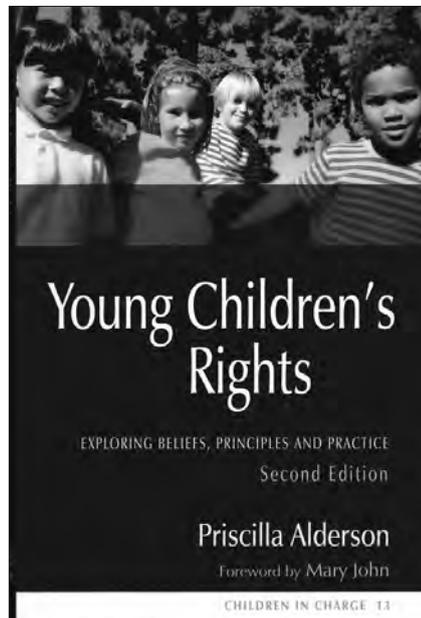


# Priscilla Alderson: Young Children's Rights. Exploring Beliefs, Principles and Practice

*Reviewed by Alessy Beaver*

Whilst twenty years have passed since the United Nations created the Convention on the Rights of the Child (CRC), its influence on the civil, political, economic, social and cultural rights of children is still a hot topic of debate. Of the body of literature that exists on the subject, few works have focused specifically on the impact for the very youngest in society. Priscilla Alderson's latest book - an updated edition of her 2000 publication *Young Children's Rights* - makes a welcome exception, offering a brief overview of how the implementation of the CRC has affected British children 8 years old and under. The book is designed to cover the basic inalienable rights children are entitled to in accordance with the Convention, with particular focus on the '3 Ps'; protection, provision and participation. As well as providing a solid introduction to the subject area the book also presents the case for greater involvement of, and consultation with children in private and public sphere to ensure their needs and interests are adequately represented.

The book opens with an examination of the '3 Ps'. Chapter 1 deals with the right to provision by succinctly setting out the standards of care and consultation British children are entitled to in accordance with the UNCRC. This includes a brief overview of issues such as health care, education, child care and living and working standards. Alderson argues in favour of a more meaningful consultation process between young children and adults to ensure appropriate standards of care are set that reflect the needs and desires of both parties. She believes this is required to avoid adult-centric policies and child based exclusion from the decision making process on the basis of perceived lack of agency and capacity. The reader is provided with several good reasons to believe that children are capable of playing an important part in determining their own care, with a number of well chosen case studies supporting this hypothesis. From a three year old diabetic who is able to monitor her own blood sugar levels to children in Rajasthan who set up their own night



school, the reader is offered a compelling evidence for the empowerment of children as determiners of their own welfare.

Chapter 2 tackles the issue of children's protection rights through an examination of the ethical, social and financial implications of their implementation. Alderson cites a range of data highlighting the need for greater protection for the countless millions of vulnerable children worldwide. With well chosen evidence showing the alarming number of young people living in precarious conditions, who face the daily prospect of abuse, exploitation, discrimination, people trafficking and extreme poverty the moral force of Alderson's claim for increased protection appears hard to refute. With reference to the 'Every Child Matters' government Green Paper, Alderson suggests that state legislation should reflect a baseline which starts with every child being at risk, rather than assumed safe. This is not offered as a merely idealistic proposal; Alderson is more than ready to consider the practical difficulties of its implementation. To begin with the level of bureaucracy required to execute this baseline could be problematic, especially when it comes to reconciling the right to privacy with universal application. For example, the right to security and protection could be seen conflict with the equally

inalienable right to non-interference (articles 16.1 and 16.2 UNCRC) when, as has been proposed in the UK, the creation of data bases and vetting procedures supporting these protective measures contravene the basis of familial privacy. Other cases of over-protection are also referenced, including the international labour market, where overly zealous protective measures have served to limit children's working opportunities, thereby pushing them into more precarious forms of labour such as begging and sex work. Again this point seems to reiterate the key message of the chapter that a meaningful counter-balance between children's entitlements to security and exercise of basic freedoms is required to ensure protection rights are not counterproductive.

In addition to presenting a powerful case for respecting children's provision and protection rights, Alderson tackles the more contentious issue of whether children should have active participation rights in chapter 3. Alderson argues that greater respect for children's views is necessary in familial, public and policy fields to ensure children are not overlooked or excluded from opportunities and resources. This point is continued in chapter 4 where Alderson examines what she sees as the route of children's omission from the sphere of adult's right; traditional perceptions of 'childhood.' Alderson argues that children have been too rigidly defined in legislative and familial circles to adequately represent their worth, dignity and agency, which has led to their exclusion from certain autonomous rights. She says that respect for children and their capabilities can only be achieved through deconstructing the myths and normative conceptions which have resulted in their initial misrepresentation and exclusion.

In comparing the plight of children's rights to that of standpoint feminism, Alderson convincingly argues that children's exclusion from the 'we' of society closely mirrors that of women who were previously barred from aspects of public life due to arbitrary and erroneous assessments pertaining to their competence and ability. Alderson suggests it

is necessary for society to deconstruct the rhetoric, language and perceptions of childhood in much the same way as it was important to re-conceptualize gender. Key to this is recognising children as full-human beings, rather than sub-people, who should have access to a full range of rights, not on the basis of age, but because of their personhood.

Chapter 5 provides a brief synopsis of the case for and against the consultation of children, drawing on the work of Professor Freeman, University College London. In turn this includes an examination of how the process of consultation advocated throughout the book can be reconciled with rights of children to be protected from the adult world. Through providing a list of useful starting points for debate, Alderson challenges readers to reconsider their own position and common beliefs about the role children should play in the consultation process. Alderson believes that regardless of the side of the debate the reader sympathises with, there needs to be a greater emphasis on trusting children's capabilities to ensure they are not excluded from decisions which affect them directly.

Leading on from the merits of consulting children, chapters 6 and 7 consider the appropriate means and levels of involving children in this process. Alderson argues that the consultation process itself is fraught with practical barriers including time restraints, language obstacles, skill deficits, managing a work/play mix, which complicates the process of involving children. Drawing on the work of other authors in the field, including Miller, Treseder and Morrow, Alderson presents a range of appropriate measures to facilitate work and communication with young children in order to increase their level of involvement. Alderson claims that a wider level of adult and child participation can only be achieved through gaining confidence and experience in the consultation process.

Chapter 8 considers how children can be actively involved in sharing decisions and responsibility for matters which directly affect their own wellbeing. Alderson claims young children are capable of making rational decisions even when presented with a wide range of information and that this should serve as a justification for their involvement in major personal decisions. She cites examples such as health care where hospital staff are increasingly allowing children to make autonomous decisions concern-

ing their treatment. Alderson fiercely rebukes those who claim children lack the moral sense to take part in such decisions, claiming it is adults rather than children who have difficulty delineating between right and wrong.

Chapter 9 provides a succinct summary of Alderson's research and findings. It reiterates the key objections to children having full autonomous rights (can not/should not/must not) whilst offering valuable counter arguments, which are detailed throughout the case studies and evidence listed in her book. Alderson sees our functionalist society as the main barrier to progress on the rights issues, stating that people are unlikely to be critical of present inequalities if the structure of society best suits their interests. She believes that the best way to promote a moral and just order is to move towards the CRC's vision of "inherent dignity and inalienable rights for all members of the human family." Alderson states that the focus on the CRC is crucial because it sets out a practical framework from which duties can be discharged, which also allows for the views of the children to be represented, not as a matter of privilege but as a matter of justice. This ensures children are protected from adult centric policies and allows them to be represented as active competent social beings.

Alderson concludes by calling for the empowerment of children; advocating the creation of power sharing arrangements to enable greater respect for children's rights and change the current dynamics by which they are infantilised. She offers that the redistribution of power between old and young is a necessary requisite of social justice in much the same way as the redistribution of resources is necessary for global justice. Alderson believes this is unlikely to come about because society's attitudes towards children are so deeply entrenched that the balance of power will always be in the favour of adults. Alderson suggests that a radical rethinking of perspectives and policies is required to ensure adults and children can co-operatively create a better future.

Alderson's *Young Children's Rights* is a valuable addition to the existing body of literature on children's rights. It offers an excellent introduction to the subject area and provides a unique insight into the lives, relationships, experiences and aims of young children. From the outset it is clear that Alderson's book is not intended to be a solely academic exercise, rather a straightforward,

relatable text which aims to appeal to a wide-ranging audience. The book competently cuts through the extensive policy language of the CRC, simplistically relating how the key concepts relate to young children, without ever alienating the more casual reader with cumbersome rhetoric. Alderson's positions are clearly explicated and forwarded with a commendable amount of passion, though the book never verges on being a moral crusade for children's rights. Instead it should be seen as a list of pragmatic reasons for respecting children's dignity and worth which would be hard to refute. An excellent use of case studies and evidence is employed to explicate Alderson's arguments, which humanises the debate for those not well acquainted with the issues discussed. In doing so a 'child-centric' approach is provided, which serves to challenge pre-conceived ideas about the nature of childhood and capabilities of young children, which have resulted in their uncompensated exclusion from major aspects of society.

Whilst the majority of the book's audience are likely to sympathise with the moderate arguments Alderson forwards, there will be others who find the case for children's involvement too modest, and conversely those who believe it is overstated. In relation to the first claim, some readers might wonder why Alderson – who so adeptly argues for young children's inclusion in a range of 'adult' rights - stops short of advocating full voting rights. Indeed the exemption of children from the electoral process is barely addressed by Alderson, although neither explicitly rejected. Throughout the text frequent reference is made to children's interest in, and comprehension of a plurality of complex political and social issues such as citizenship, racism, inequality, poverty, and the environment, which could be viewed as an implied justification for their electoral involvement. Whilst the text may be seen by some to tacitly support the concept of for children's voting rights, Alderson's reticence to dedicate more space to its discussion means that her position remains somewhat unclear.

In relation to the second point, many of the arguments Alderson forwards for wider participation and consultation of children could be viewed as unjustified, since they rely on a conception of children which will not be shared by everyone. Indeed to state that most children are intuitive, capable beings, with basic human facets is hardly

problematic, but to imply that they may possess the level of abstract thought and logic necessary to dictate their own provision of care for example, is far more controversial. Considering the book deals with very young children, sceptics maybe not be convinced that the examples of children arranging ribbons or organising discos really translate into a realistic argument for their involvement in key decision making matters. Another point which readers may find contentious is Alderson's claim that the current inequitable distribution of resources between young and old is somewhat unjust. If we consider that, in most cases, a person's life span is expected to cover both youth and old age, the distribution of resources is not technically unjust since the age bias favours everyone at some point. In this sense Alder-

son's argument for a radical overhaul of resource distribution between age brackets as a requisite of generational justice might be seen to miss the point of what justice requires.

However none of the issues constitute a real sticking point for the book. The key argument, for a better understanding of children and their needs, remains convincing, even if the level of their participation and consultation remains open for debate. Indeed when the book focuses on issues that are intergenerational in scope, such as the provision of resources in the near future, it is clear to see that allowing children a say in matters which will directly influence their present and future prospects is essential.

Young Children's Rights is to be recommended to anyone with an active interest in the

subject of children's rights. It touches on a largely neglected subject area – the nature and scope of young children's right - which is desperately in need of consideration and provides a voice and forum for the youngest and most vulnerable in our society. Alderson's claims are cogently argued and well thought out, and she is able to circumvent serious objections to children having rights through relating her wealth of experience and research in the field. In doing so she produces a book full of sensible ideas, which carries both moral force and practical use.

*Priscilla Alderson (2008): Young Children's Rights. Exploring Beliefs, Principles and Practice. London/Philadelphia: Jessica Kingsley Publishers. Second Edition, 231 pages, ISBN 978-1-84310-599-2, price: £19.99 / \$39.95:*

## Available books and journals of the FRFG

### Books

- Tremmel, Jörg (ed.) (2008): *Demographic Change and Intergenerational Justice. The Implementation of Long-Term Thinking in the Political Decision Making Process.* Berlin: Springer Verlag. €79.95
- Tremmel, Jörg (ed.) (2006): *Handbook of Intergenerational Justice.* Cheltenham: Edward Elgar. €50
- Stiftung für die Rechte zukünftiger Generationen (ed.) (2008): *Wahlrecht ohne Altersgrenze? Verfassungsrechtliche, demokratietheoretische und entwicklungspsychologische Aspekte.* Munich: oekom Verlag. €39.90
- Tremmel, Jörg / Ulshöfer, Gotlind (eds.) (2005): *Unternehmensleitbild Generationengerechtigkeit. Theorie und Praxis.* Frankfurt: IKO Verlag. €25
- Stiftung für die Rechte zukünftiger Generationen (ed.) (2003): *Handbuch Generationengerechtigkeit.* Munich: oekom Verlag. €25
- Stiftung für die Rechte zukünftiger Generationen (ed.) (1999): *Was bleibt von der Vergangenheit? Die junge Generation im Dialog über den Holocaust* (with a preface by Roman Herzog). Berlin: Ch.Links Verlag. €20
- Stiftung für die Rechte zukünftiger Generationen (ed.) (1998): *Die 68er. Warum wir Jungen sie nicht mehr brauchen.* Freiburg: Kore Verlag. €10
- Gesellschaft für die Rechte zukünftiger Generationen (ed.) (1997): *Ihr habt dieses Land nur von uns geborgt.* Hamburg: Rasch und Röhring Verlag. €10

### Issues of the journal "Intergenerational Justice Review" (IGJR)

The following, previously released issues can be purchased from the FRFG:

#### Peer-reviewed

- Climate Change and Intergenerational Justice (vol. 9 issue 3)
- Young Generation Under Pressure? (vol. 9 issue 2)
- Historical Injustice (vol. 9 issue 1)

#### Not peer-reviewed

- Junge Generation unter Druck? (vol.8 issue 3)
- Grundlagen der Generationengerechtigkeit (vol.8 issue 2)
- Groundwork for Intergenerational Justice (vol.8, issue 1)
- Was ist Gerechtigkeit? Was ist Generationengerechtigkeit? (vol. 7, issue 4)
- Wege zu mehr Kindern in Deutschland (vol. 7 issue 3)
- Gesellschaftliche Generationen am Beispiel der 89er-Generation (vol. 7 issue 2)
- Nachhaltige Entwicklung in Spanien - German-Spanish edition (vol. 7 issue 1)
- Erneuerbare Energien - 2<sup>nd</sup> German-French edition (vol. 6 issue 4)
- Wahlrecht von Geburt an (vol. 6 issue 3)
- Generationendialog (vol. 6 issue 2)
- Einwände gegen Generationengerechtigkeit - 1<sup>st</sup> German-French edition (vol. 6 issue 1)
- Institutionalisation of Intergenerational Justice - 3<sup>rd</sup> Engl. Ed. (vol. 5 issue 3)

- Partizipation und Kinderwahlrecht (vol. 5 issue 2)
- Unternehmensleitbild Generationengerechtigkeit (vol. 5 issue 1)
- German-Polish edition: Einführung in die Generationengerechtigkeit (vol. 4 issue 4)
- Generationenbeziehungen und Bildung (vol. 4 issue 3)
- Justice, Ethics, Ecology - 2<sup>nd</sup> Engl. Ed. (vol. 4 issue 2)
- Generationengerechtigkeit und Bevölkerungspolitik (vol. 4 issue 1)
- Generationengerechtigkeit und Familienpolitik (vol. 3 issue 3)
- Unternehmen und Generationengerechtigkeit (vol. 3 issue 2)
- Generationengerechtigkeit oder Nachhaltigkeit (vol. 3 issue 1)
- What is Generational Justice? - 1<sup>st</sup> Engl. Ed. (vol. 2 issue 3)
- Ressourcenproduktivität (vol. 2, issue 2)
- Finanzielle Generationengerechtigkeit (vol. 2, issue 1)

### Printed Journals:

Unit price: €10 - subscription rate: €25 pa. To download pdf versions of the journal from our website is free of charge.