model. Different ideologists of the government promote it as a logic of indigenous peoples, where the purpose of development is not to seek more material possessions, but to have enough to live in "harmony" with the world. This logic is composed of principles such as balance, complementarity with nature, harmony in the community, non-capitalist and community economy. In short, it is an economy for life.

Several papers about the "Vivir Bien" concept have been published, especially by those who sympathize with the government of president Morales. The concept has also been studied by national and international sociologists and anthropologists who are developing research to understand this concept or to identify it in their fieldwork. In addition, the idea also evoked recognition by international personalities such as Eduardo Galeano, Xavier Albó and Boaventura de Sousa Santos, who have mentioned it on different occasions.

However, critical opinions about the "Vivir Bien" concept are increasing, since it is based on a very little empirical basis. Fieldwork conducted by various social scientists in rural and farming communities (and even in cities) has demonstrated the lack of knowledge by the population about the meaning of "Vivir Bien" as defined by the state. Paradoxically, young people are generally the ones that know the term best, which is supposedly an "ancestral" idea, since they internalize the state's discourse through school or academia. Different collectives and intellectuals, mainly Aymara⁸, suggest that this is a discourse that was developed by intellectuals of the urban middle class in the 80s. Hence, the idea is thought to be an expression

⁸ Among the most critical collectives there are the reflection group MINKA and the newspaper PUKARA, which are mainly constituted by Aymara intellectuals and thinkers.

of the so-called "indigenist intellectuals" who claim to see the "indigenous population" as the antithesis to the capitalist model (Macusaya: 2015). This provokes an "idealized and essentialist" vision of the indigenous populations as being in harmony with Mother Earth and "ancient" structures that would have preserved them from the market economy, representing therefore an alternative model of life. This conception has been expanded by the government⁹ and intellectuals to all national, but mainly international, areas where this new discourse quickly wins sympathy from different sectors, especially leftist social scientists and environmental activists.

There are still very few critical voices against this hegemonic discourse. However, it is among the indigenous intellectuals themselves where the first criticisms arose, since this interpretation leads to an instrumental and folkloric use of the indigenous populations by the Bolivian State. An example for this is the excessive use of indigenous rituals in all governmental events, and the parallel creation of institutions "for indigenous people" such as indigenous universities, festivals or marriages, attracting mainly attention of foreigners. These facts are increasingly arising a debate on the discourse that the government uses to legitimatise itself in front of a population which is largely indigenous¹⁰.

Even though "Vivir Bien" is part of the political dynamics of the country, it raises another serious concern. This is, when this "essentialist" concept of indigenous people is applied to operational and practical policies it reduces the capacity to objectively judge several critical situations. Or, in the worst of the cases, it threatens the right to protect children which are involved in child labour exploitation. The following cases describe the way in which a culturalist concept, the "Vivir Bien", can jeopardize the protection policies of working children.

⁹ The vice presidency of Bolivia is the main promoter of this concept from an academic and philosophical point of view.

¹⁰ The criticism by indigenous intellectuals is that the Bolivian state only gives a discourse and making room only for some indigenous representatives in the decision making process. Fact is that decisions are still in the hands of leftist "criollo" middle class representatives.

The new code and its perspective about child labour in family and community.

The article 128 of the new Bolivian “Boy, Girl and Teenager Code”, relating to Community and Family Activities, centrally sets that: *“It is the activity of the child or adolescent, developed together with their families in rural native indigenous, Afro-Bolivian and intercultural communities. These activities are culturally valued and accepted, and are intended to develop basic skills for life and to strengthen community life within the framework of Vivir Bien; built on ancestral knowledge of activities including planting, harvesting, caring of goods of nature such as forests, water and animals with constant playful, recreational, artistic and religious components”*.

From this extract and various discussions with state authorities on this topic, four elements can be inferred: 1. That working children in peasant and indigenous communities receive a different treatment than in the cities and they are free from the influence of the market logic; 2. That the type of work that they do is valued by the community and that it helps to develop life skills; 3. That all labour practices would be located within a set of practices of “ancient” origin; and 4. That the type of work is usually an agricultural one, emphasizing the “care of goods of nature”.

This view represents an “idealized” concept about what it means to *be indigenous*. Its content could have been extracted from an anthropology text promoting a classical image of the “Noble Savage” here with regards to Andean communities. Fortunately, current social researchers are starting to question and to criticize that perspective. In order to foster a better understanding of the contrast between discourse and reality I will revise in the following paragraphs two specific examples of situations of child labour exploitation in Bolivia: 1. The situation of children working in the plaster¹¹ production in an Aymara highland region of the country; and 2. The exploitative situation of children who work as chicken peelers in Guarani communities in the East of the country.

¹¹ Plaster refers to the product for building construction. It results of the pulverizing of lime and becomes hard by chemical reactions when it gets into contact with water. It is also known as stucco.

Child plaster producers in Aymara communities.

Vichaya and Kasillunka are two communities that are 3 and 4 hours away, respectively, from the city of La Paz and belong to the village of Caquiaviri, in the province of Pacajes of the department of La Paz. These communities are part of the territory called Pakajaques that is trying to get its recognition as indigenous territory since 2000. The main income of these communities comes from quarrying lime for the production of stucco. At least 80 families work on the extraction and processing of lime, which is done on wood stoves (using a native variety called *t'ola* of high burn up)¹².

Plaster deposits and ovens are family administered and therefore family members are the main workforce. Throughout the process, the presence of children between 7 and 17 years is widespread. Children are present in various steps of the process including extraction, firewood gathering and lighting of furnaces as well as bagging of plaster once the process is complete. Plaster has its main market in the city of El Alto, a city of nearly one million inhabitants and with one of the highest growth rates of the country. The reason for plaster demand from these communities is the high quality of the material, which dries quickly and has a low price. A bag of about 10 kilos only costs 4 to 5 bolivianos (approximately £ 0.5).

Children in quarries work an average of 7 hours per day and, as this is a family activity, they do not get paid (unless they work for another family). The main health risk through this type of work is contamination by inhalation of pulverized plaster, provoking serious respiratory problems. Other consequences include school drop-out. Furthermore, families do not apply security and protection measures. Rather the contrary, since being part of a competitive market, they are forced to minimize production costs in extraction and commercialisation, accepting the high cost for the health of their members.

¹² Unpublished data from the author.

Children chicken peelers Guarani communities.

In 2014, a journalistic investigation¹³ denounced a case of Guarani children labour exploitation that was taking place in the municipalities of Camiri and Lagunillas, located in the department of Santa Cruz de la Sierra, in the East of Bolivia. The article was published as a result of complaints from residents and community members, mainly from the captaincies of Kami, Irundaiti and Puente Viejo.

This type of work starts with the grouping of children between 10 and 16 years that begin to pluck chicken manually at 1 am and do not end before 7 am, when the chicken is transported to the market to be sold. They get paid an average of 50 Bolivian cents (centavos bolivianos) per plucked chicken. Each child reaches an average of 40 chickens per day, receiving therefore a daily compensation of around 20 bolivianos (approximately £ 2).

These children are called "triperos" because they also have to take the innards out of the chicken. The final destination is the city of Santa Cruz, capital of the department Santa Cruz, and one of the most dynamic and growing cities of Bolivia. Communities where this work was described on the newspaper are mainly Guapoy, Piedrita and Canon Segura. However, even though some actions were undertaken to solve this situation in these communities, this kind of child labour still exists in many other unidentified communities, basically due to the growing demand of chicken¹⁴.

Recruitment of children instead of adults can be explained by the fact that they represent a low cost workforce compared to adults. Moreover, in one of the country's poorest areas, children are in need to support their families. The demand of Guarani workforce in the regional markets is not new. Their work has been exploited already since the past century with the harvest of chestnut and sugar cane,

¹³ The article was published in the newspaper *La Razón*, on the 3rd of November 2014: http://www.la-razon.com/index.php?url=/suplementos/informe/Pequenos-polleros-guaranies_O_2154384663.html. The journalist Jorge Quispe together with the team of the Fundación DyA visited the place.

¹⁴ Only in 2014 has the growing poultry demand in the region of Santa Cruz increased by 7.5%.

forcing communities to regularly migrate to look for work.

Growing cities originate new demands, among others more poultry farms, which are increasingly employing local Guarani workforce. In general this type of farm is not regulated and constitutes an unhealthy working environment where children work without any protection. In addition to the health risks, children's school attendance is also put in danger, in addition to the violation of their rights of protection.

Child labour in Bolivia and its regulations.

The last census of child labour in Bolivia conducted in 2009 by the National Institute of Statistics of Bolivia states that there are 848,000 children and adolescents aged 5 to 17 engaged in economic activities (INE: 2009). Of these, the majority (over 60%) is rural, i.e. of "family and community" type. These are approximately 446,000, of which over 70% are classified as dangerous activities¹⁵.

Since child labour tends to be hidden within family and private spaces, these numbers are probably higher. To this, it has to be added the fact that over 80% of the Bolivian economy is informal, and therefore of this family and community type. This is one of the central issues of the problem.

First, there is very little data (and the available one is outdated) to understand the dimensions of child labour in Bolivia. The existing information shows that most cases occur in rural areas, within indigenous and rural communities, where this type of family and community work is widespread. It is exactly that type of activity to which the new Code confers a "formative" nature. When assuming that family and community work is valued, and a type of training, there is the risk of these activities not being recognized, and therefore children not being protected by the state, as in the two cases described.

¹⁵ The Bolivian state recognises an official list of the "worst 21 types of child labour", which are forbidden. However, none of the two described cases belong to this list because they are very little known and occur in very specific locations.

The regular economic exchange and mobility between rural and urban areas raises doubts about the traditional understanding of the indigenous communities as isolated and out of influence by urban commercial dynamics. On the contrary, they have been immersed in the market economy since the last century, and even since colonial times (Medinaceli: 2011). Therefore, the differentiation between the traditional idea of community and the cities does not correspond to the reality lived in Bolivia.

Second, child labour exploitation in indigenous communities can be identified within these and many other cases in which parents are sometimes the ones who promote the exploitation for several reasons, including both economic needs and cultural values. Therefore, the assumption that these work spaces are formative reduces the capacity to see the cases from a differentiated and critical perspective.

Third, the continuous link of this work to the so-called "ancient knowledge" does not reflect the complex reality of peasant and indigenous communities. This perspective can be easily manipulated to justify cultural relativism regarding child labour. This statement, in which labour activities are developed within the frame of complementarity and balance, is as mistaken as assuming that the Aymara people of Bolivia are "naturally traders and exploit their families"¹⁶. The child labour cases described above show that the reality experienced is more complex than these two extreme assumptions.

Fourth, the description of indigenous communities as environmental protectors or renewers of nature is a part of the "Vivir Bien" concept that does not take into account the economic dynamics of these communities, which are increasingly immersed in commercial affairs and events in Bolivia as widespread as smuggling (Tassi: 2014).

In short, the lack of objective information and data on child labour and exploitation in Bolivia together with the "idealistic" discourse about community

¹⁶ This is a very common saying among child labour organizations in Bolivia.

and indigenous populations hinder to design effective and appropriate public policies and protection programmes adapted to the reality of these cases, which take place mainly in rural areas.

The need to debate the “Vivir Bien” concept in public policies.

Since last year, the new code (CNNA) has been applied by State and civil society. However, gaps in definitions of labour, exploitation, educational work and others are still a pending issue. As for now, the reduction of the minimum age for employment has attracted international attention and the International Labour Organization¹⁷ has already expressed its disagreement. However, it is important to warn about the danger of the existence of discursive backgrounds, in this case the "Vivir Bien", in public policy as a limiting factor in this and other important issues in development programs.

Currently, the country is undergoing a process of economic boom, mainly due to the benefits of the high price of raw materials, especially oil, in which a large part of the economy of the country is based. In 2015, Bolivia has registered one of the best growth rates of the region. However, this contrasts with the widespread poverty of thousands of indigenous families in rural and urban areas that still have limited access to good quality education, health and justice. On the other hand, the government displays a media strategy for the inclusion of indigenous peoples in official events and its representatives promote the philosophy of “Vivir Bien” at all levels.

These concepts are being increasingly challenged by the Aymara and Quechua intellectuals themselves and also by anthropology and social sciences. At the same time, professionals that work in the field for the elimination of child labour realise

¹⁷ In relation to the reduction of the age for employment the article 129 establishes: “*exceptionally, Offices of the Ombudsperson for Children and Adolescents will be allowed to authorize self-employment activities carried out by boys, girls or adolescents from ten (10) to fourteen (14) years, and the work activity as employees of adolescents of twelve (12) to fourteen (14) years, as long as it does not reduce their right to education, it is not a dangerous activity, unhealthy, threatening their dignity or integral development or it is specifically forbidden by law.*”

the direct effects of the application of a theoretical concept on the ground and the need for more realistic and evidence-based interventions. As a result of these opposite positions, a critical debate about the concepts of indigenism and their impact on public policy is starting in Bolivia and in the Andean region.

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