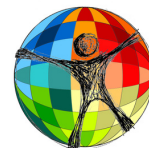# The Anti-Politics Machine of Child Labour Abolition Discourse: Marketing SDG Target 8.7

Laurence LeBlanc

McGill Centre for
Human Rights
and Legal Pluralism

Centre sur les droits de la
personne et le pluralisme
juridique de McGill

McGill FACULTY OF Law

ABOUT CHRLP

Established in September 2005, the Centre for Human Rights and Legal Pluralism (CHRLP) was formed to provide students, professors and the larger community with a locus of intellectual and physical resources for engaging critically with the ways in which law affects some of the most compelling social problems of our modern era, most notably human rights issues. Since then, the Centre has distinguished itself by its innovative legal and interdisciplinary approach, and its diverse and vibrant community of scholars, students and practitioners working at the intersection of human rights and legal pluralism.

CHRLP is a focal point for innovative legal and interdisciplinary research, dialogue and outreach on issues of human rights and legal pluralism. The Centre's mission is to provide students, professors and the wider community with a locus of intellectual and physical resources for engaging critically with how law impacts upon some of the compelling social problems of our modern era.

A key objective of the Centre is to deepen transdisciplinary collaboration on the complex social, ethical, political and philosophical dimensions of human rights. The current Centre initiative builds upon the human rights legacy and enormous scholarly engagement found in the Universal Declaration of Human Rights.

ABOUT THE SERIES

The Centre for Human Rights and Legal Pluralism (CHRLP) Working Paper Series enables the dissemination of papers by students who have participated in the Centre's International Human Rights Internship Program (IHRIP). Through the program, students complete placements with NGOs, government institutions, and tribunals where they gain practical work experience in human rights investigation, monitoring, and reporting. Students then write a research paper, supported by a peer review process, while participating in a seminar that critically engages with human rights discourses. In accordance with McGill University's Charter of Students' Rights, students in this course have the right to submit in English or in French any written work that is to be graded. Therefore, papers in this series may be published in either language.

The papers in this series are distributed free of charge and are available in PDF format on the CHRLP's website. Papers may be downloaded for personal use only. The opinions expressed in these papers remain solely those of the author(s). They should not be attributed to the CHRLP or McGill University. The papers in this series are intended to elicit feedback and to encourage debate on important public policy challenges. Copyright belongs to the author(s).

The WPS aims to meaningfully contribute to human rights discourses and encourage debate on important public policy challenges. To connect with the authors or to provide feedback, please contact human.rights@mcgill.ca.

ABSTRACT

Target 8.7 of the Sustainable Development Goals (SDGs) was drafted between 2012 and 2015 as an aspirational target stipulating that child labour in all its forms should be eliminated by 2025. How does Target 8.7 impact or influence actors in the field of child labour? Through expert interviews, I conclude that SDG Target 8.7 guides and constrains child labour NGOs and experts in a way that mimics the global economic order. This is due to the discursive legitimacy tied to the Target, which is marketed and in turn compels actors to embrace marketing logic tied to the abolition approach to child labour. The abolition approach focuses on eliminating child labour rather than regulating it. Interviews with executives of leading child rights NGOs reveal that even actors who question the abolition approach must market Target 8.7 to donors otherwise they are deprived of legitimacy. In short, child rights NGOs are compelled to "sell" logics based in market liberalism despite their reticence in doing so, which may have far-reaching impacts for civil society considering constrained discussion about possible solutions. The most prominent side effect of Target 8.7 is the reliance by actors on the belief that child labour actually can be eliminated through market-based strategies, which creates an anti-politics machine that may never actually address child labour.

CONTENTS

Introduction

The Sustainable Development Goals have enormous normative force in driving policy agendas. Target 8.7 of the Sustainable Development Goals (SDGs) was drafted between 2012 and 2015 as an aspirational target stipulating that child labour in all its forms should be eliminated by 2025. It reads: "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms."[1] This paper aims to answer the high-level question: How does Target 8.7 impact or influence actors in the field of child labour? Through expert interviews, I conclude that SDG Target 8.7 guides and constrains actors—from NGOs to experts in the field of child labour—in a way that mimics the global economic order. This is due in large part to the discursive legitimacy tied to the Target, which is marketed and in turn compels actors to embrace marketing logic.

In broad strokes, the first half of the paper sketches the machinery of the child labour regime, of which Target 8.7 is part. This section is conceptually grounded in a Foucauldian international political economy lens for reasons tied to discourse. A brief historical overview of the SDGs and the child labour regime provides needed context to denaturalize the phenomena this paper examines. It explains how Target 8.7 is part of the child labour regime, as it is linked to the abolition approach advocated by major players setting the child labour agenda.

The second half of the paper digs more deeply into how Target 8.7, as part of the child labour regime, guides and constrains actors through logic reminiscent of the global market economy. After discussing interview methodology, findings are divided into three sub-topics, how Target 8.7 was drafted in a way that made it marketable to donors, the International Labour Organization's (ILO) role in agenda-setting, and the reaction by

---

[1] See "SDG Indicators — SDG Indicators" (last accessed 15 June 2022), online: *SDG Indicators: Metadata Repository* <unstats.un.org/sdgs/metadata/?Text=&Goal=8&Target=8.7> [SDG Indicators].

NGOs. Findings indicate that the child labour discourse underpinning Target 8.7 neutralizes the role of the market while promoting child labour abolition through market tools. Interviews with executives of leading child rights NGOs reveal that even actors who question the abolition approach to child labour must market Target 8.7 to donors otherwise they are deprived of legitimacy. This implies that the normative force of the SDGs compels actors to "sell" logics based in market liberalism despite their reticence in doing so, which may have far-reaching impacts for civil society.

The discussion section that follows draws parallels between the child labour regime and Ferguson's Foulcaudian inspired book, *The Anti-Politics Machine*,[2] which investigates how certain discourses can legitimize "solutions" not based in evidence. This novel described international development projects as part of a machine that depoliticized the development landscape by neutralizing development discourse, ultimately not improving the realities for beneficiaries despite continued funding.[3] Similarly, I argue the most prominent side effect of Target 8.7 is the reliance by various actors on the belief that child labour actually can be eliminated through market-based strategies, which creates an anti-politics machine that may never actually address child labour. Furthermore, this unintentionally entrenches further inequalities by neutralizing the violence of market logic. In short, human rights advocacy is becoming increasingly intertwined with market-based advertising, and ultimately may not benefit those it claims to.

My purpose is not to reject child labour abolition as an end goal, but to question the dangers of a universal target that purports to achieve this through market-driven means which have historically led to further precarity for child labourers.[4]

---

[2] See James Ferguson, *The Anti-Politics Machine: "Development," Depoliticization and Bureaucratic Power in Lesotho* (Irvine: University of California, 1990).

[3] See *ibid*.

[4] See Sarada Balagopalan, "Why Historicize Rights-Subjectivities? Children's Rights, Compulsory Schooling, and the Deregulation of Child Labor in India" (2019) 26:3 Childhood 304.

2. The Machinery of the Child Labour Regime

Van Daalen and Hanson define the child labour regime as the assemblage of international legal conventions, norms, and organizational strategies regulating child labour.[5] More concretely, it includes the ILO conventions that aim for the "total abolition" of child labour,[6] and a legion of powerful actors including international organizations, trade unions, NGOs, and western donor countries led by the ILO. Foucauldian analysis helps explain how child labour discourse underpins the regime through a powerful advocacy machine that attaches itself to human rights discourse.

This section provides a contextual background about the SDGs and the history of child labour to introduce readers to the role of the ILO in shaping a global consensus about child labour, crystalized in Target 8.7. Target 8.7 is the latest instrument to further strengthen this regime by introducing a global time-bound goal to eradicate all forms of child labour, reflecting the abolition approach inherent to ILO Convention 182[7] and ILO Convention 138.[8] The section sets the groundwork for elaborating on the argument in the discussion that the child labour regime is an anti-politics machine that depoliticizes politically packed strategies through a discourse that claims neutrality.

2.a. Theory: Foucault and Discourse

Understanding child labour involves critically examining power relations imbedded in international law. While legal scholarship often leaves theoretical frameworks implicit, Taekema convincingly argues that explicit mention of theory gives context

---

[5] See Edward Van Daalen & Karl Hanson, "The ILO's shifts in Child Labour policy: Regulation and Abolition" in Christophe Gironde & Gilles Carbonnier, eds, *The ILO@ 100 : Addressing the Past and Future of Work and Social Protection* (Leiden: Brill Nijhoff, 2019) 1–16.

[6] See Convention 138, ILO (International Labour Organization), *Minimum Age Convention*, 1973 [Convention 182]. See also Convention 182, ILO (International Labour Organization), *Worst Forms of Child Labour Convention,* 1999 [Convention 182].

[7] Convention 182, *supra note* 2.

[8] Convention 138, *supra note* 2.

for research and provides a useful conceptual basis for readers.[9]
The theoretical background underpinning this project is based in a
Foucauldian approach applied to international law. A
Foucauldian approach deconstructs knowledge in ways that make
it clear that knowledge is produced and reproduced in ways that
distill how power operates and is rationalized.[10] Some scholars
critique the practice of combining Foucault and international law
because Foucault opposed understanding power as based in law
and sovereignty, turning instead to "productive" dimensions of
power.[11] However, Aalberts and Golder, among others,[12] affirm
that Foucauldian theory is enormously useful when used as a
methodology in understanding and analyzing international law
because it allows for interrogation of ways of thinking.[13] Like
Aalberts and Golder, I affirm that a Foucauldian analysis is a
valuable conceptual starting point in de-essentializing universal
categories that are contingent on historically conditioned
discourses. This is especially helpful when examining the
universalization and depoliticization of human rights, the SDGs,
and child labour.[14] Analyzing knowledge claims behind child
labour discourse exposes the inherent politics underpinning it.

Discourse refers to the way language is employed not
merely to describe reality, but also as a technique for constructing
categories that guide thoughts and beliefs.[15] Deconstructing
discourse makes the neutralized politics behind truth claims
legible, including those about child labour. Discourse comes from
materially powerful governments and corporations, but also

---

[9] *See* Sanne Taekema, "Theoretical and Normative Frameworks for Legal
Research: Putting Theory into Practice" (2018) Law and Method, online:
<https://papers.ssrn.com/abstract=3123667> (accessed Sept 2021).

[10] *See* Michel Foucault, *The History of Sexuality Vol. 1: The Will to Knowledge*,
trans Robert Hurley, 1st ed (New York: Pantheon Books, 1978) at 135.

[11] *See* Alan Hunt & Gary Wickham, *Foucault and Law: Towards a Sociology of
Law as Governance* (London, UK: Pluto Press, 1994).

[12] *See* Matt Craven, "On Foucault and Wolff or from Law to Political Economy"
(2012) 25:3 Leiden J Intl L 627.

[13] *See* Tanja Aalberts & Ben Golder, "On the Uses of Foucault for International
Law" (2012) 25:3 Leiden J Intl L 603.

[14] *See* Anna Holzscheiter, *Children's Rights in International Politics : The
Transformative Power of Discourse*, 1st ed (London: Palgrave Macmillan, 2010).

[15] *See* Tony Evans, "International Human Rights Law as Power/Knowledge"
(2005) 27:3 Hum Rts Q 1046.

manifests itself in everyday social interactions.[16] In this way, discourse shapes norms. When discourse is entrenched institutionally to the point that it becomes hegemonic, a discursive regime is created. The fact that SDG Target 8.7 is worded in a certain way, advocating for child labour abolition, and finds itself among a list of other aspirational goals which advance solutions based on corporate responsibility,[17] suggests that child labour discourse has effectively become part of a regime with certain political undertones.

Part of the reason why the child labour regime commands legitimacy is because it is linked to human rights. Human rights discourse articulates strategies in terms of law, rather than politics, thus has become a vehicle disconnected from moral values. This facilitates our perception that human rights are neutral. Mutua illustrates how human rights discourse acts through a simplified "savior," "savage," "victim" strategy which inspires moral righteousness.[18] Since international human rights law claims to articulate legitimate values, so too do discourses connected to those claims. By attaching itself to the floating discourse of human rights, the child labour regime seeks legitimacy by depoliticizing itself into a singular perspective despite continuing disagreements.

It bears mentioning that child labour was actually born as a trade union response to economic challenges.[19] In this way, child labour is grounded historically in economics, and not in human rights, despite being so closely linked to human rights discourse. This tendency to link various projects to human rights discourse has only grown in frequency since the 1970s.[20] Today, child labour is firmly entrenched in human rights language.

2.b. The SDGs

---

[16] See Neil Stammers, "Social movements and the social construction of human rights" (1999) 21:4 Hum Rts Q 983.

[17] See Susanne Soederberg, "Universal access to Affordable Housing? Interrogating an Elusive Development Goal" (2017) 14:3 Globalizations 343.

[18] See Makau Mutua, "Savages, Victims, and Saviors: The Metaphor of Human Rights" (2001) 42 Harv Int'l LJ 201.

[19] Van Daalen & Hanson, *supra* note 5.

[20] See Ivan Manokha, "Foucault's Concept of Power and the Global Discourse of Human Rights" (2009) 23:4 Global Society 429.

In order to understand how Target 8.7 influences actors in the field of child labour, we must first situate it within the Sustainable Development Goals (SDGs). These goals have a normative force of their own due to their seemingly universal acceptance. This section provides contextual background necessary to situating Target 8.7 within the SDGs, and briefly reflects on acclaim and critiques of the SDGs that are relevant to explaining interview findings.

The predecessors of the SDGs were the Millennium Development Goals (MDGs), developed between 2000 and 2015 by the United Nations, comprised of eight major goals aimed at eradicating poverty in the Global South.[21] Although the MDGs created an environment of moral outcry and were hailed as "having produced the most successful anti-poverty movement in history" by their creators,[22] they received significant backlash. One of the most predominant critiques was that their drafting process was based in the Global North despite being elaborated predominantly for the Global South. Another critique was that the MDGs did not involve many non-state actors, from international organizations to corporations.[23] McCloskey suggests that none of the ambitious MDG targets were met because the MDGs did not consider the structural causes of poverty, including unfair trade rules and corporate power linked to the neoliberal economic model.[24] Despite critiques, it is undeniable that the MDGs carved a place at the UN for conversations about ambitious development plans made into universal targets, which continued with the SDGs.

[21] See Yasmin Anwar & Noha El-Bassiouny, "Marketing and the Sustainable Development Goals (SDGs): A Review and Research Agenda" in Samuel O Idowu, René Schmidpeter & Liangrong Zu, eds, *The Future of the UN Sustainable Development Goals: Business Perspectives for Global Development in 2030 CSR, Sustainability, Ethics & Governance* (Cham: Springer International Publishing, 2020) 187 at 200.

[22] See United Nations, *The Millennium Development Goals Report 2015* (2015) online (pdf): <www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf>.

[23] See Benedicte Bull & Desmond McNeill, "From Market Multilateralism to Governance by Goal Setting: SDGs and the Changing Role of Partnerships in a New Global Order" (2019) 21:4 Business and Politics 464 at 470.

[24] See Stephen McCloskey, "From MDGs to SDGs: We Need a Critical Awakening to Succeed" (2015) 20 Policy & Practice: A Development Education Review, online: <www.developmenteducationreview.com/issue/issue-20/mdgs-sdgs-we-need-critical-awakening-succeed>.

The SDGs are comprised of 17 goals divided into 169 Targets, and are meant to be integrated, meaning that they recognize action in one area will affect another. The SDGs were envisioned and drafted between 2000 and 2015 in combination with a renounced urgency for addressing climate change.[25] One of the major innovations of the SDG process was the "Open Working Group," which sidestepped operating under the UN General Assembly rules so that all countries could participate in a transparent drafting process.[26] The inclusion of countries from the Global South increased the legitimacy of the SDG Goals, as did the reality that the goals were to be implemented by all countries.[27] The SDGs eventually clarified a "comprehensive agenda for global development"[28] to be completed between 2015 and 2030. These goals purposefully included non-governmental and business partners, unlike the MDGs, and were celebrated by UN Secretary General Ban Ki-Moon for creating a "people's agenda" and "leaving no one behind."[29] The inclusion of previously excluded actors increased the SDGs' appeal. Like most non-binding UN General Assembly resolutions,[30] the SDGs are not legally binding but have been adopted by 193 States. Furthermore, they have sparked civil society mobilization worldwide.[31]

Despite SDG acclaim, critiques are in no short supply. The following focuses on two critiques, the first concerning the supposedly unified consensus of the SDGs despite their political nature, and the second with the neoliberal capitalist hues of the agenda. These critiques are relevant for this paper because the

---

[25] Bull & McNeill, *supra* note 17.

[26] See Paula Caballero, "The SDGs: Changing how Development is Understood" (2019) 10:1 Global Policy 138 at 139.

[27] See Clive Gabay & Suzan Ilcan, "Leaving No-One Behind? The Politics of Destination in the 2030 Sustainable Development Goals" (2017) 14:3 Globalizations 337 at 338.

[28] See Jan Vandemoortele, "From Simple-Minded MDGs to Muddle-Headed SDGs" (2018) 5:1 Development Studies Research 83.

[29] See Mark Anderson, "Ban Ki-moon: Sustainable Development Goals 'Leave no one Behind' ", *The Guardian* (3 August 2015), online: <www.theguardian.com/global-development/2015/aug/03/ban-ki-moon-hails-sdgs-agreed-by-193-nations-as-leaving-no-one-behind>.

[30] See John H Currie, *Public International Law* (Toronto: Irwin Law, 2008).

[31] See UNITE 2030, an organization empowered young leaders to end poverty, inequality, injustice, and climate change by 2030, online: <www.unite2030.com/>.

SDGs are perceived as neutral human rights mechanisms considered legitimate despite relying on market logic to achieve their goals. As part of the SDG architecture, Target 8.7 does the same.

Critical scholars problematize the SDGs supposed neutrality by reflecting on the knowledge and politics involved in setting and measuring SDG goals. As one of many such works, Kapto's article, "Layers of Politics and Power Struggles in the SDG Indicators Process," reflect the reality that drafting the SDGs were far from apolitical.[32] Kapto notes that a seemingly agreed-upon agenda had countless disagreements.[33] Similarly, Fukuda-Parr and McNeill also reflect on the political process behind reaching a "global consensus."[34] They argue that global goal setting has become a policy tool to the extent that it shapes norms, influences stakeholder behavior, and focuses attention on selective issues.[35] In other words, the SDGs rally around common-sense aspirations for human progress linked to measurable targets, but as a result they become mechanisms for knowledge and power relations.[36] Thus, this critique is linked to a Foucauldian analysis of discourse. It is helpful for understanding Target 8.7, because a child labour target linked to the universal appeal of human rights can neutralize morality, and in turn impact actors.[37]

The second critique is concerned with the neoliberal capitalist hues of the SDG agenda. Soederberg, for example, problematizes the involvement of global business organizations in reaching SDG Goal 11 about affordable housing, considering businesses have perpetuated housing crises in the past and present.[38] Similarly, McKeon is wary of the UN championing corporate social responsibility (CSR) as a solution to food insecurity, as agribusiness is intimately linked to exploitative forms

---

[32] See Serge Kapto, "Layers of Politics and Power Struggles in the SDG Indicators Process" (2019) 10:S1 Global Policy 134.

[33] See *ibid*.

[34] See Sakiko Fukuda-Parr & Desmond McNeill, "Knowledge and Politics in Setting and Measuring the SDGs: Introduction to Special Issue" (2019) 10: Supplement 1 Global Policy 5.

[35] See i*bid* at 7.

[36] See *ibid*.

[37] See Evans, *supra* note 8.

[38] See Soederberg, *supra* note 17.

of capitalism which have historically resulted in entrenching the problems they are now called on to technocratically solve.[39]

These critiques are matched by an equally forceful push by authors like Anwar, who advance that businesses *do* have a role to play in achieving the SDGs.[40] It is undeniable that corporations have become dominant political actors, even endowed with legal personality whose net profits are sometimes higher than the GDPs of states.

Critical arguments do not dismiss corporations as powerful actors, however, but rather suggest that a reliance on global capitalist accumulation is incompatible with sustainability. [41] Similar to McCloskey's critique of the MDGs,[42] Weber suggests that achieving sustainable development is impossible if deregulatory and liberalized economic and social policies continue to go uncontested by the SDG agenda.[43] Perhaps best stated by Martine, "since economic growth as we know it is the primary source of global environmental threats as well as of divisive inequality… how can this same growth become quickly inclusive and sustainable?" [44] This critique is relevant to understanding Target 8.7 because it falls under Goal 8 of the SDGs, which is to "Promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all."[45] Therefore, economic growth and decent work are understood to be achievable together, despite findings from India

---

[39] See Nora McKeon, "Are Equity and Sustainability a likely Outcome when Foxes and Chickens share the same Coop? Critiquing the Concept of Multistakeholder Governance of Good Security" (2017) 14:3 Globalizations 379.

[40] Anwar & El-Bassiouny, *supra* note 15.

[41] See Kalpana Wilson, "Re-Centering 'Race' in Development: Population Policies and Global Capital Accumulation in the Era of the SDGs" (2017) 14:3 Globalizations 432. Wilson suggests that since the SDGs are linked to global capital accumulation, they contribute to racialized and gendered violence.

[42] McCloskey, *supra* note 24.

[43] See Heloise Weber, "Politics of 'Leaving No One Behind': Contesting the 2030 Sustainable Development Goals Agenda" (2017) 14:3 Globalizations 399.

[44] See George Martine, "Reviving or interring global governance on sustainability? Sachs, the UN and the SDGs" (2015) 32:3 Rev bras estud popul 631 at 632.

[45] SDG Indicators, *supra* note 1.

that economic growth does not automatically reduce child labour but may in fact contribute to it.[46]

Before exploring these critiques further, it is necessary to provide context about child labour and child labour discourse.

2.c. Child Labour

The question guiding this research asks how Target 8.7 impacts actors in the field of child labour. Understanding the field of child labour is therefore central to unpacking this question. A brief history of child labour explains how it came about from an economic trade union project that was championed by the ILO. It is relevant to examine the long-standing debate between those who prioritize the goal of eliminating child labour ("the abolitionists") and those who aim to regulate child labour ("the regulators"), because this is connected to Target 8.7 of the SDGs. Target 8.7 advances an abolitionist approach, rather than a regulatory approach, and thus falls in line with ILO conventions and the logic underpinning the child labour regime.

Defining *child labour* is difficult because it requires defining "child" and "labour," which has caused more confusion than one might expect.[47] Even though childhood is not experienced equally by all children, the UN regulatory framework "nonetheless sets universal standards for what constitutes childhood" by defining child labour.[48] Like any definition, universal standards implicitly include and exclude certain aspects. The same is true for ILO conventions.

Child labour cannot be discussed without emphasizing the centrality of the ILO in agenda setting. The ILO has a tripartite structure, comprised of governments, employer's organizations, and trade unions.[49] It was created in 1919 as part of the Treaty of Versailles, against a background of war and industrial labour

---

[46] See Olga Nieuwenhuys, "Embedding the Global Womb: Global Child Labour and the New Policy Agenda" 5:1–2 Children's Geographies 149.

[47] See Augendra Bhukuth, "Defining Child Labour: a Controversial Debate" (2008) 18:3 Development in Practice 385.

[48] *Ibid* at 387.

[49] See ILO, "Tripartite Constituents," (2021), online <www.ilo.org/global/about-the-ilo/who-we-are/tripartite-constituents/lang–en/index.htm>.

exploitation in the Global North. In 1946 the ILO became the first specialized agency of the UN, and in 1973 created Convention No. 138, the "Minimum Age Convention."[50] This Convention introduced a categorization for child labour, namely one distinguishing between "light work" and "hazardous" work.[51] Although it was supposed to be clarifying, the categorization created difficulty in qualifying and quantifying what counted as child labour. Nevertheless, Convention No. 182, the "Worst Forms of Child Labour Convention" also aimed at achieving the total abolition of what was now legally defined as child labour by reconceptualizing "hazardous work" to "worst forms" of child labour.[52] This broadened the definition of child labour to include trafficking, debt bondage, and slavery, which are also difficult to measure.[53]

This introduces us to the long-standing debate between those who prioritize the goal of eliminating child labour ("the abolitionists") and those who aim to regulate child labour ("the regulators").[54] Abolition approaches include encouraging state legislation banning child labour, firing children when they are found to be working in an industry, and putting in place punishments for employers who hire children. While abolitionists advocate for outlawing child labour outright, regulators fear that employing this approach without well-rounded strategies to achieve sustainable realization may place the most vulnerable into even more precarious situations by pushing their lives into the fringes of illegality.[55] Practical regulation includes, among other strategies, providing better working conditions for children and working with child labour unions to address their concerns. For example, by using Amartya Sen's capability approach, Biggeri's article explains how children can delineate their capabilities, which can be telling for how to

---

[50] Convention 138, *supra* note 2

[51] *Ibid*, at article 7.

[52] Convention 182, *supra* note 2.

[53] Edward Van Daalen, "What's wrong with the Global Estimates on Child Labour?" (25 November 2021), online: *Open Democracy* <www.opendemocracy.net/en/beyond-trafficking-and-slavery/whats-wrong-with-the-global-estimates-on-child-labour/>.

[54] Van Daalen & Hanson, *supra* note 5.

[55] See Gurchathen S Sanghera, "The 'Politics' of Children's Rights and Child Labour in India: A Social Constructionist Perspective" in *Children's Rights* (Routledge, 2017) 301.

address child labour.[56] While abolitionists say children should not work, regulators advance to improve working conditions through protection and empowerment using strategies such as these.[57]

The ILO previously had a two-prong policy for child labour, where one branch was concerned with long-term abolition and the other was based in practical regulation.[58] Thanks in large part due to trade union lobbying, the ILO dropped their regulation approach for hard abolitionist tendencies.[59] This happened in the early 1990s with factors including the launch of the International Programme on the Elimination of Child Labour (IPEC), media coverage of child labour in the Philippines, and the position of the International Confederation of Free Trade Unions (ICFTU).[60]

Since the 1990s, the abolitionist approach to child labour has dominated the international legal landscape. Rather than working to regulate working conditions of child labourers, the ILO advocates for states to instead focus their attention on abolishing the worst forms of child labour, including slavery, debt-bondage, and prostitution.[61] Echoes of this re-emerge in Target 8.7, which also prioritizes eliminating the worst forms of child labour. A closer look at Target 8.7 (in footnotes for reference) [62] demonstrates how Target 8.7 combines two distinct "problem" areas to be fixed, namely modern slavery and child labour. Whereas there is no date for ending modern slavery, the date for ending child labour in all its forms is 2025. In line the logic noted

---

[56] Mario Biggeri, "Children Conceptualizing their Capabilities: Results of a Survey Conducted during the First Children's World Congress on Child Labour" (2007) 7:1 Journal of Human Development 59.

[57] For the purposes of this essay, it is important not to confuse regulation of child labour with market regulation. They are related, as regulating child labour involves state support in creating legislation to protect child workers. However, when I refer to market regulation, I refer to state regulating of market conditions by providing social safety nets to all people, including children.

[58] See Van Daalen & Hanson, *supra* note 5.

[59] See *ibid*.

[60] See *ibid* at 8.

[61] See International Labour Organization, *Child Labour: Targeting the Intolerable ; report VI (1)* (Geneva, 1996).

[62] Target 8.7 reads, "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms."

above, there is no language of regulating child labour in Target 8.7, but rather language of abolition.

The abolition/regulation debate about child labour is relevant to how Target 8.7 is marketed, considering "abolition" is a more attractive, and simpler strategy to dealing with child labour. Instead of regulating child labour by improving working conditions, the logic of the abolition approach is to put in place legislation and the rest will follow.

However, even if abolishing child labour is less messy than regulating it, formal abolishment might not actually eliminate child labour.[63] The experience of India suggests that an abolition approach to child labour, from legislation banning children from entering labour markets to Corporate Social Responsibility (CSR) ridding children from supply chains, does not actually address the underlying causes of child labour.[64] In fact, these responses could, to use the words of Kolk, "even worsen the children's situation by driving them to more hazardous work in the informal sector."[65] Rather than advocating for market-based responses such as those, various grassroots NGOs working with child labourers suggest that the "economic, political and social conditions"[66] must be addressed through increased state welfare and social supports.[67] These grassroots advocate for inclusion of regulatory approaches into the discussion.

The problem I raise is not that the abolitionist approach to child labour does not work in practice. I recognize the critiques and evidence that suggest it does not, like in the case of India.[68] However, rather than critiquing abolition outright, I problematize the child labour regime as a discursive tool that advances the abolitionist approach without engaging in productive conversations about alternatives. Alternatives exist, such as the inclusion of critical actors into the debate and of working children themselves. These alternatives are silenced, however, because they do not fall into the abolitionist discourse running throughout the child labour regime. The fact that Target 8.7 latches onto the

---

[63] See Balagopalan, *supra* note 43.

[64] See Sanghera, *supra* note 55.

[65] *Ibid*.

[66] Sanghera, *supra* note 55.

[67] See Philip A Nath, Pankaj Dimri & Helen R Sekar, *Convergence of Social Security Schemes for Elimination of Child Labour* (Noida: V.V. Giri National Labour Institute, 2013).

[68] Balagopalan, *supra* note 43; Sanghera, *supra* note 55.

abolitionist approach is not inherently problematic. What makes it problematic is that Target 8.7 does this in a way that obscures alternatives to the abolition approach, disciplines actors into advocating for that approach, and in doing so, reduces critical discussions about practical solutions.

Now having set the groundwork for understanding the child labour regime and how Target 8.7 is part of it, I explain how Target 8.7 entrenches the logic of the global economic paradigm by disciplining actors into employing marketing approaches to advertise it, sell it, legitimize it as if it were a consumer item instead of a policy tool. Advertising one solution —abolition—to a deeply complex problem like child labour raises questions about global governance.

3. Target 8.7 as a Market Paradigm Tool

Moving to the second half of the paper, this section reflects on interviews conducted in 2021 with experts in the field of child labour. My central finding is that Target 8.7 neutralizes the role of the market and entrenches logic of the global market economy into global governance by disciplining actors into marketing child labour abolition strategies.

3.a. Methodology

In the Fall of 2021, my colleague Edward van Daalen and I embarked on a research project trying to address knowledge gaps regarding the drafting and practical impacts of aspirational SDG Target 8.7. We aimed to understand how Target 8.7 was drafted, and how that could provide information about child labour discourse more broadly. As is often the case with methodologies relying on interviews, conversations opened doors to a wider set of problematics. Whereas my colleague focused on the details of how Target 8.7 Target operates, I focused on the way interviewees employed language reminiscent of the global market economy in describing how the Target guides and constrains them.

The project was approved by the McGill Research Ethics Board.[69] My colleague and I conducted in-depth interviews with 15 experts who influenced or were directly involved in the drafting of Target 8.7 to collect their ideas about the drafting process, who was included and excluded, and how the Target contributes to the international legal regime on child labour. Research relied on the problem-centered expert interview, a qualitative interviewing approach for investigating implicit expert knowledge.[70] Experts in this context are people who have special knowledge about a specific subject or event, in this case the drafting of Target 8.7 and its impacts. Experts including leading executives of child labour NGOs, governmental child labour experts, and trade union lobbyists provided information about the hidden facets of the elements under investigation.

Gathered interviews were recorded, transcribed, and analyzed under broad thematic categories. As per the informed consent form provided to interviewees, findings in this paper are kept confidential by neither disclosing the name of the participant nor the organization they work for. Instead, responses are coded based on chronological order of interviews. For example, quotations pulled from the first participant are coded as P1, from the second participant as P2, and so on. Assuring participants that their interviews would be anonymized allowed for a more honest and insightful information exchange.

3.b. Findings/Discussion

Findings are divided into three main sections, namely how Target 8.7 was drafted in a way that made it marketable to donors, how the ILO championed an abolitionist child labour strategy as part of their norm setting strategy, and how NGOs have marketed Target 8.7 in order to keep their legitimacy and donor funding. Discussion is woven into this section for conciseness.

3.b.ii Drafting of Target 8.7

---

[69] See REB File #: 21-06-005, under the title, "Exploring Target 8.7: An Interdisciplinary Approach to Global Child Labour Policy."

[70] See Alexander Bogner, Wolfgang Menz & Beate Littig, "Introduction: Expert Interviews – An Introduction to a New Methodological Debate" in *Interviewing Experts*, 1st ed (New York: Palgrave Macmillan, 2009).

Marketing a sense of urgency is a common strategy in advertising products to consumers. As explained by Childs and Jin, the most successful way to create consumer urgency is by marketing the product as a limited-edition item.[71] Launched in 2015, ambitious SDG goals were supposed to address "the wellbeing of every individual" and "the health of the planet" by 2030— no easy feat. The fact that the SDGs are time-bound demonstrates one way the SDGs create a sense of urgency through a limited-edition approach.[72] It is not a new premise that the SDGs are marketed to governments and other stakeholders. This was made most clear in 2017. The Common Ground Alliance, which is a partnership of the world's top advertising firms, announced an initiative "aimed at driving widespread awareness and action among young people in support of the Sustainable Development Goals (SDGs) adopted at the United Nations in 2015."[73] This is a clear indication that the UN is utilizing "six of the world's leading marketing and advertising companies"[74] to market the SDGs not just to governments and other stakeholders, but also to ordinary people. This section explains how the wording of Target 8.7 plays into this marketing approach.

Of all of the participants we spoke to, none of them knew why Target 8.7 was worded the way it was. In other words, none of the experts in the field of child labour who were either part of drafting or at least involved in leading child labour organizations at the time of drafting understood why Target 8.7 was drafted how it was. This is striking, considering these goals are promoted as untouchable, indisputable, and expert-crafted tools.

---

[71] See Michelle Childs & Byoungho Ellie Jin, "Retailer-brand Collaborations: Testing Key Strategies to Increase Consumers' Urgency to Buy" (2020) 48:4 International Journal of Retail & Distribution Management 380.

[72] See Institute for Human Rights and Business, *State of Play: Business and the Sustainable Development Goals: Mind the Gap - Challenges for Implementation* (2015) online (pdf): <www.ihrb.org/pdf/state-of-play/Business-and-the-SDGs.pdf>.

[73] See "Common Ground – United Nations Sustainable Development", (14 June 2017), online: <www.un.org/sustainabledevelopment/blog/tag/common-ground/>.

[74] See Peter Jones, Daphne Comfort & David Hillier, "Common Ground: The Sustainable Development Goals and the Marketing and Advertising Industry" (2018) 18:2 Journal of Public Affairs 1.

Whereas most other SDG goals are set to be reached by 2030, Target 8.7 is set to be reached by 2025. P10, a high-ranking officer of a UN agency, said "if you ask me about 2025, it's a mystery for me, apart from creating a sense of urgency." He added that before 2015, there was "stagnation" in achieving the child labour elimination targets set up in years prior. Thus, one method of addressing this was "by creating an alarm, a sense of urgency to reach the target." Even if he did not think setting the time span at 2025 rather than 2030 changed the urgency attributed to the goal, he said that "our position is that we have maintained a sense of urgency." From this, we can deduct the drafters marketed the Target through urgency considering his agency was a leader in drafting.

Many participants reflected the view that Target 8.7 is aspirational and unachievable. Some were critical that this "undermines credibility" and "the rule of law" (P11). Others suggested that at least Target 8.7 creates "political will" which "is necessary to address these issues" (P2). P2 continued, saying "now I have something to hang my advocacy on: the SDGs." Similarly, P3 was adamant that even though the Target is unachievable, it is crucial to continue working to achieve it, even though it ultimately will not be achieved, and another target will be set for another time frame of 10 to 15 years. His point was that the Target is about political commitment more than actually achieving the goal.

Limited edition items do the same thing as an unreachable time-bound SDG goal. They create an illusion that there are only so many products that can be sold in a certain amount of time, so consumers should "get them fast" to be part of the trend, even if there is no danger they will actually run out. Target 8.7 creates a sense of urgency by packaging a time-bound goal as one that expires before 2025, which encourages governments to jump onto the trend of political commitment even though child labour will not actually be eliminated by that time.

Target 8.7 does not only address child labour, but also addresses forced labour, modern slavery and human trafficking. As P1 explained, "we mushed together modern slavery and child labour" even though they are quite different. The only reasonable explanation interviewees could provide for why these forms of exploitation were named in the same Target was to make child labour as "sexy" and sellable as possible.

One of the interesting theories about why the goal combined different areas was the idea that there was a "child labour fatigue" and that the "momentum" around trafficking and

modern slavery was used to get child labour "back on the agenda" (P3). In other words, combining distinct concepts was done was to increase the "call to action." As P4 said, donors have been less willing to discuss child labour, and have shifted their focus on concepts which seem more urgent. That may be part of the reason why P3 said trade unions "never saw a reason to separate worst forms of child labour from child labour." He continued that trafficking, labour exploitation, and modern slavery have gained visibility in the donor world. These concepts "resonate with the public," so speaking of these concepts rather than child labour "reaches more people" (P3).

This exemplifies that similar to any aspirational SDG target, drafters concerned about the buy-in of states adjusted their language, like any good marketers, to make child labour as "sexy" a human rights issue as possible, placing it in the same goal as modern slavery to add urgency and moral outcry. In fact, the Global March, a registered NGO discussed later, had quite a successful campaign to include child slavery in the same goal as child labour (P6). Even though "child slavery" did not make it into Target 8.7, "modern slavery" did. This disregards the fact that child labour and modern slavery are entirely different concepts, but the approach undoubtedly fulfills the goal of making child labour sound more urgent.

The utility of meshing concepts together was debated. As P3 suggested, pushing concepts together "creates confusion" and "when there's confusion, it creates a lesser degree of accountability." P10 agreed, saying that donors sometimes confuse terms, like child labour and forced labour. The Global March uses child labour and child slavery interchangeably (P6), thus child labour and more extreme forms of exploitation become mixed into one image. Despite admitting that modern slavery and human trafficking are different from child labour, P10 said "it's excellent" that all the topics are in one shared goal because partners from different sectors have to collaborate "under the same umbrella." That could be a silver lining.

However, while increasing collaboration may be positive for organizational efficiency, this detracts from the reality that the vast majority of child labourers are not slave labourers or sex workers, but rather working on their parents' agricultural fields.[75]

---

[75] See Olivier Thévenon & Eric Edmonds, *Child Labour : Causes, Consequences and Policies to Tackle It* (OECD Social, Employment and Migration Working Papers, 2019) at 9.

Sure, pushing all child labour into the same exploitation imaginary increases donor response. However, as Bukovská explains, advocacy that perpetuates victimization may not actually address the problem but rather entrench stereotypes.[76] Finally, it creates a false depiction of the problem that needs addressing, and thus diminishes the array of possible solutions that might actually be capable of addressing it.

3.b.ii. ILO as norm-setter

Since the 1980s the International Labour Organization (ILO) has been the norm-setter for child labour, increasingly controlling an oligopoly on child labour discourse by "squeezing out" other actors with alternative agendas. As Viljoen explains, international organizations are norm creators in the field of human rights.[77] Interview findings suggest that the ILO was successful in creating child labour norms through two strategies. The first was by creating what I consider to be a "quasi-subsidiary" organization, Alliance 8.7. The second was by holding policy meetings to address child labour, but only inviting groups and civil society organizations that support their agenda. In this way, the ILO appears participatory despite their exclusionary practices.

As detailed in section 2.c., the ILO is the most prominent body in child labour agenda-setting. The ILO's normative power comes from its respected role as a UN institution and the near universal acceptance of its conventions, combined with influential trade union lobbying. Since the 1970s, the ILO has increasingly advocated for an abolitionist approach to addressing child labour.[78]

A recent initiative employed by the ILO was creating a quasi-subsidiary organization called Alliance 8.7. Alliance 8.7 is a global partnership initiative "for eradicating forced labour, modern slavery, human trafficking and child labour around the

---

[76] See Barbora Bukovská, "Perpetrating Good: Unintended Consequences of International Human Rights" (2008) 5 Sur Revista Internacional de Direitos Humanos at 10.

[77] See Frans Viljoen, "Human Rights in Africa: Normative, Institutional and Functional Complementarity and Distinctiveness" (2011) 18:2 South African Journal of International Affairs 191 at 192.

[78] See Van Daalen & Hanson, *supra* note 5.

world" committed to achieving Target 8.7 of the SDGs.[79] This demonstrates how it repeats the abolitionist logic found in Target 8.7. To join, an organization must declare that they are committed to embracing Target 8.7, meaning any organization that openly questions SDG Target 8.7 will not be included in the Alliance. The Alliance boasts 242 partnerships across countries, international and regional organizations, workers' organizations, employer and business membership organizations, civil society organizations, academic institutions and other relevant stakeholders and networks.[80] Although there is a brief mention on the Alliance 8.7 website that the ILO holds the Secretariat position, nowhere does it mention that the ILO orchestrated the regional consultations that created it. Rather, the vague language makes it seems as though the ILO was democratically chosen by the 242 partners to "facilitate the day-to-day operations" of the Alliance.[81]

As a child protection officer at an intergovernmental agency that founded a child labour partnership, P2 critiqued the ILO for holding the Alliance 8.7 secretariat. P2 forcefully stated that the ILO is "not a child rights/welfare organization, but a labour one." She suggested that the ILO is not best situated to lead an Alliance. Rather, in P2's view, an organization like the one she is a part of is much better equipped to negotiate with children and advocate to meet their immediate needs. P2 recognized that working with children was not and could not be accepted by the Alliance, considering the abolition platform is disinterested in regulatory approaches. However, P2 was vocal in stating the impossibility of reaching Target 8.7 through an Alliance that does not even enter into conversation with organizations committed to implementing better working conditions for children until abolition becomes a reality.

The ILO's exclusion of certain agendas through Alliance 8.7 might be intentional. P10 is a powerful figure in advocating for child labour abolition, who said that Alliance 8.7 "is not a place necessarily for a debate for critical things" and "it's not a Parliament." Rather, it's a place to make "voices converge." In other words, it is an organization with one solitary

---

[79] See "Welcome to Alliance 8.7" (last accessed 15 June 2022), online: *Alliance 87* <www.alliance87.org/>.

[80] *Ibid*.

[81] *Ibid*.

agenda that has potential members sign a waiver ascribing to that agenda, despite promoting itself as an inclusive venue for productive discussions about addressing child labour.

The second strategy employed by the ILO in directing child labour discourse is by inviting only certain governmental bodies and civil society organizations to their meetings. When the ILO received backlash for not including civil society organizations in policy discussions, they quickly pointed to their inclusion of the Global March Against Child Labour. The Global March is now a registered NGO, but began as a network of trade unions and civil society organizations working together to eliminate and prevent "all forms of child labour."[82] According to P3a and P3b, the trade union position is that all child labour is bad, and thus working with child labourers is out of the question. The Global March shares this position, and thus bolsters the voices of the ILO's trade union base (P6). However, as P8 stated, the position of the Global March is far from representative of all civil society organizations. Even more critically, P11 said "if you know anything about child labour you don't take the   Global March seriously …   it's propaganda." In other words, she advanced that the ILO is just inclusive of NGOs who can act as spokespeople for their agenda while upholding the illusion of inclusion.

The ILO's dominance in setting the child labour agenda can be analogized to how a major oligopoly successfully markets products to consumers. Although there are obvious differences between the ILO and profit-oriented giants, the ILO relies on market-share dominance to advance its position. The analogy begins with oligopolies who own multiple subsidiaries. Subsidiaries do not always have the same name as the oligopoly that owns them, thus consumers do not imagine they are part of the same operation. For example, Breyers ice cream and Dove soap are completely different products, so consumers are unlikely to realize they are both owned by Unilever. In fact, the history of Unilever demonstrates that the name "Unilever" was purposefully not used in the names of their operating companies.[83] Market segmentation strategies are not inherently problematic to the global market economy, and are even taught in first-year introductory business classes as tools to capture a larger slice of

---

[82] See "Introduction – Global March" (last accessed 15 June 2022), online: *Global March* <globalmarch.org/about-us/who-we-are/introduction/>.

[83] See Geoffrey Jones, "Control, Performance, and Knowledge Transfers in Large Multinationals: Unilever in the United States, 1945–1980" (2002) 76:3 Business History Review 435.

the market share.[84] The global market economy expects—and even encourages—powerful companies like Unilever or Nestle to claim significant market share. However, the same cannot be expected for human rights policy-setting institutions like the ILO.

By virtue of Alliance 8.7, the ILO is latching onto the same logic as oligopolies, except instead of selling products, the ILO is influencing policymaking at the level of the United Nations. Discourse about child labour continues to be largely controlled by groups or organizations approved by the ILO, as evidenced by the Global March. Donors and even countries are influenced by Alliance 8.7 and the Global March, yet may not realize their common denominator is the ILO. As Foucauldian theory makes clear, the more ubiquitous a certain discourse—or in this case, an agenda—becomes, the less actors question the assumptions underpinning those discourses. SDG Target 8.7 is an example of a depoliticized tool that further entrenches child labour abolition strategies as part of a discourse largely controlled by the ILO.

3.b.iii Reaction by NGOs

Today, the ILO continues to set the child labour agenda, and NGOs react to pressures to conform this agenda by outwardly projecting acceptance for an agenda they may disagree with. NGOs do this in order to better attract donors and remain competitive. While many NGOs working on the ground are aware that an abolition approach to child labour does not work to protect the interests of children, they self-discipline their language with the abolition discourse in order to stay relevant (P1).

Like companies, NGOs must compete for capital. While companies do this by marketing their products, NGOs do this by marketing their causes to donors. NGOs must pitch their products to appeal to donors "in a context where marketing trumps justice," which involves "simplifying and universalizing their claims" and "making them relevant to the broader missions and interests of global key players."[85] For better or for worse, appealing to donors is a large part of what NGOs must devote themselves to. As P11 explained, "you need a whole unit to hit the donor demands." NGOs must align their platforms with what

---

[84] Author studied at Queen's University's in the commerce program in 2014.

[85] *Ibid* at 40.

donors are most interested in addressing and what donors believe is most urgent.

One of the inherently problematic aspects of this is that some organizations, specifically smaller grassroots NGOs from the Global South, are not included at ILO roundtable discussions (P6). This is related to the idea of NGO streamlining, meaning that smaller more radical NGOs are forced to align with the discourse/agenda of larger international organizations and NGOs that hold power in decision-making. As Holzscheiter explains, discursive contestation on the part of these actors can lead to exclusion in child labour policy circles.[86]

Perhaps more problematically, even the most powerful international child labour NGOs are joining Alliance 8.7 despite not actually adhering to their platform. P1 shared how her organization shifted their position on child labour quite radically from the early 2000s to 2020, from a more regulatory approach stressing child rights and improving working conditions, to one not mentioning organizations representing working children at all. Furthermore, this child rights organization was "voluntarily excluded" by the ILO from drafting Target 8.7, most likely for their stance advocating for a more nuanced approach to addressing child labour that includes considering children's wellbeing and a whole range of children's rights, instead of advocating for a blanket prohibition and abolition approach. Upon radically changing their position, P1's organization was tentatively welcome to these meetings once again. As she said, "there is no escaping ILO conventions." It also appears that there is no escaping Target 8.7 and joining Alliance 8.7, considering this organization, once a staunch critique, is now part of Allianc 8.7.

This demonstrates that the SDGs not only influence what donors consider legitimate policy responses to child labour, but also influence how NGOs present themselves to donors. Fukuda-Par and McNeil argue the SDGs contribute to a "governance by goal setting" environment, where development norms are created by virtue of these universalized aspirations.[87] It appears NGOs must also play into the marketing game in order to be competitive funding recipients who appear to adhere to these development norms. As P1 said, the SDGs "steers your relationship with your donor." Therefore, since NGOs feel the pressure to conform to what donors are interested in, and donors are influenced by child

---

[86] See Holzscheiter, *supra* note 14.

[87] Fukuda-Parr & McNeill, *supra* note 30.

labour discourse, NGO programming becomes part of the same logic.

3.c. The Anti-Politics of Child Labour

The market logic underpinning Target 8.7 transposes the global market economy on child labour response. This section illustrates how Target 8.7 and its accompanying discursive regime have encouraged actors to adopt marketing strategies in line with the global economic order. I borrow from Ferguson's Foucauldian-inspired work *The Anti-Politics Machine*,[88] because it underscores how discourse plays a role in legitimizing policy agendas that may not propose evidence-based solutions. I argue child labour discourse and Target 8.7 have created an anti-politics machine. Child labour discourse depoliticizes the politically-packed strategy of child labour abolition, while Target 8.7 acts as an apparatus that entrenches market logic into the child labour abolition approach. Ultimately, this child labour abolition discourse advanced by the child labour regime, coupled with disciplining actors to market that approach for legitimacy, may not be beneficial to addressing child labour. However, it is highly beneficial to creating the conditions for the next global time-bound estimates. If churning out more time-bound estimates is the goal, then the anti-politics machine of child labour discourse is enormously productive.

In his 1990 book, Ferguson examined how development institutions like the World Bank rely on apolitical discourses which construct certain countries as "less developed" but that can be "fixed" through technical projects.[89] Ferguson explained that the "development apparatus" ironically de-politicizes development projects by proposing technocratic solutions removed from local contexts. Ferguson suggests that development projects never deliver on their promises of reducing poverty, yet continue to be financially supported by often well-intentioned actors because they are fueled by the anti-politics machine of development. When the development apparatus fails, it dismisses its failures as the

---

[88] See Ferguson, *supra* note 2.

[89] *Ibid.*

wrong calibration of responses to be tweaked through further technocratic solutions.[90]

In parallel, the child labour regime constructs child labour as something that can be addressed through child labour abolition projects. The child labour regime depoliticizes child labour by purporting strategies like legislation banning child labour, or corporate efforts aimed at removing children from supply chains.[91] As an example, India recently committed to the abolition of child labour through 2017 ratifications of C138 and C182, and the ILO stressed the importance of these ratifications for reaching Target 8.7.[92] However, these formal commitments are unlikely to succeed in the absence of concrete steps towards addressing the underlying causes of child labour. Child labourers continue to constitute a massive labour force in India.[93] As Balagopalan argues, legislation banning child labour cannot work to actually reduce child labour if the state makes no other meaningful steps to work towards those formal commitments.[94] Similarly, Kolk advances that corporate codes of conduct may not actually address the underlying causes of child labour, but could have the unintended consequence of pushing children into more precarious forms of work.[95] The parallels with Ferguson's work serve to demonstrate how certain sets of solutions can become so rhetorically powerful that they continue being funded despite a lack of evidence that they are adequate response mechanisms.

As findings made clear, the truth-creating process of child labour abolition response is facilitated by SDG Target 8.7, which reiterates a child labour abolition discourse based in market solutions. This entrenches the only common-sense option of responding to child labour as the abolition approach to child labour. Furthermore, it does so in a way that neutralizes the global market economy and the violence imbedded within.

Nieuwenhuys makes the convincing argument that the global market economy actually contributed to the problem of

---

[90] See *ibid*.

[91] See Kolk & Van Tulder, *supra* note 58.

[92] See ILO, "India ratifies both Fundamental ILO Conventions on Child Labour", (13 June 2017), online: <www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_557295/lang–en/index.htm>.

[93] See Sanghera, *supra* note 51 at 301.

[94] See Balagopalan, *supra* note 43.

[95] See *ibid*.

child labour in many countries in the Global South.[96] Rahikainen explains that although industrializing countries are seen as successful examples of nation-states that eradicated child labour though market logic, the fact of the matter is that they were only successful insofar as they could offload that labour to countries from the Global South.[97] Therefore, while the market model composed of CSR and economic growth seemed to "work" to respond to child labour in the Global North, that does not mean this approach can successfully be replicated in other countries that have nowhere to offload their labour needs. Additionally, while industrialized countries responded to child labour through increased social spending, the rise and response to child labour in the Global South corresponded to an economic regime based in state cuts and market liberalization.[98] As Swaminathan demonstrated in the growing city of Bhavnagar in Western India, "economic growth alone is not sufficient to address child labour."[99]

I problematize that Target 8.7 relies on and neutralizes logic reminiscent of the global market economy, as it may be one of the causes contributing to global inequality and potentially even creating conditions which demand inexpensive labour sources, like children. Since the global market economy ultimately condenses wealth in some regions by virtue of exploiting others,[100] policymakers should interrogate this reliance on the same global market mechanisms to advance the child labour agenda.

---

[96] See Nieuwenhuys, *supra* note 46.

[97] See Marjatta Rahikainen, "Historical and Present-Day Child Labour: is there a Gap or a Bridge between Them?" (2001) 16:1 Continuity and Change 137.

[98] See Nieuwenhuys, *supra* note 84. See also Scherrer, who provides a detailed economic explanation of the continued impacts on labour markets: Christoph Scherrer, "Superfluous Workers: Why SDG 8 Will Remain Elusive" in M Kaltenborn, M Krajewski & H Kuhn, eds, *Sustainable Development Goals and Human Rights* (Cham: Springer, 2019) at 119.

[99] Madhura Swaminathan, "Economic Growth and the Persistence of Child Labor: Evidence from an Indian City" (1998) 26:8 World Development 1513.

[100] See Nieuwenhuys, *supra* note 46.

4. Conclusion

The child labour regime boasts an assemblage of international legal conventions, international child labour organization documents, and now an SDG Target which all anchor the operation of child labour elimination discourse as the best solution for addressing child labour. Target 8.7 is emblematic of the child labour regime, and by virtue of that, has become imbedded in the anti-political nature of the regime.

Target 8.7 entrenches the global market economy into the child labour abolition response through various means. Firstly, even though child labour experts understand that addressing the structural factors behind child labour would take time, the SDGs, Alliance 8.7, child labour donors, and NGOs latch onto the discourse that it can be addressed in a 15-year timespan because this creates urgency. It does not matter to the logic of the regime that the Target pushes different kinds of exploitation under the same umbrella to appeal to donors. In fact, that is a good thing, since it increases donor spending and confers legitimacy to the abolitionist approach. Secondly, the monopoly of discourse is dominated by the ILO, who acts as an oligopolistic player that created Alliance 8.7, a perfect example of conferring legitimacy to organizations as long as they adhere to the ILO-influenced agenda set in Target 8.7. Only those who adhere to this agenda are invited to the "big boys' table" (P4), including the Global March, to discuss the policy agenda. This creates the illusion of inclusion, despite the exclusion of actors and opinions. Thirdly, NGOs are constrained by this discursive environment, and discipline themselves into producing this discourse to receive legitimacy and donor funding. This is dangerous for the "democracy of global governance" decision-making.[101]

Examining Target 8.7 offers a slice of the larger SDG problematic, namely that of aspirational targets drafted by few political actors representing universal appeal on the global scale that may not be based in practical solutions. The ILO's dominating role in setting the agenda for Target 8.7 results in reduced critical discussion about finding practical solutions for child labour. While the blame could be placed on the ILO, this would obscure the extent to which the ILO is operating in a space

---

[101] Magdalena Bexell, Jonas Tallberg & Anders Uhlin, "Democracy in Global Governance: The Promises and Pitfalls of Transnational Actors" (2010) 16:1 Global Governance 81.

where simple and easily sold ideas are preferred to complex and well-rounded strategies. As P11 told us, "donors want to see results in a short period." This results in an SDG Target which advocates for the simplicity of abolition approaches at the expense of regulation approaches that could provide meaningful insight for addressing child labour in the short term and the long term.

The end beneficiaries of Target 8.7 may not be child labourers at all, but rather the ILO, the governments, and the NGOs that market abolition. As P2 shared, "when it comes to child labour, it does not matter if what you're doing is the right thing or the wrong thing, as long as you're doing something." This is not exactly comforting. If experts do not know if the strategies advanced by Target 8.7 are successful in addressing child labour, but sell these strategies in order to stay relevant, then who actually benefits from Target 8.7? Target 8.7 will not eliminate child labour by 2025, but the neutralized discourse it relies on will reproduce and guarantee the prevalence of more apolitical SDG goals in the future. This is in part because Target 8.7 creates an environment where a competitive mentality guarantees the production and productivity of child labour discourse.

This paper has problematized the global governance apparatus on child labour of which 8.7 is emblematic: hegemony, exclusion, and market approaches. The solution may be as simple as a policy agenda based in evidence that recognizes the enormous body of critical scholarly work done. The inclusion of more voices at the policy table would be a significant step towards destabilizing a discourse based on one advocacy approach. If this happens, then global governance could more accurately represent itself as a democratic process. This would be preferable to a model of policymaking based on one messy agenda not based in evidence. In order to jumpstart this process, politicization and historization, combined with a de-fetishization of statistics, numbers and indicators, could bring to light the problems identified in this paper, as well as be conducive to meaningful conversations in finding solutions to child labour.

BIBLIOGRAPHY

LEGISLATION & CONVENTIONS

Convention 138, ILO (International Labour Organization), *Minimum Age Convention*, 1973.

Convention 182, ILO (International Labour Organization), *Worst Forms of Child Labour Convention,* 1999.

United Nations, *The Millennium Development Goals Report 2015* (2015) online (pdf): www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf.

International Labour Organization, *Child Labour: Targeting the Intolerable ; Report VI (1)* (Geneva, 1996).

SECONDARY MATERIAL: MONOGRAPHS & CHAPTERS

Yasmin Anwar & Noha El-Bassiouny, "Marketing and the Sustainable Development Goals (SDGs): A Review and Research Agenda" in Samuel O Idowu, René Schmidpeter & Liangrong Zu, eds, *The Future of the UN Sustainable Development Goals: Business Perspectives for Global Development in 2030* CSR, Sustainability, Ethics & Governance (Cham: Springer International Publishing, 2020) 187.

Alexander Bogner, Wolfgang Menz & Beate Littig, "Introduction: Expert Interviews – An Introduction to a New Methodological Debate" in *Interviewing Experts*, 1st ed (New York: Palgrave Macmillan, 2009).

Michel Foucault, *The History of Sexuality Vol. 1: The Will to Knowledge*, trans Robert Hurley, 1st ed (New York: Pantheon Books, 1978).

Anna Holzscheiter, *Children's Rights in International Politics : The Transformative Power of Discourse*, 1st ed (London: Palgrave Macmillan, 2010).

Alan Hunt & Gary Wickham, *Foucault and Law: Towards a Sociology of law as Governance* (London, UK: Pluto Press, 1994).

Philip A Nath, Pankaj Dimri & Helen R Sekar, *Convergence of social security schemes for elimination of child labour* (Noida: V.V. Giri National Labour Institute, 2013).

Gurchathen S Sanghera, "The 'Politics' of Children's Rights and Child Labour in India: A Social Constructionist Perspective" in *Children's Rights* (London, UK: Routledge, 2017) 301.

Christoph Scherrer, "Superfluous Workers: Why SDG 8 Will Remain Elusive" in M Kaltenborn, M Krajewski & H Kuhn, eds, *Sustainable Development Goals and Human Rights* (Springer, Cham, 2019).

Edward Van Daalen & Karl Hanson, "The ILO's Shifts in Child Labour Policy: Regulation and Abolition" in Christophe Gironde & Gilles Carbonnier, eds, *The ILO@ 100 : Addressing the Past and Future of Work and Social Protection* (Leiden: Brill Nijhoff, 2019) 1.

SECONDARY MATERIAL: JOURNAL ARTICLES

Augendra Bhukuth, "Defining Child Labour: a Controversial Debate" (2008) 18:3 Development in Practice 385.

Barbora Bukovská, "Perpetrating Good: Unintended Consequences of International Human Rights" (2008) 5 Sur Revista Internacional de Direitos Humanos.

Benedicte Bull & Desmond McNeill, "From Market Multilateralism to Governance by Goal Setting: SDGs and the Changing Role of Partnerships in a New Global Order" (2019) 21:4 Business and Politics 464.

Clive Gabay & Suzan Ilcan, "Leaving no-one Behind? The Politics of Destination in the 2030 Sustainable Development Goals" (2017) 14:3 Globalizations 337.

Frans Viljoen, "Human rights in Africa: Normative, Institutional and Functional Complementarity and Distinctiveness"

(2011) 18:2 South African Journal of International Affairs 191.

Geoffrey Jones, "Control, Performance, and Knowledge Transfers in Large Multinationals: Unilever in the United States, 1945–1980" (2002) 76:3 Business History Review 435.

George Martine, "Reviving or interring global governance on sustainability? Sachs, the UN and the SDGs" (2015) 32:3 Rev bras estud popul 631.

Heloise Weber, "Politics of 'Leaving No One Behind': Contesting the 2030 Sustainable Development Goals Agenda" (2017) 14:3 Globalizations 399.

Institute for Human Rights and Business, *State of Play: Business and the Sustainable Development Goals: Mind the Gap - Challenges for Implementation* (2015) online (pdf): <www.ihrb.org/pdf/state-of-play/Business-and-the-SDGs.pdf>.

Ivan Manokha, "Foucault's Concept of Power and the Global Discourse of Human Rights" (2009) 23:4 Global Society 429.

James Ferguson, *The Anti-Politics Machine: "Development," Depoliticization and Bureaucratic Power in Lesotho* (Irvine: University of California, 1990).

Jan Vandemoortele, "From Simple-Minded MDGs to Muddle-Headed SDGs" (2018) 5:1 Development Studies Research 83.

John H Currie, *Public international law* (Toronto: Irwin Law, 2008).

Kalpana Wilson, "Re-centring 'Race' in Development: Population Policies and Global Capital Accumulation in the Era of the SDGs" (2017) 14:3 Globalizations 432.

Madhura Swaminathan, "Economic Growth and the Persistence of Child Labor: Evidence from an Indian city" (1998) 26:8 World Development 1513.

Magdalena Bexell, Jonas Tallberg & Anders Uhlin, "Democracy in Global Governance: The Promises and Pitfalls of Transnational Actors" (2010) 16:1 Global Governance 81.

Makau Mutua, "Savages, victims, and saviors: The Metaphor of
Human Rights" (2001) 42 Harv Int'l LJ 201.

Mario Biggeri, "Children Conceptualizing their Capabilities:
Results of a Survey Conducted during the First Children's
World Congress on Child Labour" (2007) 7:1 Journal of
Human Development 59.

Marjatta Rahikainen, "Historical and Present-day Child Labour:
is there a Gap or a Bridge between Them?" (2001) 16:1
Continuity and change 137.

Matt Craven, "On Foucault and Wolff or from Law to Political
Economy" (2012) 25:3 Leiden J Intl L 627.

Michelle Childs & Byoungho Ellie Jin, "Retailer-brand
Collaborations: Testing Key Strategies to Increase
Consumers' Urgency to Buy" (2020) 48:4 International
Journal of Retail & Distribution Management 380.

Neil Stammers, "Social Movements and the Social Construction
of Human Rights" (1999) 21:4 Hum Rts Q 980.

Nora McKeon, "Are Equity and Sustainability a likely Outcome
when Foxes and Chickens share the Same Coop?
Critiquing the Concept of Multistakeholder Governance
of Food Security" (2017) 14:3 Globalizations 379.

Olga Nieuwenhuys, "Embedding the Global Womb: Global
Child Labour and the New Policy Agenda" 5:1–2
Children's Geographies 149.

Olivier Thévenon & Eric Edmonds, *Child Labour : Causes,
Consequences and Policies to Tackle It* (OECD Social,
Employment and Migration Working Papers, 2019).

Paula Caballero, "The SDGs: Changing how development is
Understood" (2019) 10:Supplement 1 Global
Policy 138.

Peter Jones, Daphne Comfort & David Hillier, "Common
Ground: The Sustainable Development Goals and the
Marketing and Advertising Industry" (2018) 18:2 Journal
of Public Affairs 1.

Sakiko Fukuda-Parr & Desmond McNeill, "Knowledge and
Politics in Setting and Measuring the SDGs: Introduction t

o Special Issue" (2019) 10:Supplement 1 Global Policy 5.

Sanne Taekema, "Theoretical and Normative Frameworks for Legal Research: Putting Theory into Practice" (2018) Law and Method, online: <papers.ssrn.com/abstract=3123667>.

Sarada Balagopalan, "Why historicize Rights-Subjectivities? Children's Rights, Compulsory Schooling, and the Deregulation of Child Labor in India" (2019) 26:3 Childhood 304.

Serge Kapto, "Layers of Politics and Power Struggles in the SDG Indicators Process" (2019) 10:S1 Global Policy 134.

Stephen McCloskey, "From MDGs to SDGs: We Need a Critical Awakening to Succeed" (2015) 20 Policy & Practice: A Development Education Review, online: <www.developmenteducationreview.com/issue/issue-20/mdgs-sdgs-we-need-critical-awakening-succeed>.

Susanne Soederberg, "Universal Access to Affordable Housing? Interrogating an Elusive Development Goal" (2017) 14:3 Globalizations 343.

Tanja Aalberts & Ben Golder, "On the Uses of Foucault for International Law" (2012) 25:3 Leiden J Intl Law 603.

Tony Evans, "International Human Rights Law as Power/Knowledge" (2005) 27:3 Hum Rts Q1046.

SECONDARY MATERIAL WEBSITES AND ONLINE ARTICLES

"Common Ground – United Nations Sustainable Development", (14 June 2017), online: <www.un.org/sustainabledevelopment/blog/tag/common-ground/>.

"Introduction – Global March", online: *Global March* <globalmarch.org/about-us/who-we-are/introduction/>.

"SDG Indicators — SDG Indicators", online: *SDG Indicators: Metadata Repository* online: < unstats.un.org/sdgs/metadata/?Text=&Goal=8&Target=8.7>.

"Welcome to Alliance 8.7", online: *Alliance 87*
.

Edward Van Daalen, "What's Wrong with the Global Estimates on Child Labour?", (25 November 2021), online: *Open Democracy* <www.opendemocracy.net/en/beyond-trafficking-and-slavery/whats-wrong-with-the-global-estimates-on-child-labour/>.

Mark Anderson, "Ban Ki-moon: Sustainable Development Goals 'Leave no one Behind'", *The Guardian* (3 August 2015), online: <www.theguardian.com/global-development/2015/aug/03/ban-ki-moon-hails-sdgs-agreed-by-193-nations-as-leaving-no-one-behind>.

ILO, "India ratifies both fundamental ILO Conventions on Child Labour", (13 June 2017), online: <www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_557295/lang--en/index.htm>.

ILO, "Tripartite Constituents," (2021), online <www.ilo.org/global/about-the-ilo/who-we-are/tripartite-constituents/lang--en/index.htm>.