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Children as Victims of Structural Violence

Abstracts

Structural violence is harm imposed by some people on others indirectly, through the social system, as they pursue their own preferences. Its effects are clear in the massive mortality of children. More than ten million children die before their fifth birthdays every single year. For most children, the immediate cause of death is a combination of malnutrition and ordinary diseases such as diarrhea, malaria, and measles. Given adequate resources, such diseases are readily managed. The limited allocation of resources to meeting children's needs is due more to the ways in which available resources are used than to the absolute shortage of resources. The failure to introduce effective policies and programs for reducing children's mortality (immunization, for example) should sensibly lead to charges of neglect by national governments and the international community. Globally, children's mortality is so massive, so persistent, and so unnecessary, it should be recognized as a kind of genocide.

Los niños como víctimas de la violencia estructural

La violencia estructural es un daño impuesto por algunas personas a otras de forma indirecta, a través del sistema social, cuando buscan sus propios fines. Un caso importante es el de la mortalidad masiva de niños. Más de diez millones de niños mueren al año antes de cumplir los cinco años. Para la mayoría de ellos la causa inmediata de la muerte es una combinación de desnutrición y

enfermedades como la diarrea, la malaria y el sarampión. Con medidas adecuadas estas enfermedades no son mortales. La escasa inversión de recursos en la atención de los niños se debe más a la manera de usarlos que a su carencia. La falta de políticas y programas para reducir la mortalidad infantil, por ejemplo la inmunización, supone la negligencia de los gobiernos y la comunidad internacional. Globalmente, la mortalidad infantil es tan masiva, tan persistente, y tan innecesaria, que nos obliga a considerarla como un caso de genocidio.

Les enfants comme victimes de la violence structurelle: Résumé

La violence structurelle est le mal que les gens font aux autres d'une façon indirect, à travers le système social, alors que les premiers poursuivent leurs propres préférences. Ses effets deviennent bien évidents dans la mortalité massive d'enfants. Chaque année, plus de dix millions enfants meurent avant qu'ils aient cinq ans. Pour la plupart, la cause immédiate de la mort est la combinaison de la malnutrition et des maladies ordinaires comme la diarrhée, la malaria et la rougeole. Ayant des ressources suffisantes, ces maladies sont bien gérables.

La distribution restreinte des ressources douées pour satisfaire les besoins d'enfants est due à la manière dont les ressources sont utilisées plus que le débit absolu de ressources. Le fait de n'avoir pas introduit des lignes d'action et des programmes pour réduire la mortalité des enfants (par exemple, la vaccination) devrait apporter les gouvernements et la communauté internationale aux accusations de négligence. En parlant mondialement, la mortalité des enfants est massive, persistante, et inutile au degré que l'on peut la reconnaître comme étant une sorte de génocide.

Children as Victims of Structural Violence

Physical violence is direct while economic, political, and cultural violence are forms of structural or indirect violence. Structural violence is harm imposed by some people on others indirectly, through the social system, as they pursue their own preferences.¹ To illustrate, if many rich people begin moving into a community, they may drive up housing costs, harming some of the people who had already lived there. A guerrilla in El Salvador explained the concept to an American volunteer physician this way:

You gringos are always worried about violence done with machine guns and machetes. But there is another kind of violence that you must be aware of, too.

¹ Farmer 2003; Galtung 1969; Kent 1993.

I used to work on the hacienda. . . . My job was to take care of the *dueño's* dogs. I gave them meat and bowls of milk, food that I couldn't give my own family. When the dogs were sick, I took them to the veterinarian in Suchitot or San Salvador. When my children were sick, the *dueño* gave me his sympathy, but not medicine as they died.

To watch your children die of sickness and hunger while you can do nothing is violence to the spirit. We have suffered that silently for too many years. Why aren't you gringos concerned about that kind of violence?²

The violence here is not simply that in the relationship between the speaker and his *dueño*. It is also in the larger social context in which the speaker has so few alternatives that he must submit to whatever treatment the *dueño* offers.

With direct violence there is a specific event, an identifiable victim, and an identifiable perpetrator. In contrast, structural violence is not visible in specific events. Its effects are most clearly observable at the societal level, as systematic shortfalls in the quality of life of certain groups of people. In direct violence there is physical damage to the human body occurring in a distinct time-bound event, and individual victims and perpetrators can be identified. In structural violence, however, people suffer harm indirectly, often through a slow and steady process, with no clearly identifiable perpetrators. Structural violence cannot be photographed; only its patterned effects show it. Most victims of homelessness or chronic malnutrition, for example, are victims of structural violence.

The common thread in all forms of violence is the fulfillment of one party's purposes at the expense of others. Violence entails the use of power. The connections may be direct and immediate, as when a mugger punches a pedestrian for his wallet, or it may be structural, as when government leaders decide to purchase armaments rather than vaccines.

Defining violence broadly, as doing harm to others in the pursuit of one's own preferences, creates space for drawing the distinction between direct and structural violence, for comparing them, and for exploring their interrelationships.

² Clements 1984, pp. 259–260.

Children's Mortality

Structural violence against children shows up in many different ways, but the clearest manifestation is the huge number of unnecessary deaths. More than ten million children die before their fifth birthdays every single year. Children's deaths account for about one-third of all deaths worldwide. In northern Europe or the United States children account for only two to three percent of all deaths. In many less developed countries more than half the deaths are deaths of children. Half of the children who die each year are African, although they account for less than one third of the world's births.³

Child abuse and neglect is widespread, in both rich and poor countries, and many children die as a result. Millions of children live and die on the streets. In some countries street children are systematically killed. Children are being counted among the casualties of warfare at a steadily increasing rate. Often children are pressed to participate in armed combat as soldiers. For most children, however, the immediate cause of death is not murder or incurable diseases such as AIDS, but a combination of malnutrition and ordinary diseases such as diarrhea, malaria, and measles. Given adequate resources, such diseases are readily managed.

Even with the best of care the children's mortality rate can never be reduced to zero. However, if our worldwide priorities called for it, the worldwide average children's mortality rate certainly could be reduced to, say, 10 per thousand live births. This can be demonstrated by examining the data for a representative year. In 1991, for example, twenty one countries had children's mortality rates of 10 or less. If the children's mortality rate had been 10 for all countries in 1991, children's deaths would have numbered 1,410,000. We can take that as a conservative estimate of the "minimum possible" number of children's deaths. The actual estimated number of children's deaths for 1991 was 12,821,000. The difference, 11,411,000, can be taken as a reasonable estimate of the number of unnecessary or excessive children's deaths. Thus about 89 percent of the total number of deaths of children under five were excessive.

The data for 2004 show that the child mortality rate for industrialized countries was 6; the rate for developing countries was 87; and for the least developed countries it was 155. Of the 10,503,000 children's deaths that

³ United Nations Children's Fund 2006, Table 1.

occurred in 2004, only 65,000 were in industrialized countries.⁴ The discrepancies are huge.

We know the immediate causes of the massive deaths of children in clinical terms, but we also need an understanding in social terms. Why are the world's children devastated by so much malnutrition and disease? Describing the condition of children around the world is not nearly as difficult as deciding how we should understand it.

Priorities, Not Poverty

Almost all deaths of small children are due to some form of abuse or neglect, whether by the immediate family or by the society at large. Even congenital birth defects are largely preventable with improved prenatal care. Even accidents are to a large degree preventable⁵ If enough resources and attention were given to small children, most would thrive. Many do not do well because their families are desperately poor. But focusing on the children and their families alone blinds us to the ways in which their conditions reflect the policies and actions of their societies. What is the role of government policy?

Many countries spend very little on children. For some, poverty is their explanation. But contrary to common assumptions, poor countries, like poor people, do have money. Poor countries are not uniformly poor; most have a middle class and a wealthy elite. They all manage to muster sufficient food and medical services for the wealthy. Soldiers don't go hungry. Even poor countries find money for monuments and armaments. Poor countries are constrained in what they can do, but viewed globally, surely the limited allocation of resources to serving the interests of poor children is due more to the ways in which available funds are used than to the absolute shortage of funds.

Many rich countries spend far too little to assure their children's well-being. In the United States, for example, the Children's Defense Fund⁶ regularly provides detailed analyses of the inadequacy of government programs for children. UNICEF's Innocenti Research Centre in Florence, Italy⁷ has been

⁴ United Nations Children's Fund 2006, Table 1.

⁵ Stanton 1990.

⁶ <http://www.childrensdefense.org/>

⁷ <http://www.unicef-icdc.org/>

providing a steady flow of documentation of the high levels of misery of children in rich countries as well as in poor countries.

Specific deaths may be beyond the control of the immediate family or community, but patterns of mortality can be influenced by public policy. The failure to introduce effective policies and programs for reducing children's mortality (immunization, for example) should sensibly lead to charges of abuse or neglect by government.

The plight of children arises not so much out of the bad things that have been done directly to them as out of the many good things that have not been done for them. In the aggregate, much more harm results from child neglect than from direct child abuse. The failures of governments in relation to children are partly due to bad policies and programs, but more often to absent and inadequate programs resulting from the treatment of children's programs as low-priority items in national budgets. Children could be fed adequately in almost every country in the world, even the poorest among them, if that were regarded as high priority in government circles. Massive children's mortality is not necessary and inevitable.

That the problem is national priorities rather than national poverty is nowhere more clear than in the richest country in the world. The infant mortality rate in the United States is low, but thirty-five other countries have even lower rates.⁸ More than twenty percent of the children in the United States are under the official poverty line. That is not because the United States is a poor country.

Government officials say that they don't want children to go hungry or die – and they don't. The problem is that they place so many other concerns at a higher priority. Where there are serious problems of hunger or homelessness or children's mortality, decision-makers claim that they cannot deal with the problem because they don't have the resources. Often the truth is that they will not respond to the problem. Children's well-being could be sharply improved if that objective was of high priority to governments. *Cannot* is an attempt to evade responsibility. The *cannot* defense should not be accepted as an excuse where low priority – *will not* – is the truthful explanation.

In general, those in political power tend to be most responsive to others who have political power, not to those who have the greatest needs. Children,

⁸ United Nations Children's Fund 2006, Table 1.

especially poor children, are not attended to because they do not have the power to demand attention from public and private agencies. Structural violence occurs when the people who have the problems are not the ones who have the power.

For some children the situation is worse than being ignored. The powerful often find ways to use children to serve their own interests, whether those interests are economic or sexual or military. Whether it is a matter of neglect or direct abuse, it is the interests of others that are served; the interests of children are ignored.

Small children cannot make their own claims for recognition of their rights; they require surrogates to speak on their behalf. A number of organizations, private and public, national and international, have emerged to take up the advocacy of children.

International agencies such as the United Nations Children's Fund, Defense for Children International, and Save the Children do a great deal, and at the national level there are organizations such as the Children's Defense Fund in the United States that are very effective. But much remains to be done. Millions of children still die unnecessarily each year.

Denial

The low priority accorded to children is linked to their invisibility. The numbers of children who die year after year are remarkable, but even more remarkable is the fact that so few people know them. Wars and terrorism and airplane crashes are in all the newspapers, but the massive mortality of children is not. There are several major reasons:

Distance. The massive mortality of children is viewed as something that takes place far away, beyond where you and I can reach to do anything about it.

Racism. Powerful, white people in developed countries do not show as much concern for the deaths of people of color as they do for other white people.

Nationalism. Closely related to racism, nationalism means that people feel that their nation's resources should be devoted to solving their own nation's problems, not those of other nations. Charity may be given overseas, but there is little sense of obligation or duty to those in other countries. There is no sense that children of, say, Malawi, are also children of the world, and thus are entitled to a share of the world's resources. Nationalism is just one

of many levels of tribalism by which we distinguish *our* children from *their* children.

Events orientation. The news media are geared to reporting on events, not on steady-state conditions. Famine events in Africa are reported when they yield dramatic photographs and videos. Most children's deaths, however, are associated with chronic malnutrition, a steady condition that is dispersed throughout the world, especially in Asia and Africa. People are much more capable of seeing direct violence than they are of grasping indirect or structural violence in the social order.

Triage. There is a deep concern that solving the problem of massive children's mortality will result in runaway population growth, resulting in deterioration in the quality of life everywhere. Thus there is a notion that, sad as it may be, some must be sacrificed for the benefit of others. The best known spokesman for this view is biologist Garrett Hardin, who argued that we must not let everyone climb into the lifeboat lest it be swamped and sink.⁹

The world has the capacity to reduce children's mortality sharply, but does not. We know how to end hunger technically, but lack the political will. Perhaps we are fearful that any workable solution would require those of us who are rich and powerful to forego some of our advantages.

Intentionality

In some killings, witnesses observe the accused caught with a "smoking gun," and the accused is known to have motives for taking the life of the victim. In other cases, the accused may acknowledge having caused the death but argue that the gun went off accidentally, or say that he was temporarily insane and thus not responsible for his action. In criminal trials, intentions are important. Distinctions are drawn among criminally negligent homicide, manslaughter, second-degree murder, and first-degree murder, largely on the basis of the motivation behind the action. Comparable distinctions could be made in connection with other sorts of death scenarios. Are the widespread deaths of children worldwide intentional in some sense? What is the locus of these intentions? Who exactly is the responsible agent?

Most children's deaths cannot be described as murders, but that does not mean that they are accidental or natural or inevitable. Many result from

⁹ Hardin 1977.

negligent homicide, in the sense that these deaths are avoidable and unnecessary.

Can governments commit negligent homicide? It should be possible to charge governments with crimes of omission, crimes of neglect. Consider the case of Joshua DeShaney *vs.* Winnebago County Department of Social Services, brought before the United States Supreme Court. The child, Joshua, had been beaten by his father, causing him to be retarded and permanently institutionalized. A county social worker who knew of the abuse took no action. A majority of the court ruled that the state had not inflicted the violence, and thus was blameless. In his dissent Justice William J. Brennan argued “inaction can be every bit as abusive of power as action. . . . I cannot agree that our Constitution is indifferent to such indifference.”¹⁰

Most criminal law deals with those who take actions that should not have been taken; it does not deal so effectively with failures to take action that should have been taken. This is true whether the failure to act is attributed to individuals or to governments.

This skew means that child abuse gets much more attention than child neglect, despite the fact that far more children’s deaths can be associated with neglect. Neglect may be difficult to observe in individual households, but at the societal level the systematic neglect of children shows up in high morbidity and mortality rates.

We tend to draw too sharp a line between *deliberate* and *neglectful*. *Deliberate neglect* describes the pattern of many governments’ responses to the needs of children. The term is not self-contradictory. If the failure to attend to children’s needs persists over time, even in the face of repeated complaints and appeals, that neglect can be described as intentional or deliberate. Neglect can be understood as the failure to do something that should be done – and that failure may or may not be intentional. If it persists and it is obvious, it must be regarded as intentional.

There is a difference between not knowing what your actions will lead to and what is described in law as reckless disregard for the predictable consequences of one’s action or inaction. Manufacturers of cars and pharmaceuticals are expected to pull their products off the market if they learn they have serious harmful effects. When infant formula was first promoted

¹⁰ DeShaney 1988.

in the third world, it may not have been anticipated that it would kill babies. But when international governmental and nongovernmental organizations documented and warned and campaigned about the problem, and the World Health Assembly passed guidelines to control the behavior of sellers of infant formula, and still the sellers persist in selling the product in a way that is known to kill babies, that is unforgivable. It is a form of killing.

Usually killings are concentrated in a particular time and space. The deaths of children, however, are dispersed all over the globe, and they are sustained over time. There certainly is no central command structure causing these deaths to happen. There is nothing like the Wannsee conference of January 1942 at which the Nazis systematically set out their plans for the extermination of the Jews of Europe.

There is that difference. The widespread deliberate and sustained neglect of children is not the calculated program of a few madmen assembled at a particular moment in history. The massive mortality of children is more frightening precisely because it occurs worldwide with no central coordination mechanism. The culpability is not individual but systemic. The concept is captured by the title of a study of how developed countries relate to health issues in Africa: *Fatal Indifference*.¹¹

Hatred?

The plight of children can be explained by the indifference of policymakers to the well being of children. Often children are ignored or they are used to serve other people's interests, and apparently the interests of the children themselves simply do not matter very much.

Is it just a matter of indifference, or do some societies harbor a desire to harm children? Lloyd deMause argued that it is not simply a matter of neglect. There are darker forces at work, a real deep-rooted malice, an urge to sacrifice children.¹² He suggested that direct budget cuts in child aid and recessions that mainly affect children are modern equivalents of ancient child sacrifice.¹³

Is public policy merely indifferent to the well being of children, or does it actually show signs of hatefulness? Is there an active desire to hurt children?

¹¹ Labonte 2004.

¹² deMause 1974.

¹³ deMause 1990.

As I see it, there is no widespread societal motivation to harm children for its own sake, out of intrinsic hatefulness. But there is a well-established pattern of accepting the sustained and undeniable harm that befalls children as societies pursue other interests. There may be no widespread intention to harm children directly, but there is widespread acceptance of their being harmed indirectly, as a kind of collateral damage from other activities regarded as more important.

There are many programs to serve children, in rich countries as well as in poor countries. However, they are often inadequate. Deliberate neglect of children, sustained over an extended period, leads to definite harm; thus it is hateful behavior. It is not forgivable in the way that momentary inattention might be forgivable. The conventional distinction between negligent homicide (manslaughter) and deliberate homicide (murder) is meaningful only as it refers to a singular, fleeting event. You may get away with the story that your gun went off accidentally the first time, but if the same thing happened repeatedly the story would not be accepted. No court would view repeated, sustained killings, with full knowledge, as accidental.

The widespread deliberate neglect of children by governments must be understood as being, in a way, intentional. Of course it is important to distinguish this deliberate neglect from deliberate targeting, with hateful desire to harm, as in the Holocaust, or the Armenian genocide, or King Herod's systematic killing of the children of Bethlehem.

Genocide?

On June 24, 1981 a group of 52 Nobel Prize laureates issued a *Manifesto Against Hunger* which began:

We appeal to all men and women of goodwill . . . to bring back to life the millions who, as victims of the political and economic upheavals of the world today, are suffering from hunger and privation.

Their situation has no precedent. In a *single year, more people suffer than all those who died in the holocausts of the first half of this century*. Every day spreads the outrage further, an outrage that assaults both the world around us and our own spirit and conscience.

Would it be reasonable to suggest that the treatment of children worldwide, allowing the deaths of over 10 million children under five each year, amounts to a form of genocide?

The *Convention on the Prevention and Punishment of the Crime of Genocide* was adopted by the United Nations General Assembly on December 9, 1948 and entered into force on January 12, 1951. According to article II:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Children do constitute a group, but they are not a national, ethnic, racial, or religious group, the only victims recognized in the genocide convention. Also, the massive mortality of children is not the deliberate action of readily identified actors in the pattern characteristic of other commonly recognized genocides.

Some observers feel that genocide should be defined narrowly to prevent the debasement and trivialization of the concept. However, a narrow definition might suggest that other kinds of large-scale mortality that are permitted to take place are less important. The sensible alternative is to systematically acknowledge that there are different kinds of genocide associated with different categories of victims and different forms of intentionality.

Perhaps the definitions used in assessing homicides could be adapted. Just as there can be first, second, or third degree murder, so too there might be first, second, or third degree genocide. Further distinctions must be made, however, to take account of sustained deliberate neglect.

The deaths of children throughout the world differ in many ways from the Holocaust and other atrocities we commonly describe as genocides. However, the differences are not sufficient to dismiss the issue. The conclusion is inescapable: globally, children's mortality is so massive, so persistent, and so unnecessary, it should be recognized as a kind of genocide.

Where children's mortality rates are much higher than they need to be, the government's policies may amount to a form of genocide. When not just one child but children as a class are not adequately nourished and cared for, that constitutes an ongoing crime by society. And as a crime there should be mechanisms in law for correcting that manifest injustice, including means for

calling not only parents and local communities but also governments to account. The foundation of that mechanism would be the full recognition in law and practice of children's rights.

Human Rights

Clear recognition and realization of human rights can be an appropriate structural remedy to a structural problem, empowering the powerless, and compensating them in at least some degree for their disadvantage. If children everywhere are to be treated well, there must be a recognition that they have specific rights to good treatment.

Children's rights have been addressed in many different international instruments. On February 23, 1923, the General Council of the Union for Child Welfare adopted the *Declaration of Geneva* on the rights of the child. On September 26, 1924 it was adopted by the League of Nations as the *Geneva Declaration on the Rights of the Child*. It was then revised and became the basis of the *Declaration of the Rights of the Child* adopted unanimously by the United Nations General Assembly in 1959. The declaration enumerated ten principles regarding the rights of the child. It was a non-binding declaration, and did not make any provisions for implementation of those principles.

After ten years of hard negotiations in a working group of the United Nations Commission on Human Rights, on November 20, 1989 the United Nations General Assembly by consensus adopted the new *Convention on the Rights of the Child*. It came into force on September 2, 1990 when it was ratified by the twentieth nation. Weaving together the scattered threads of earlier international statements of the rights of children, the convention's articles cover civil, political, economic, social and cultural rights. It includes not only basic survival requirements such as food, clean water, and health care, but also rights of protection against abuse, neglect, and exploitation, and the right to education and to participation in social, religious, political, and economic activities. All countries except Somalia and the United States have ratified or otherwise acceded to the *Convention on the Rights of the Child*.

States that agree to be bound by the convention have the major responsibility for its implementation. To provide added international pressure for responsible implementation, Article 43 called for the creation of a Committee on the Rights of the Child. It consists of experts whose main functions are to receive and transmit reports on the status of children's rights. Article 44 requires States

Parties to submit “reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights.” Article 46 entitles the United Nations Children’s Fund and other agencies to work with the committee within the scope of their mandates.

Children have not only the rights enumerated in the *Convention on the Rights of the Child*, but also, with few exceptions, all other human rights. The articulation of these rights in international instruments represent an important advance, but there is still much more to be done to assure that these rights are fully realized.

Much more needs to be done by national governments to assure that human rights within their jurisdictions are realized. Beyond that, it must be recognized that children’s rights do not end at national borders, and the international community also has obligations to them. A recent study estimated that about \$5.1 billion would be needed annually to save six million children’s lives each year.¹⁴ This is less than 0.001 percent of the global product of about \$55.5 trillion.¹⁵ It would be difficult to argue that the world cannot afford to save these children.

If we are ever to find remedies for structural violence, we will have to learn to see the pervasive and persistent impacts of structural violence in our societies. There are massive and systematic patterns of disadvantage to particular categories of people that are neither natural nor necessary, and signify ongoing massive injustice. Over time, that injustice can be corrected through recognition and realization of their human rights.

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¹⁴ Bryce 2005.

¹⁵ CIA 2005.

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