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Teaching Human Rights in the College Classroom as a Cognitive Style

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Every social and political order produces norms and depends on their widespread observance over time. A pervasive aspect of social life is the individual's binding himself or herself to these norms. He or she is unlikely to be motivated by some conscious, reflected conviction about the value of highly organized social life. He or she is unlikely to have made a conscious choice to embrace life in a social order. Rather, such a life is functionally necessary in immediate ways, for securing an ordered existence, steady employment, health care, economic exchange, and so forth. No one need appeal to some transcendent entity, theological or metaphysical, to find reasons or motivations to participate in the system of norms that any political community constitutes. Norms need to be generalized throughout a community to bind it, much as communication requires generalized symbols, languages, vocabularies, understandings as a condition of the very possibility of communication, inasmuch as the "situations of ego and alter are never completely identical. It follows that the range of possible communication varies with symbolic generalizations, i.e., can increase or decrease" (Luhmann, 1995, p. 327).

In this chapter I analyze one type of norm in particular, human rights, as a form of social justice. My interest is how people might bind themselves to this norm and I focus on a particular group, college students. I argue that they might learn, in the university classroom, how to bind themselves in terms of acquiring a "human rights consciousness." To render this nebulous term concrete, specific, and useful in the politics of advancing human rights, I approach it as a particular cognitive style. By cognitive styles I mean ways of attending to the world, each style specialized for one purpose or another, each with its own criteria for functionality and dysfunction. Natural science, for example, has a distinct cognitive style. It approaches the natural world in ways that allows it to formulate empirically testable hypotheses about it that

are always open to challenge and are expected to be revised or discarded with new information or theoretical frameworks. The cognitive style of modern legal systems, by contrast, approaches the social world in terms of changeable, positive laws (rather than, say, immutable natural law or religious law that is valid a priori) that remain legal until formally changed. Many laws, such as constitutional provisions for federalism, or the franchise, are not expected to change.

I argue that human rights reflect a particular cognitive style, one that can be taught to college students and, to the extent that at least some of these students eventually participate in political movements of one sort or another, contribute to human-rights-relevant forms of social justice. Human rights reflect a cognitive style that is “political” rather than, say, theological.¹ By political I mean a range of unsurprising features, especially

- prudential considerations of reciprocity among specific participants as distinguished from the disinterested, generalized love advocated by many religions;
- an instrumental means to ends (such as removing obstacles in the world to some public policy) by contrast to religious faith that regards itself as an end in itself, and in part with such intrinsic ends as finding inner peace;
- the realistic expectation of permanent competition, such that only authoritarian politics does not expect to have its authority challenged on a permanent basis, whereas most religions in many respects understand their authority to be unchallengeable and doctrinal faith to be forever unassailable;
- in its orientation on probabilistic and contingent claims about the good life (and allowance that more than one outlook may be plausible or desirable), toward achieving agreement, whereas many a religion aspires to a consensual embrace of a single set of truths revealed not achieved;²
- the permanent requirement of a good deal of rational justification (such as prudential reasoning toward a contingent acceptance of authority, or claims about public utility) to create and maintain loyalty, in distinction from religious communities based on devotion to principles such as love and care, acceptance and charity, that are grounded in faith not reason (in the sense of obedience to divine commandment, say);
- some degree of permanent dissensus regarded not just as a permanent feature of the political landscape but, within limits, a positive feature—whereas a religion can be more unequivocal, absolute, and final insofar as it expects, at least as an ultimate goal, unanimity in truth, opinion, and purpose (religions may expect the individual to obey their version of moral law for its own sake, while perhaps no rule in secular politics is so regarded).

To be sure, both theological and political cognitive styles may exert pressure for conformity; both can bind the person socialized within them. Both can generate strong emotions in their respective carriers. Both can obligate the carrier. Both can be part of a symbolic system. Both attempt to re-establish themselves when confronted or damaged or challenged. And in neither case is there any one-to-one correspondence between a particular cognitive style and a particular moral outlook.³

Further, in his or her behavior at any given moment, the individual likely applies several cognitive styles simultaneously. To be sure, sometimes a given cognitive style is “chiefly relevant and provides a first answer to the question ‘What is it that’s going on here?’ The answer: an event or deed” described within a particular cognitive style (Goffman, 1974, p. 25).⁴ But more often they are present in multiple ways. For example where different styles, in the same context, do different work: “We waited till the rain stopped”—here we have a naturalistic style—“and then started the game again”: here we have a self-consciously artificial style (Goffman, 1974).

In this context, two questions need an immediate response: (a) What is a cognitive style relevant to human rights? (b) What role might the university, interested in furthering social justice, play in developing this cognitive style among its students?

(a) The cognitive style reflected by human rights is a particular kind of political style. It seeks, under all social, economic, and cultural conditions, to provide generalized recognition and value to individuals, in the expectation that, without such generalized recognition, human rights are not possible. It is similar to a religious style in that the “person as a whole is always intended—in contrast to the estimation of individual merits, capacities, or competence in a profession, in sports, in love” (Luhmann, 1995, p. 235). But whereas moral systems automatically attribute value to the person, a human rights style regards attribution as something to be achieved, through political action. Achieved means: the universal norm to which human rights aspire is neither natural nor transcendental (in the sense of metaphysics).

Further, a human rights style is directed at institutions, such as the nation state, and cultural beliefs and practices (such socially constructed inequalities between men and women). Human rights find their practical boundaries of validity within these institutions and practices. But as a cognitive style, human rights can affect institutions and beliefs. As a politics, human rights succeed only if they can couple social estimations of the individual with the individual’s estimation of himself or herself.

(b) More than citizen action groups or legislatures, more than agricultural enterprises or corporate boardrooms, more than the quality media or popular entertainment, the college classroom is peculiarly dedicated to

careful thought, probing analysis, and daring imagination, yet temporarily relieved from the politician's heavy obligation to act. The college classroom might sometimes even provide students with a basis for a better politics of the future, but only if it examines the major social and political controversies of today.

University instruction is well suited to the fact that human rights are themselves controversial (and always have been); intellectual controversy may stimulate new thinking and alternative approaches. Advocates of human rights do well to engage skeptics, including observers who dismiss the idea as such. They point out that human rights thinking has never transformed the national sovereignty of any state. They note that noncompliance with international human rights laws rarely incurs a loss of legitimacy for the offending regime. They say that neither individuals nor ethnic minorities have strengthened their legal status under the aegis of any human rights declaration. They show that neither the high adoption rate of human rights treaties nor a dramatic rise in domestic war crime trials in the past two decades has challenged the sanctity of nation-state sovereignty. They emphasize that nowhere in the world today is any conception of legitimate national interest articulated in terms of human rights. And they point to the chronic lack of agreement across the globe about the very idea of human rights itself, as well as its definition, interpretation, application, even its history.

I do not view these challenges to the human rights project as its defeat. I regard them collectively as an opportunity for innovation in the college-level curriculum. These challenges could be taught in ways that directly confront these challenges—by grasping human rights as a particular cognitive style (in later pages I provide concrete examples). How? Students could begin with the following thought: If a given cognitive style is deeply intertwined with this or that particular way of life, it is more likely to influence its carriers than a cognitive style that is one more or less external to its carriers' way of life. Students should consider: that which appears to many citizens in a traditionally liberal polity as something universally good, in an illiberal polity may appear to repress local interests, cultural identities, ways of life, even local economic interests of weakly situated populations. Students might ask themselves: Is the work of human rights the work of making others more like us (we who advocate human rights as a global vision)? Or is the goal of advancing human rights to inculcate habitual behaviors, perhaps encouraged by parents or other significant models, toward habits of caring that ideally "became molded into an altruistic personality" (Monroe, 2003, p. 408)? The notion of a human rights style can answer such questions. And in working out features of such a style, I begin with two presuppositions: that human rights are (1) social constructions as well as (2) morally relativist and perspectival. Next I show how human

rights, as a cognitive style, might approach (3) the practice of child labor in general and (4) child-labor-encouraging aspects of poor agrarian communities in particular. (5) I conclude by specifying several possible normative bases of an appropriate style, bases that emerge from the following analysis.⁵

First presupposition: Human rights are social constructions

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To develop my notion of a cognitive style, I draw on the work of Alfred Schutz and Erving Goffman. Schutz distinguishes the “ontological structure of the objects” from the “meaning of our experience,” that which members of a community share intersubjectively and treat as social reality (Schutz, 1962, p. 230). Cognitive styles purvey social meanings; they invest observations and experiences with shared meanings. So if viewed as a cognitive style, human rights do not appear as something a-cultural, or as an ontological given; they appear as an artifact of the human mind, as a particular cultural preference. And the “humans” of “human rights” appear as evolved animals who invest their experience with the meanings they create in generating the “world of everyday life, the common-sense world” (Schutz, 1962, p. 294). That world, the only one in which notions of moral behavior and just communities can be of practical consequence, has a “paramount position among the various provinces of reality, since only within it does communication with our fellowmen become possible. But the common-sense world is from the outset a sociocultural world, and the many questions” about the “intersubjectivity of the symbolic relations originate within it, are determined by it, and find their solution within it” (Schutz, 1962). The only plausible field on which to deploy human rights is the wholly natural world of human beings who, as communities, socially construct norms for themselves, including human rights. Human rights are this-worldly social constructions rather than otherworldly theological or metaphysical absolutes. From a constructionist standpoint, human rights, like all normative claims, initially can only be a moral localism.

By moral localism I mean that their claims can be valid at first only for the community that embraces them. In principle, if in time those claims come to be embraced globally, then their validity would become universal, but only as a contingent, historical achievement and not in any sense a priori. (A truly global embrace of complex norms is, however, rare.) They cannot be immediately valid for all persons at all times in all places; for social constructionism, no moral vision can. Thus claims such as “All persons have a right not to be tortured” are no more immediately defensible than propositions like “All persons are ends in themselves” or “Jesus died for the sins of all persons” or “Capital punishment is cruel for all persons.”

But in a commonsense world, moral localism may achieve an ever-wider embrace. It can do so as a social construction, as a political project in particular, one that needs always to interact with local cognitive styles (as I will

explain). By political I mean: not the imposition of a human rights culture on this or that community but rather making the very idea of human rights (as well as conceptions of particular human rights) plausible and compelling to local addressees—as one way to construe, locally, by the addressees of human rights themselves, which social and political arrangements best offer justice to members and outsiders, in public life and in private life.

Political also means interpretation in the sense of making the human rights idea plausible across differences in communities, cultures, traditions, economies. Cognitive styles have practical application only through interpretation. Questions of who is authorized to interpret with authority for the group, which interpretations to prefer, and how best to adjudicate among competing interpretations, are political as the authoritative distribution of socially binding meanings and behavior-guiding rules. Consider a range of highly patterned behaviors, each guided by a particular cognitive style (and each “political” in its own way), from playing the violin according to a sheet of music or a tradition of technique (“How does one best bow this Bach solo partita?”), to driving a car in accordance with traffic rules some of which are interpretable (“If driving two miles per hour above the posted speed limit is not pursued as a violation, what about ten miles above?”), to practicing a religion (“Why is wine consumed in the Eucharist different from wine consumed in a restaurant?”), to pursuing research in molecular biology (“Does the local scientific community expect a confidence level of 90 percent or 95 percent?”). Each of these various styles allows for ranges of interpretations, and each allows for different levels of style-appropriate competence.

Interpretation is also a means of persuasion, for example to advocate aspects of one cognitive style over aspects of another. While it can homogenize and make people narrow, persuasion can also be broadening. The intellectual broadening at the heart of a college education—of a liberal arts education in particular—includes the understanding that a local way of life is not the only possible space for moral intersubjectivity; that the sharing of behavior-guiding norms is possible beyond the parameters of any particular way of life, and despite abiding differences among the sharers; that persons of different political, cultural, religious, or moral convictions can still interact and sometimes even pursue common projects. Commerce offers an ancient example; human rights could become the example of the future.

From a sociological standpoint, my universal statement that there are no normative universals (but only less-than-universal social constructions) is not contradictory. For rule-governed social behavior can begin with cognitive and normative standards immanent to a community’s cultures, understandings, and practices, and eventually exceed them as well. In exceeding them, normative behavior neither ceases being situated nor starts being universal. Why? It never ceases being situated: it cannot escape the conditions of collective life, including those that discourage perception that gets beyond

parochialism. It is unlikely to get all the way to moral universalism for the same reason. But even if it less than universally valid, norms can span disputes and communities within society, and it can span different societies.⁶

Second presupposition: Human rights are morally relativist and perspectival

A cognitive style is perspectival; it

provides a way of describing the event to which it is applied. When the sun comes up, a natural event; when the blind is pulled down in order to avoid what has come up, a guided doing. When a coroner asks the cause of death, he wants an answer phrased in the natural schema of physiology; when he asks the manner of death, he wants a dramatically social answer, one that describes what is quite possibly part of an intent.
(Goffman, 1974, pp. 24–5)

Like all normative perspectives, human rights are culturally and normatively relative with respect to source, meaning, and practice. To view moral systems as socially constructed is not to deny that society is prior to any individual's experience and understanding. It is to affirm that "whatever an agent seeks to do will be continuously conditioned by natural constraints, and that effective doing will require the exploitation, not the neglect, of this condition" (Goffman, 1974, p. 23). It is to affirm that, as perspectival, a human rights style is always embedded in particular cultural and historical traditions.⁷

At this point students might ask themselves: How might a human rights style respond to the cultural and regional perspectivalism of this or that definition of child? Or of child labor? Or to competing accounts of what drives child labor? Or to the diversity among claims about the potential harms of child labor? A human rights style addresses these questions with what might be called "human rights pluralism." It proceeds pluralistically as it navigates the morally relativistic qualities of any given human community as well as the sometimes profound differences among different communities. Here students might learn not to draw self-defeating conclusions from the moral relativism that defines the this-worldly contexts within which human rights are advocated in theory and advanced in practice. On the one hand, pluralism does not mean anything goes; it acknowledges that no set of rules of any sort is possible in a cultural and political vacuum and that any such set depends, in interpretation as in deployment, on its cultural and political contexts. For that reason a human rights style always seeks a kind of "conversation" with local cognitive styles. On the other hand, that style does not take a black-and-white, absolutist approach. It is open, for example, to the possibility that at least some prominent forms of child labor are best understood as mixtures of harm and good: some are harmful under some

conditions and in some cases while others are harmful under all conditions, in all cases. Students could profitably explore various possibilities supported by recent empirical research, as follows.

First, whether a particular form of labor is harmful in some cases may depend on the age of the child, for example where the negative effects of entering the labor market outweigh the positive effects for children, say, under 12, and the positive/negative relationship becomes reversed between the ages of 12 and 14. For the negative effects of child labor on schooling are not static; they may be amplified the younger the child, and increasingly muted as the child ages. The same may be said of the impact of having been child laborers on their later earnings as adults: negative before ages 12 to 14 (lower adult earnings might follow from lower educational achievement), but in some cases positive thereafter (Emerson and Souza, 2011, pp. 348, 374–5, 367–8). (To be sure, that positive impact might simply reflect poor school quality or limited access to physical capital and technology in preceding years.)

Second, school enrollment in some agrarian contexts is strongly gendered: how an individual child fares may be sex-specific. For example, families tend to enroll their young sons at a higher rate than their young daughters. Even though girls tend to enter school at an earlier age, they spend fewer years enrolled. For them, “enrollment is delayed or canceled because of the direct costs of schooling”; “parental behavior involves the opportunity cost of delaying the girls’ marriage” (Cogneau and Jedwab, 2012, p. 528).⁸ School enrollment in some agrarian contexts is also age-sensitive: if fewer boys in the 12 to 15 age range are enrolled in school, then perhaps it’s because more children are working, or those children who are working are working longer hours (Cogneau and Jedwab, 2012, p. 529).

Third, some forms of children’s economic participation may allow the children to accumulate human capital, with positive consequences for their later life: the older the child, the greater the possibility that he or she may accumulate human capital.⁹

Finally, some forms of labor may provide valuable experience to some children without precluding their school attendance. Many children who begin to work early in life continue with their education (Emerson and Souza, 2011, pp. 374–5). In these various ways, students might work out how a human rights style might best respond to these empirical findings with a notion of rights as morally relativist and perspectival.

How human rights as cognitive style might approach child labor in general

Not unlike the activist in the field, the student in the classroom is challenged to interpret and apply human rights standards under any number of very different social, economic, political, and cultural circumstances.

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Students already will have seen that a locally effective, because nondogmatic, approach seeks ways to construct an understanding of human rights theory and practice *in thoughtful conversation with local cognitive styles*. How is that conversation to be configured? For example, is the liberal democratic form of government favored in the West more likely than any other to facilitate the realization of one particular conception of human rights, namely those conceived by analogy to civil rights for the individual? If so, then what is the student to make of the fact that many Islamic, or East Asian, or African cultural communities frame human rights more as economic, social, or cultural rights, and as group rights that sometimes trump individual rights? Western students in particular might ask themselves: Does a human rights style necessarily champion individualistic liberal legalism? Should it? Students might also ask: Particularly in parts of the developing world, would the human rights project be better advanced in a more communitarian key? Students should consider a range of voices not often heard in the West, for example a Nigerian scholar (speaking of his country):

abstract legal rights attributed to individuals will not make sense for most of our people; neither will they be relevant to their consciousness and living conditions. It is necessary to extend the idea of human rights to include collective human rights for corporate social groups such as the family, the lineage, the ethnic group.

(Ake, 1987, p. 9)

To engage such unfamiliar voices, students could first identify more communitarian aspects of Western life—the idea of the welfare state, say, or workplace regulation in line with extra-economic standards of employee health, safety, and welfare—to reassure themselves of the plausibility, also for Westerners, of the notion of collective rights, in some cases at least. But their analysis needs to flow in both directions. That is, students might also identify elements of cultural individualism in aspects of positive law—an individual's right to contract, say—or in attitudes influenced by the institutionalized norms of science, such as the notion that one researcher might challenge a prevailing theory on the basis of his or her own research. The takeaway might be the realization that a human rights style is neither inherently individualistic nor innately communitarian. Now students would be more receptive to examples of traditional cultures that honor their elderly members. Students could ask themselves whether the notion of nondiscrimination on the basis of age (advanced age in particular) might offer a starting point to argue for a complementary notion of nondiscrimination on the basis of sex (female sex in particular).

So that the conversation between cognitive styles flows in both directions, students could look for possible overlaps between individualistic and communitarian approaches by challenging social differences such as

sex-based inequalities by appealing to forms of antidiscrimination already at work.¹⁰ On the one hand, the idea of the rights of the elderly might be made more plausible to the student on the basis of cultural practices foreign to his or her own community. On the other hand, some of the individual rights so prized in the West emphasize personal freedom and agency as well as the person's dignity and self-control. Rights so conceived instantiate the idea of an individual's having a say about the political arrangements of his or her community and the idea of having access to those arrangements as a participant. This particular cultural conviction contrasts with those Islamic cultures that accord rights to the dead, and with those Buddhist cultures that revere nature and the environment in ways that might preclude (or at least qualify) the notion of an individual right to private property. Could an agency-centered human rights style speak to both the Islamic and Buddhist contexts? Could it do so by supporting the granting of a birth certificate (and not only a death certificate) to the parents of a miscarried fetus, for example? The Western student might ask himself or herself: Could the respective cognitive styles that carry some aspects of some versions of Buddhist or Islamic cultures also speak to the agency-centered style favored in the West? A traditional, right of local cultural communities to the places, practices, and preferences of their ancestors might speak to the Western notion of, say, native Americans having a right to use otherwise proscribed drugs in traditional religious practices.¹¹

With regard to child labor, students might analyze the perspectives taken by major Western NGOs such as Human Rights Watch, Amnesty International, and Freedom House. They typically focus on violations of formal civil rights, and do so to the relative neglect of the material conditions that may be necessary if some of the various formal rights are to be enjoyed concretely. Human rights as a cognitive style, in critical conversation with local styles, might confront local contexts in their economic aspects and not solely in moral terms, let alone in absolutist moral terms. Students could consider economic rights and individual rights are necessarily in tension with one another. They might begin with Amartya Sen's argument that,

because development involves much more than mere economic growth, the instrumental contribution of political liberty and civil rights goes much beyond the connection with economic growth. The importance of political and civil rights in guaranteeing economic security and in preventing major disasters is particularly relevant.

(Sen, 1999, p. 93).

In tandem with primary and secondary education, economic development might sometimes empower the poor more than any particular political and legal arrangement would, whether more individualistic, as in political liberalism, or more communitarian, as favored in many parts of the world. So in

light of a region's poverty, a human rights style might eschew the immediate, blanket eradication of child labor. It might favor schooling or vocational training together with (rather than in place of) work and, wherever possible, "ensuring the payment of adequate wages to adults so that their children are not forced to work" (Monshipouri, 2003, pp.198–9). It would favor safe and healthy working conditions rather than no working conditions. Students might ask: Does a human rights style possess an instrumental capacity to generate cultural norms and political support for an entire community's economic welfare and development?

So even if the American college student views human rights style itself as a product of the modern, secular, rationalist individualism of Enlightenment provenience, he or she might consider that, to the extent that Enlightenment individualism is not shared in many parts of the world, its distinct merits for conceiving of human rights as analogous in some ways to individual civil rights need not preclude expressions of the human rights idea in terms of group rights and economic rights. As always, teaching human rights as a cognitive style would teach an approach nuanced and morally relativist rather than undifferentiated and absolutist.¹² This does not mean that a human rights style seeks to embrace local styles in all of its parts (to do so would defeat the purpose of human rights advocacy, after all). Rather, the student entertaining a human rights style might imagine and develop locally plausible forms of the human rights idea. In doing so, he or she would provoke—and needs to provoke—local understandings. For it would show local interlocutors that those understandings are culturally embedded perceptions, no less than a human rights style itself. And perceptions are interpretable, criticizable, malleable, and replaceable. That realization is likely one necessary step, among others, of advancing human rights locally, with local participation, toward a local embrace.

Communal features of agrarian economies that encourage child labor

What about perceptions? Toward advancing human rights consciousness in communities driven by powerful imperatives that discourage particular human rights, students need to examine the local context for perceptions that may motivate local behaviors problematic from a human rights standpoint. To repeat a point I stress throughout this chapter, local perceptions are core to the human rights project. Indeed, a cognitive style is itself a way of perceiving, such that styles that differ from each other do so perspectively. Perception corresponds to the "organization of what is perceived" (Goffman, 1974, p. 26) and organization refers to how something is "framed."¹³ A human rights style reframes relevant aspects of local beliefs and behaviors in ways more human rights friendly, toward altering perceptions that discourage human rights practice.

Even facts are not perspective-free, or at least: are interpretable in the context of human communities that construct meanings, goals, and norms. Consider these facts: the International Labor Organization estimates at about 182 million the number of children engaged the world over in one form of labor or another (Emerson and Souza, 2011, p. 345). Approximately 150 million children labor in Asia; in many parts of Africa, more than 30 percent of the local children labor (Canagarajah and Nielsen, 2001, p. 72). Political communities will frame such statistics one way or another. Framing begins with the most basic definitions: How is child best defined? At what age does childhood end? Cultures and communities tend to treat childhood as a kind of natural state. But in labor-relevant respects, childhood is socially and culturally constructed. Expectably, that construction varies across cultures and communities and local responses to the question, "What counts as 'child labor'?", will vary. Just as sites of labor range from household work to family business, from farming to street vending, to wage work in various types of enterprise, so the term child labor encompasses a broad range of economic activities, some for cash, others in kind, some with nonwage incentives. Many communities may well agree that certain forms of child labor are unconditionally unacceptable, usually on the basis of one or more moral claims, such as notions about an individual's moral worth and dignity, including any form of labor that leads to the child's psychological distress, as well as slavery, indentured servitude, prostitution, use in pornography, or deployment in armed conflict.¹⁴ On the most prevalent forms of labor, however, there is much less agreement.

One can imagine just how much disagreement when one considers that girls in many developing countries are employed in various forms of "household services" more often than in any other sector. They perform full-time housework more often than boys. Disagreement begins with competing definitions of household services. What of activities that are unpaid, such as cooking, taking care of siblings or older persons, or collecting water and firewood? Is the distinction between those household services that discourage or preclude school attendance, and those that do not, objective, or it that, too, perspectival? What forms of labor, if pursued in tandem with school, will harm the child's ability to learn? What types of labor impact the quality and quantity of what he or she learns? How are those forms that impart valuable lessons to the child, and that provide him or her with human capital, to be distinguished from those that do not? For the student and activist alike, such lines of inquiry suggest perspectives that could guide a human rights style in its work. Like the activist, the student must explore a series of questions that, even when they do not lead to definitive answers, help a human rights style to position itself at the point at which it takes up its work in any particular community. Ideally, a human rights style would there engage local cognitive styles in critical conversation. How, exactly, might such engagement work? Students should explore local factors on which a

human rights style could orient itself. To resume the example of previous pages: students might analyze (a) child labor and possible harm to children; (b) dependence on an agricultural economy that fosters child labor; (c) economic strategies of families, strategies fostered by poverty and encouraging child labor; and (d) factors other than poverty that foster child labor.

(a) **Child labor and possible harm.** How might a human rights style best respond to a core definitional issue: What, exactly, is the harm caused by some forms of child labor? What is distinctive about those forms? Students could begin by connecting, in initial ways, the local cognitive style to a human rights style. One obvious starting point: the child's health and well-being. Easily imaginable: a human rights style that rejects any labor hazardous to the child's health—in an agricultural context, for example, exposure to pesticides. No less plausible: a human rights style that draws moral conclusions about various differences between children and adults: children working in the same conditions as adults are no less exposed than adults to workplace dangers yet are “more seriously affected because of their different anatomical, physiological, and psychological characteristics” (Canagarajah and Nielsen, 2001, p. 72). Children often labor in conditions more dangerous than those in which adults work, indeed for longer periods (and for lower wages). That children endure such conditions might be explained in part by the fact that they are far less able to oppose such conditions, for example by agitating for a right to unionize.¹⁵

The ambiguity in the definition and understanding of child labor quickly confronts students. They may read scholars who argue that certain forms of labor are not necessarily detrimental to learning per se and are not associated with slower learning (Dumas, 2012, pp. 775, 790). They may study research that suggests that certain forms of labor, at least at certain ages, may actually benefit the child even as it decreases the amount of time and energy he or she has for schooling. Among other forms of capital, the child might improve his or her mathematical skills, say, or skills in oral communication (among other forms of human capital), by “selling home-produced goods, food, or crops in the market) or services (e.g., making customers pay in buses)” (Dumas, 2012, pp. 790–1). Some forms of child labor may generate income to cover some schooling costs, including books, transportation to and from school, and lunch outside home.

While no one denies that child labor always poses troubling questions from the standpoint of the child's best interests, empirical research is inconclusive on core questions relevant to the effect of child labor on school attainment, school attendance, school progress, work and wage outcomes in later years, as well as the leisure time that might be thought necessary to any healthy childhood. Beegle, Dehejia, and Gatti (2004) link child labor unambiguously with lower school attendance and achievement. Canagarajah and

Nielsen (2001, p. 72) find that “school attendance is forgone in favor of work” or that “learning is inefficient because the children are not allowed to spend time doing their homework or because they are unable to pay proper attention in school because of fatigue.”

If poverty and school attendance are always factors in this context, the magnitude of their respective effects is unclear. What if the magnitude is moderate but not severe? And what is the effect of a primary school within the community? Of passable roads and the costs of transportation? Would the very presence of a primary and passable road significantly increase school attendance? Would it decrease the daily length of child labor?¹⁶ Might something as straightforward as basic repairs to classrooms not useable when it rains have a marked positive effect? A human rights style approaches these questions situationally, according to how relevant empirical questions might be answered in any given case, and not in terms of absolute or universally valid norms.

(b) **Dependence on an agrarian economy.** Individuals deploy cognitive styles as ways of understanding their local environments, whether physical, biological, or social. Understanding refers to “activity interpreted by the application of particular rules and inducing fitting actions from the interpreter”; it refers to “organiz[ing] matter for the interpreter” in that local environment (Goffman, 1974, p. 247). Given their particular cognitive style, “individuals fit their actions to this understanding and ordinarily find that the ongoing world supports this fitting” (Goffman, 1974, p. 247). In the context of child labor, a human rights style might consider the agrarian economy that, in many parts of Africa and other low-income regions of the world, employs a majority of the workforce. Whether as cash crops or as subsistence crops, the agrarian sector engages more child labor than any other sector of the economy (Canagarajah and Nielsen, 2001, p. 72). In various ways, local cognitive styles likely reflect the community’s dependence on an agrarian economy.¹⁷ And they likely reflect strategies of coping with risk, for example. Economic dependence entails risk along several dimensions: volatility in income due to contingencies in production and price that cannot be predicted, such as pests, droughts, or commodity price falls; inability of informal risk-sharing mechanisms within communities to cope adequately with such contingencies (especially given limited credit and insurance markets); and limited capacity for savings and borrowing that constrains a household’s capacity to adjust its income and its capacity to finance basic investments in children’s schooling.

Another example beckons: the lack of economic diversification that leaves local economies, including many in Africa, at the mercy of continuously shifting international prices. Thus in Côte d’Ivoire, the world’s top producer of cocoa, “more than 25% of the population produces cocoa and is

directly affected by fluctuations in the price of this commodity. The rest of the population is also indirectly concerned, through market and nonmarket linkages” (Cogneau and Jedwab, 2012, p. 531). Local cognitive styles, relevant to perspectives on child labor, will be shaped in certain respects: dependence entails chronic economic vulnerability that directly impacts farmers’ capacity to finance their children’s schooling. Further, if the price of that all-important crop falls, the expected returns on the investment that education represents fall accordingly. Insofar as child labor discourages school attendance—in poor harvest years, a reduction in demand frees up time for attending school—education within an undiversified economy built around a crop that confers little human capital is more likely a strategy to escape that economy than an investment in it (Cogneau and Jedwab, 2012, p. 525). What kind of cognitive style might emerge from such anxious calculations? This is what students need to puzzle out. For example, they might consider how dependence on an agrarian economy encourages a sexually biased cognitive style. For wherever investments in human capital are procyclical, with tight liquidity constraints, investment in health care and education typically is biased against young girls (Cogneau and Jedwab, 2012, p. 532).

(c) **Economic strategies fostered by poverty.** I have argued that all cognitive styles are perspectival. But perspectivalism—and the moral relativism it entails—need not imply the moral equivalence of all perspectives. But it does imply a certain humility: by urging that each perspective (including a human rights perspective) forego regarding itself as a kind of “unmarked marker” that measures other styles against itself as if against something whose moral status were somehow self-evident, perspectivalism urges the college student (and the activist) not to frame his or her conception of human rights as a moral universalism (whether theological or metaphysical) over against the various moral particularisms of various local traditions. The critical and informed quality of the engagement with local cognitive styles depends on a human rights style capable of critical self-reflection about its own historical and cultural embeddedness, its own particularity.

So what might a human rights style need to learn about factors that encourage child labor and how such factors feed into local cognitive styles supportive of child labor? A style might be shaped by its carriers’ need to strategize in a precarious economy or, in agrarian economies, to adjust child labor to seasonal demands. It might argue in terms of the perceived advantages of child labor. Child labor can be cost-effective because children are paid so poorly (if at all). Children cannot compete with adults in terms of productivity or quality of product, and they possess no irreplaceable skills, but their general pliability and low resistance to the conditions of labor make them attractive to employers: “Children are less aware of their rights, less troublesome, more willing to take orders and to do monotonous work

without complaining, more trustworthy, less likely to steal, and less likely to be absent from work" (Canagarajah and Nielsen, 2001, p. 74). Such are the strategies of poverty.

Further, child labor as an element in strategies of managing the household budget, especially in households living close to subsistence, foster corresponding local cognitive styles. By augmenting household income, for example, child labor may reduce the risk that a household might fail to meet even a subsistence level of consumption given a poor harvest, say, or exogenous price fluctuations, or adult job loss. Child labor can do some of the work in household enterprises, and even replace some of that labor or replace household labor, in this way freeing up adults to work elsewhere. College students could learn a great deal about the challenges confronting a human rights style by tracing out the lines of strategizing that likely inform local cognitive styles in significant and enduring ways.

(d) **Factors other than poverty that foster child labor.** Even in poor communities, a local cognitive style that encourages child labor might be affected by factors quite aside from poverty. One likely factor is household composition along various dimensions. One of those dimensions is sex.¹⁸ Where the ratio of girls to boys is high, for example, boys tend to work fewer hours.¹⁹ A significant proportion of laboring girls labor in the household rather than in the market (Emerson and Souza, 2011, p. 352). In straitened circumstances, one strategy of household management is to substitute the mother's household labor with that of female children so that the mother can then work outside the house. Correspondingly, the "presence of more females in the 15–59 age group decreases child labor and increases school attendance" (Canagarajah and Nielsen, 2001, p. 84). A local cognitive style would be shaped, for males as well as females, in part by such gendered calculations and experiences.

Local cognitive styles are likely to be influenced by the presence of siblings is another dimension of household composition. If a child has older siblings—and the more he or she has—the less likely he or she will labor and more likely attend school.²⁰ If siblings are integrated into the workforce, the child is less likely to work (Canagarajah and Nielsen, 2001, p. 77). But if children six and below are present in the household, the child is more likely than otherwise to be engaged in household work.²¹ If persons 60 and older are present, the child is more likely to work and less likely to attend school.²² In some cases the dimension of sex intersects with that of sibling: the more siblings between seven and 17 years of age a girl has, for example, the less likely she is to work and the more likely she is to attend school.²³ Such factors cannot but impress themselves, one way or another, on local cognitive styles.

Cultural traditions concerning child labor and education are another major factor, in addition to poverty, that may mark local cognitive styles

that foster child labor. For example ethnicity, understood as a cultural phenomenon, may play a role; children of one ethnicity are more likely to be involved in labor than children of another.²⁴ The same may be said of religious affiliation. In the Côte d'Ivoire, for example, rural Muslims and adherents of traditional faiths are more likely than Christians to engage in child labor; children from Christian households are more likely to attend school.²⁵ In Ghana,

children from Protestant households are much more likely to attend school than those who practice traditional religion; in between are Catholics, other Christians, and Muslims. In rural areas, Protestants have a probability 22 percentage points higher of attending school than those who practice a traditional religion, whereas in urban areas, the similar number is 9 percentage points. In rural areas, Protestants seem to be most likely to use child labor, whereas in urban areas those who practice traditional religion are most likely to use child labor, although the differences are only a couple of percentage points and are not always significant.

(Canagarajah and Nielsen, 2001, p. 86)

Rather than focus on what might be called a "religious consciousness," a human rights style engages the consequences for child labor of membership in this or that community of faith, and explores possible explanations of specific correlations between denomination and patterns of school attendance.

Conclusion: Possible normative bases of a human rights cognitive style

I have argued for a human rights style that would "think" both with and against local cognitive styles. It would reject all forms of child labor that have wholly negative consequences for the children, such as prostitution and armed warfare. But it would not advocate a complete ban on all forms of child labor, or the blanket sanctioning of all countries that allow the practice, or Western foreign policy interventions seeking to eradicate all forms of child labor in developing countries.²⁶ Instead it would pursue a locally sensitive approach that constantly sought possible plausible points of resonance between a human-rights style and aspects of local styles—but only to the extent that they hold out at least some potential for the human rights idea. Tensions between targeted local styles and a particular human rights style are not necessarily tensions that would defeat the project for human rights. The project has prospects if it can encourage forms of child labor that are relatively positive for children, and it has prospects if it can discourage negative forms. This "both/and" approach would fight child labor wherever it threatens children's health, welfare, and overall education. But it does not assume that solely a childhood free of labor is a worthy childhood.

It recognizes that, for poor households, an approach that banned all child labor cannot be viable in the short run (even if it remains a viable aspiration for the future). Forms of child labor may be morally acceptable insofar as they neither degrade the child nor hinder his or her physical, intellectual, or social development. This idea is neither new nor particularly radical. It finds expression in instruments such as the International Labor Organization's Minimum Age Convention²⁷ of 1973 that stipulates:

National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is (a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school... or their capacity to benefit from the instruction received.²⁸

The normative basis of a human rights style would be moral but also, in part, economic, even though eliminating poverty cannot, by itself, eradicate child labor. Eliminating poverty would certainly require substantial subsidies to a very significant proportion of children who labor. Subsidies of this sort are not only economic calculations; they are political commitments as well, generated in reaction to adverse economic incentives. Daily or weekly income subsidies, food-for-school programs, stipends for completing a grade, or stipends conditional on school attendance, might reduce poverty and would certainly provide additional incentives (such as adjusting the costs of school and transportation to and from school) for households to choose school attendance over child labor. But there are no straightforward solutions. Some research indicates that “sectoral interventions aimed at boosting product demand or expanding production by lowering costs, for example by affecting import or export tariffs or through targeted aid, might have unwanted effects on child labor” (Manacorda and Rosati, 2011, p. 773). It offers “evidence that the incidence of child work increases as child intensive sectors expand”; consequently, “sectoral policies aimed at limiting the spread of child intensive industries or policies that promote the adoption of technologies that are substitutes for children in child intensive industries” might “reduce the incidence of child labor” yet leave households “worse off at the same time” (Manacorda and Rosati, 2011, p. 773).

A human rights style finds an additional normative basis in “human rights pluralism”: the idea that there is always more than one plausible conception of human rights. As long as any one conception—in thoughtful, critical conversation with local cognitive styles—advances the embrace and practice of human rights, and can do so locally for local reasons, human rights as a cognitive style can spread in practice regardless of differences among various conceptions of, or theories about, human rights. This approach accommodates competing conceptions and theories, and differences among them need not defeat the deployment of any particular account.

With respect to child labor in particular, a human rights style might pursue a two-track approach. One track acknowledges that poverty is perhaps the single most significant reason why some children are working instead of attending school. It focuses on ways of maximizing school attendance by addressing poverty through insurance or safety nets, for example as protection against negative income shocks. This track promotes improved access to credit, given that households with physical assets such as land or business “use less child labor than other households do,” and that “households can sell the assets instead of withdrawing children from work if they experience a sudden drop in income” (Canagarajah and Nielsen, 2001, p. 87).

A second track does not necessarily or always advocate the immediate and wholesale elimination of child labor. It recognizes local economic incentives; it would not promote legislation that required standard school attendance in all cases, so that subsistence households would not be imperiled by a poor harvest, for example. Instead it would allow some flexibility for deploying child labor in such circumstances, at least temporarily. For affected households, subsidies, taxes, or consumer boycotts might not imperil the household economically the way a strict prohibition of all child labor, or an inflexible compulsory schooling policy, might.²⁹ In some cases this track seeks ways of combining school and farm work, for example by fitting school calendars to an agrarian economy’s periods of harvest and periods of slack.³⁰

In short, as a kind of risk management for subsistence level households, a human rights style attempts a trade-off between potential harms and potential benefits of child labor. On the one hand, child labor is harmful if it significantly impacts the child’s health, welfare, and dignity, or the quality and quantity of a child’s education. On the other hand, labor may benefit a child in the sense of vocational training or the acquisition of other workplace related experience, skills, strategies, and human capital.³¹ It may sometimes provide an economic means to education otherwise unavailable, and education often offers a means to a better childhood and adolescence.³²

A human rights style aspires to a normative basis that is universally valid.³³ It seeks that basis as an element of what might be called “groupness.”³⁴ A human rights style does not offer group membership along dimensions of race, language, or national origin. It offers a cognitive repertoire deployable as a collective act of political and social self-determination. The “groupness” that a human rights style constructs is not a matter of some essential group identity. A cognitive style implies no essence of the individual carrier (or group of carriers). A cognitive style is not an identity in the sense of belonging to a concrete group or abstract category (racial or ethnic, national or socio-economic, linguistic or religious). It is not a public narrative open to manipulation by political entrepreneurs who would persuade diverse individuals that they are fundamentally identical with each other because they share basic beliefs, or an historical fate, or legitimate claims to currently

unrecognized rights. Rather, the groupness sought by a human rights style is motivated by moral values out of a sense of self in relation to others, values that do not depend on the support or approval of outsiders, but values integrated into the individual's sense of self, potentially through the conversation between a human rights style and local styles. A human rights style constructs the individual human self in a social or group context where "the other" enters into the individual's moral self-understanding.

Groupness of this sort offers an alternative to groupness as the "formalized, codified, objectified systems of categorization developed by powerful, authoritative institutions," above all the contemporary nation state as the primary agent of the individual's social and political identification (Brubaker and Cooper, 2000, p. 15). That state is a

powerful "identifier," not because it can create "identities" in the strong sense—in general, it cannot—but because it has the material and symbolic resources to impose the categories, classificatory schemes, and modes of social counting and accounting with which bureaucrats judges, teachers, and doctors must work and to which non-state actors must refer.

(Brubaker and Cooper, 2000, p. 16)

By contrast, a human rights style is no product of the nation state's doings, let alone a political entrepreneur's manipulations. It is not some kind of implicit or tacit groupness but rather an explicitly articulated groupness: groupness as an active process performed by its participants as a matter of collective self-representation and self-understanding.

Groupness does not require the "emotionally laden sense of belonging to a distinctive, bounded group, involving both a felt solidarity or oneness with fellow group members and a felt difference from or even antipathy to specified outsiders" (Brubaker and Cooper, 2000, p. 19). By rejecting the nation state's exclusionary logic, such groupness offers a potential alternative to the nation state's territory-based authority. By dint of its inclusionary logic, groupness of this sort is a political particularism (the local sources of human rights) that aspires to political universalism (a validity of universal extent). A local human rights initiative can spread across borders and among different localities, each advocating its own conception of a human rights style. A parochial groupness, as a widely participatory, nonexclusionary groupness, might eventually become a cosmopolitan movement. A human rights style here offers elements of a postnational vision, what I elsewhere call a "human rights state" or a postnational community of human rights values.³⁵

The cognitive style approach leaves many questions open, questions that can best be analyzed and answered on site, with knowledge of the particular circumstances. Where does the authority of local cognitive styles stop? In what cases might the ideals and practices of human rights be best served by working with the local community to minimize their objections to the content human rights, even when local preferences seem, from a human

rights perspective, incompatible? Under what circumstances, with respect to which issues, might they properly trump a human rights style? To what extent can human rights accept local cognitive styles that compromise human rights?

In addition to struggling with such questions, students might also consider whether guidance might be provided by general principles. For example, a human rights style might follow two principles to determine when it must oppose the majority wishes of the local community: first, to prevent the community and family from allowing child labor to destroy the child's eventual participation in debates about and decisions concerning competing conceptions of what is best for the child and best for his or her community; second, to prevent child labor from excluding the child "from an education adequate to participating," later, as an adult, in the [60] "political processes that structure choice among good lives" (Burt, 1994, pp. 59–60).

While a human rights style and the local cognitive style might sometimes differ on what constitutes the child's educational interests, in most cases a human rights style and local cognitive styles likely share a concern with basic skills such as reading and writing. Few parents are likely to reject education for their child because they reject the value of the child's intellectual growth and maturation. But where the family seeks through child labor (together with parental labor) to provide itself with the economic resources necessary to survive in a subsistence economy, schooling that, from a human rights standpoint, appears as a question of the child's right to self-determination and a self-determined life, may appear to some parents as an education that could undermine the family's economic survival. To be sure, in seeking to provide "children with the sense of the very different lives that could be theirs" (Ackerman, 1980, p. 139), the student should be careful not to impose on local communities the liberal assumption that a marketplace of ideas best serves the end of individual autonomy. At the same time, the student with a human rights style will reject local cognitive styles not open to examination and debate where they facilitate forms of child labor that "deprive children of the opportunity to be informed, educated citizens," or deprive them of fundamental skills such as basic literacy, or involve "physical harm, abuse, or maltreatment" (Burt, 1994, p. 68).

Despite all the difficulties that this ambitious proposal confronts, it remains that the university can further social justice by teaching its students a cognitive style reflective of human rights.

Notes

1. Thus outside of theocracies, people do not often expect these two styles to coincide in the sense of religious mores finding broad acceptance in secular society.
2. But I do not share Luhmann's distinction between a "normative style of expectation" that "corresponds to the difference between conformative and deviant

- behavior” and is distinguished from a cognitive style that corresponds to the “difference between knowledge and ignorance” (Luhmann, 1995, p. 322).
3. For convenience I will speak of human rights style in the singular. But the reader should imagine a possible range of styles that may differ from each other in some respects even as all of them may be grouped coherently as human rights styles.
 4. “Then one can begin to worry about the microanalytic issues of what is meant by ‘we,’ ‘it,’ and ‘here’ and how the implied consensus is accomplished” (Goffman, 1974, p. 25).
 5. My interest here is in long-term processes of cultural, social, political, and economic transformation rather than urgent mobilizations of international resources in human rights emergencies (which I address elsewhere (2012c). For an example of the latter approach, see Risse et al. (1999).
 6. They can span this tension without breaking on it if they resist appeals to universal criteria which, because of the multiplication of normative standpoints in our disenchanted modern world, are not (and likely never were) available or plausible to so many of us in contemporary societies. Disenchantment implies social fragmentation. Even though normativity equally informs diverse spheres of society—from politics to religious faith, from law to social critique—the multiplication of competing worldviews, together with the rise of empirical science, has fragmented shared world views. These phenomena also discourage the creation of shared worldviews where none has existed before. The world has always been characterized by a heterogeneity of normative convictions, commitments, and intuitions. Norms of various worldviews appeal to sources of justification not equally available or plausible to all or even many of the heterogeneous groups that make up the world’s various political communities. Under these conditions, no single worldview is likely to resonate with all groups or every individual in the world. A normatively fragmented world compels human rights advocates to distinguish critically among competing spheres of normative value. And it compels them to distinguish critically among competing spheres of cognitive validity. Toward increasing the local embrace of human rights as widely as possible, coping with differences in worldview is possible only across heterogeneous groups, and only across normative commitments. It is not possible to cope by reducing one worldview to another. It is possible only by giving full weight to the participants’ perspectives as well as to perspectives beyond those of the local participants. It is possible only by speaking to the particular self-understandings of the affected groups and relevant worldviews—as well as to the supra-individual understanding generated by what I elsewhere (Gregg, 2003b) develop as the weakly objectivating approach of “enlightened localism.”
 7. Global validity of any cognitive style cannot possibly be immediate or a priori unless one assumes a theological or metaphysical perspective (for a critique of such perspectives, see Gregg [2012a, chapters 1 and 2]). From the standpoint of cosmopolitan politics, such perspectives are prohibitively expensive in terms of finding cosmopolitan agreement. To date they have never achieved a global embrace. This is not to say that a cognitive style might one day be embraced universally. But if so, then that embrace can only be achieved, contingently, through a politics of human rights, or what I call the human rights project.
 8. Gendering becomes more complex still: “cocoa bean harvesting is more a male task, whereas plantains are more a female crop,” and the “fact that cocoa cash income is more a male income could play a role here if fathers have a preference for sons over daughters” (Cogneau and Jedwab, 2012, p. 528).

9. Workers acquire human capital above all through education and training, and to a lesser extent through health care, migration, and job search.
10. Or not at work: in Brazil,

old-age benefits have the effect of increasing school enrollment of girls co-residing with old-age beneficiaries, particularly girls ages 13–14 . . . with little or no effect for boys. There is also some evidence that increases in benefits have caused reductions in work for pay and work intensity for girls, but only for female benefits. Since male benefits appear to be irrelevant for girls' schooling and labor decisions, the results indicate the existence of differences by gender of receiver and perhaps tensions between male and female adults over girls' use of time.

(de Carvalho and Evangelista, 2012, p. 431)

Precisely a more communitarian organization of the household might defeat sexual bias of this sort.

11. Employment Division, Department of Human Resources of Oregon v. Smith, 494 U.S. 872 (1990).
12. Local cognitive styles may display some features in tension with the human rights idea, and others that offer it positive resources. For example,

In almost all countries with substantial communities of Muslims, positive law has replaced *Shari'a* (except with regard to matters of "personal status," and more specifically the status of women, where the traditional rules generally continue to be maintained). Similarly, prevailing conceptions and attitudes of everyday life are founded on modern rationality and on doctrines influenced by science and philosophy, rather than on traditional or premodern worldviews.

(Filaly-Ansari, 1999, p. 23)

13. For a developed theory and practical application of cognitive framing, see Gregg (2012a, Chapter 7).
14. For one list that might command agreement across at least some boundaries, political and cultural, see the International Labor Organization's *Worst Forms of Child Labor*, Convention 182, approved in 1999.
15. This is not to say that adults are particularly successful in their efforts, as an example from China indicates with respect to the negative local effects of the global economic system: (a) labor legislation is only as good as what is enforced yet "local government officials, principally motivated to boost their local economies by attracting foreign investment, have molded China's labor regulations to their own ends"; (b) only an independent judiciary can guarantee the implementation of legislation regulating labor, yet in China the judiciary is "effectively controlled by local government officials . . . reluctant to prosecute abusive employers for fear of losing foreign investments"; (c) while trade unions can hardly guaranteed a balance of power between capital and labor, without trade unions such a balance is exceedingly unlikely, yet "Chinese workers have no freedom to establish trade unions or to take industrial actions"; (d) multinational corporations' codes of conduct are often impotent in the face of local conditions, such as the "suppression of rural migrant workers' citizenship rights" and "local governments' noncompliance with central policies and law" in China (Chan and Peng, 2011, p. 440).

16. For example, the greater the distance a child must travel to school, the greater the cost of attending school, including a correspondingly smaller amount of time for work.
17. To be sure, there are “distinct differences between the sector composition of child labor in Africa, Asia, and Latin America. In Africa, child labor is considered primarily a rural phenomenon, while in Asia and Latin America, which are more urbanized, child labor is also considered an urban phenomenon” (Canagarajah and Nielsen, 2001, p. 72). Child labor in agrarian economies differs from child labor in urban ones. In the rural Brazilian coffee industry, for example, “As child intensive industries decline, child labor falls, suggesting that households do not fully readjust their children’s labor supply through endogenous occupational choices,” whereas “urban children happen to be much more segregated in specific industries than rural children and . . . child intensive industries account for a small and essentially fixed share of adult employment in urban areas” (Manacorda and Rosati, 2011, p. 772).
18. Of course issues of fertility can complicate women’s decisions about school and labor. To reduce complexity, I do not evaluate those issues here.
19. See Bhalotra and Heady (1998).
20. See Nielsen (1998).
21. See Canagarajah and Coulombe (1998); Coulombe (1998).
22. See Canagarajah and Coulombe (1998).
23. See Coulombe (1998).
24. See Bhalotra and Heady (1998).
25. See Coulombe (1998).
26. Evidently international treaties often are ineffective as well; see Hathaway (2002).
27. Itself preceded by minimum conventions in industry (1919), at sea (1920), and in agriculture (1921); for trimmers and stokers (1921) and in nonindustrial employment (1932); with respect to minimum age for labor at sea (1936) and in industry (revised, 1937); for fishermen (1959) and for labor underground (1965).
28. Article 7, Paragraph 1. To be sure, a human rights style might query the Convention’s age specifications and urge locally sensitive answers to such questions as: Why 13 and above but not 12 and below? Should age limits be independent of some of the various factors explored above, such as the nature of the labor, the question of valuable skill acquisition or other human capital development, the possibility of simultaneous school attendance, and the quality of local schools and road access to them? Where available schooling is of a low quality, would a child be better off by learning by doing, for example on a farm?
29. As always, caution and humility are warranted. According to Krueger (1996), compulsory school attendance laws often are not enforced in developing countries. The same may be said of trade sanctions targeting child labor. Indeed, “boycotts of products produced by child labor and more generally anti-sweatshop activism” may generate “trade sanctions that reduce average family income,” potentially increasing the incidence of child labor (Edmonds and Pavcnik, 2005, p. 218). And “preventing children from working in one high-profile job may do nothing more than force children to change employers—perhaps for the worse” (Edmonds and Pavcnik, 2005).
30. A different track would be needed for children are engaged in household labor.
31. See Horn (1994).
32. See Psacharopoulos (1997); Akabayashi and Psacharopoulos (1999).

33. For an account of particularism as “enlightened localism” in distinction to “parochial localism,” see Gregg (2003b) and, for empirical applications, Gregg et al. (2010).
34. Particularly relevant here is the role of groups in the development of the individual’s psychological processes. To participate in “culturally mediated, historically developing, practical activity involving cultural practices and tools”—activity through which the structure of psychological processes emerges—is to participate in groups (Gutiérrez and Rogoff, 2003, p. 21).
35. I develop the idea of a human rights state first in Gregg (2012a, chapter 9) and then in Gregg (2012b). Even if currently beyond realization, the notion of a human rights state might orient the student as he or she moves between local cognitive styles, with all their particularities, and a human rights style, which aspires to the widest possible embrace. This vision does not require novel political units of a transnational kind; rather, it requires a wider reach and greater presence than anything possible at the local level. The individual’s attachment to the imagined human rights state is “normatively thin”—he or she feels bound to the state, not by points of cultural reference, but by the political ideal of social justice for all residents—even as he or she pursues human rights in the “thick politics” of his or her particular nation state. For the human rights state, as a morally regulative idea, does not preclude the individual’s special obligations to his or her particular community or nation state, or the individual’s particularistic obligations to family and others (even persons quite distant from his or her community). Individuals might realize what they share with others in terms of related local problems, kindred local struggles, and similar local groups attempting to solve local problems. If local struggles become inflected with universal goals, extra-local advocacy could develop out of local advocacy, in a process of aggregating different kinds of local struggles, each deeply embedded in its local context and history, and—in the first instance—pursuing norms local not global. But in the second instance the college student, the activist, and the ordinary citizen may construct special obligations that do not derive from the concrete community in which the individual resides: obligations not to a people, culture, language, or territory, let alone to traditional sources of authority or the aggressive particularism of the nation-state. Instead he or she may construct obligations derived from the potentially universalistic norms of human rights—and even from the idea of a political community bound by human rights: the human rights state. For a theory of “normatively thin” politics as distinguished from “normatively thick” moralities, see Gregg (2003a), as well as Gregg et al. (2012) for several different empirical applications of that theory.

References

- Ackerman, Bruce (1980) *Social Justice in the Liberal State* (New Haven: Yale University Press).
- Ake, Claude (1987) “The African Context of Human Rights”, *Africa Today*, 32, 5–12.
- Akabayashi, Hideo and George Psacharopolous (1999) “The Trade-off between Child Labor and Human Capital Formation: A Tanzanian Case Study”, *Journal of Development Studies*, 35, 120–40.
- Beegle, Kathleen, Rajeev Dehejia and Roberta Gatti (2004) “Why Should We Care about Child Labor? The Returns to Schooling vs. the Returns to Experience in

- Vietnam", *NBER Working Paper No. 10980*, National Bureau of Economic Research, Cambridge, Massachusetts.
- Bhalotra, Sonia and Christopher Heady (1998) "Child Labor in Rural Pakistan and Ghana: Myths and Data", *Working Paper*, Department of Economics, University of Bristol, UK.
- Brubaker, Rogers and Frederick Cooper (2000) "Beyond 'Identity'", *Theory and Society*, 29, 1–47.
- Burt, Shelley (1994) "Religious Parents, Secular Schools: A Liberal Defense of an Illiberal Education", *Review of Politics*, 56, 51–70.
- Canagarajah, Sudharshan and Harold Coulombe (1998) "Child Labor and Schooling in Ghana", *Policy Research Working Paper No. 1844*, World Bank, Washington, DC.
- Canagarajah, Sudharshan and Helena Nielsen (2001) "Child Labor in Africa: A Comparative Study", *Annals of the American Academy of Political and Social Science*, 575, 71–91.
- Chan, Chak Kwan and Zhaiwen Peng (2011) "From Iron Rice Bowl to the World's Biggest Sweatshop: Globalization, Institutional Constraints, and the Rights of Chinese Workers", *Social Service Review*, 85, 421–45.
- Cogneau, Denis and Rémi Jedwab (2012) "Commodity Price Shocks and Child Outcomes: The 1990 Cocoa Crisis in Côte d'Ivoire", *Economic Development and Cultural Change*, 60, 507–34.
- Coulombe, Harold (1998) "Child Labor and Education in Côte d'Ivoire", *Background Paper*, World Bank, Washington, DC.
- de Carvalho Filho and Irineu Evangelista (2012) "Household Income as a Determinant of Child Labor and School Enrollment in Brazil: Evidence from a Social Security Reform", *Economic Development and Cultural Change*, 60, 339–435.
- Dumas, Christelle (2012) "Does Work Impede Child Learning? The Case of Senegal", *Economic Development and Cultural Change*, 60, 773–93.
- Edmonds, Eric and Nina Pavcnik (2005) "Child Labor in the Global Economy", *Journal of Economic Perspectives*, 19, 199–220.
- Emerson, Patrick and André Portela Souza (2011) "Is Child Labor Harmful? The Impact of Working Earlier in Life on Adult Earnings", *Economic Development and Cultural Change*, 54, 345–85.
- Filaly-Ansari, Abdou (1999) "Muslims and Democracy", *Journal of Democracy*, 10, 18–32.
- Goffman, Erving (1974) *Frame Analysis: An Essay on the Organization of Experience* (Cambridge: Harvard University Press).
- Gregg, Benjamin (2003a). *Thick Moralities, Thin Politics: Social Integration Across Communities of Belief* (Durham: Duke University Press).
- Gregg, Benjamin (2003b) *Coping in Politics with Indeterminate Norms: A Theory of Enlightened Localism* (Albany: State University of New York Press).
- Gregg, Benjamin (2012a) *Human Rights as Social Construction* (Cambridge: Cambridge University Press).
- Gregg, Benjamin (2012b) "Politics Disembodied and Deterritorialized: The Internet as Human Rights Resource", in H. Dahms and L. Hazelrigg (eds.) *Theorizing Modern Society as a Dynamic Process* (Bingley, UK: Emerald).
- Gregg, Benjamin (2012c) "A Socially Constructed Moral Justification for Pursuing Human Rights in Unilateral Military Humanitarian Interventions", Unpublished manuscript.
- Gregg, Benjamin, Lea Ypi, Jonathan White, Junmin Wang, Ko Hasegawa and Manu Ahedo Santisteban (2010) "Enlightened Localism in Comparative Perspective", *Comparative Sociology*, 9, 594–710 [a special topics issue on Gregg (2003b)].

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- Gregg, Benjamin, Patti Tamara Lenard, Kristin Johnson, William O'Neill, Aaron Stuvland, Pete Mohanty, and Harry Dahms (2012) "Comparative Perspectives on Social Integration in Pluralistic Societies: Thick Norms versus Thin", *Comparative Sociology*, 11, 629–781 [a special topics issue on Gregg (2003a)].
- Gutiérrez, Kris and Barbara Rogoff (2003) "Cultural Ways of Learning: Individual or Repertoires of Practice", *Educational Researcher*, 32, 19–25.
- Hathaway, Oona (2002) "Do Human Rights Treaties Make a Difference?", *Yale Law Journal*, 111, 1935–2042.
- Horn, Pamela (1994) *Children's Work and Welfare, 1780–1890* (Cambridge: Cambridge University Press).
- Krueger, Alan (1996) "Observations on International Labor Standards and Trade", *NBER Working Paper no. 5632*, National Bureau of Economic Research, Cambridge, Massachusetts.
- Luhmann, Niklas (1995) *Social Systems* (Stanford: Stanford University Press).
- Manacorda, Marco and Furio Camillo Rosati (2011) "Industrial Structure and Child Labor Evidence from the Brazilian Population Census", *Economic Development and Cultural Change*, 59, 753–76.
- Monroe, Kristen (2003) "How Identity and Perspective Constrain Moral Choice", *International Political Science Review*, 24, 405–25.
- Monshipouri, Mahmood (2003) "Human Rights and Child Labor in South Asia", in David Forsythe and Patrice McMahon (eds.) *Human Rights and Diversity* (Lincoln: University of Nebraska Press).
- Nielsen, Helena (1998) "Child Labor and School Attendance in Zambia: Two Joint Decisions", *Working Paper No. 98–15*, Centre for Labour Market and Social Research, Aarhus, Denmark.
- Psacharopolous, George (1997) "Child Labor versus Educational Attainment: Some Evidence from Latin America", *Journal of Population Economics*, 10, 377–86.
- Risse, Thomas, Stephen Ropp and Kathryn Sikkink (eds.) (1999) *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press).
- Sen, Amartya (1999) "Human Rights and Economic Achievement", in Joanne Bauer and Daniel Bell (eds.) *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press).
- Schutz, Alfred (1962) *Collected Papers*, 1 (The Hague: Martinus Nijhoff).

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QUERIES TO BE ANSWERED BY AUTHOR (SEE MARGINAL MARKS)

IMPORTANT NOTE: Please mark your corrections and answer to these queries directly onto the proof at the relevant place. Do NOT mark your corrections on this query sheet.

Chapter 13

Query No.	Page No.	Query
AQ1	257	Can "a-cultural" in the sentence "So if viewed as a cognitive style..." be changed to "acultural"?