Chapter 9
Children's Human Rights and the Contemporary Interest in Child Participation

This chapter looks at a number of issues beginning with the emergence of the concept of human rights and legal provision in constitutions, basic laws, bills of rights and other legal instruments for the protection of these rights. It eventually moves on to children's rights and the emphasis on children's participation that has occupied a large part of the child rights environment for almost two decades. Some participation specialists have insisted that the solution to the citizenship debate is easily found in this area. Critical examination of some of that work looks at the substance of their arguments for achieving this end.

Children's rights are both an opening and obstacle to resolving the question as to whether children's citizenship is a viable proposition. The present situation, in which the UN Convention on the Rights of the Child (CRC) is a central feature, projects into an unforeseeable future rather than drawing on the past for evidence of an age in which children shared equal status with adult citizens. Previous chapters have hitherto shown that full citizenship for children is a thus far untried hypothesis, but also that it is possible to say that historically children have been 'more equal' and that as modernity shaped approaches to attitudes to children, that it was measurably reduced. Human rights have especially reduced differences between socially separated groups, so that in principle sexism, racism, ageism, homophobia and other prejudices have been identified and attempts are being made to integrate them into civil society. Where they have been identified there are usually socially engaged groups and initiatives actively working on changing the situation of people seen as 'different' to one of acceptance in mainstream society. Extraordinarily, ageism is amongst those groups and tends to be oriented toward actions on behalf of the elderly whereas in actuality it should promote tolerance between age groups, including children. However, it does serve a very useful purpose in illustrating the exclusionary position of childhood.

Whether or not children's rights provides any kind of solution to this open question and more so whether 'participation' rights actually contribute to citizenship is certainly not one of the goals of the CRC. At no point does it at all give reason to believe it is intended to do so. It is nonetheless a human rights instrument that lends credence to

arguments for greater inclusion of children in civil society as bearers of an almost universally accepted set of rights.

One of the other key elements in examination of human rights is in the social study of human beings. In common with the notion of human rights, the new discipline *sociology* emerged from Enlightenment philosophy in the late eighteenth century, shortly after the French Revolution, as a positivist science of society (for instance, see Kilminster 1998). Epistemological, ontological and ethical concerns within European philosophy were gradually absorbed into the new discipline and transformed by newly emerging movements in the philosophy of science and philosophy of knowledge, particularly by the French thinker Auguste Comte, often known as the father of sociology, who was heavily influenced by original Enlightenment political philosophers of *social contract*. His intent was to merge all studies of humanity through a *scientific* understanding of the social realm. His sociological scheme was characteristic of nineteenth century humanists in that he believed all human life passed through distinct historical stages. If one could gain control of this process, one could prescribe the solution for all social ills. The discipline developed gradually and contributed to the later development of social and cultural anthropology which take much of their theory from sociology.

Social science is thus contemporaneous to and highly important in any understanding of the translation of philosophical roots into human rights theory and practice. Later in this chapter as we turn to children's participation in civil society where *capital* and *agency* are central to understanding what that participation means. This links the previous chapter to this whilst accommodating human rights as the catalyst for the present interest in children as active participants in their societies.

The Emergence of Human Rights

The advent of the CRC is part of a wider human rights 'consciousness' in the modern world. As previous chapters, especially examination of philosophy, have shown, the notion of human rights has a far longer 'provenance'. In essence, most of the bills, charters, conventions and declarations of rights have grown out of a limited number of precedents such as the French *Déclaration* of 1792 and US Bill of Rights of 1798, both of which owe much of their substance to Enlightenment philosophy. In fact many aspects of what has become 'human rights' derives from the same influence. Thus we find almost direct links with some of the issues examined in the previous chapter such as feminism, where early activists like de Gouges and Wollstonecraft found many ideas they used to advocate the equality of men and women. It is also in part through the growth of intellectual liberalism that gave life to academic disciplines that inform human rights and are the main contribution to the notion of participation that is examined in this chapter.

The starting point, however, is how Enlightenment philosophy developed and out of it a new way of seeing the human being as somebody as a bearer of universal rights came about. Whilst it would be possible, but probably not useful, to start at an

earlier point in time, the English Bill of Rights is perhaps the earliest example of the modern period that is chronologically appropriate.

The English Bill of Rights 1689 (*An Act Declaring the Rights and Liberties of the Subject and Settling the Succession of the Crown*) was almost certainly amongst the first to begin to take a route toward the notion of 'human rights' as we know it now. It is a statement of particular positive rights that the people who drew it up considered that citizens of a constitutional monarchy should be entitled to. It asserts the Subject's right to petition the Monarch and that Subject's right to bear arms for defence. It also sets out constitutional requirements, whereby actions of the Crown require the consent of the people it governs who are represented in an elected Parliament. It differs from other 'bills of rights' including the US Bill of Rights although some parts of the first eight amendments to the US Constitution reflect it.[1] It acknowledges the rights of individuals, albeit all of whom were male adults and even there we would find many exceptions.

In France, *La Déclaration des droits de l'Homme et du Citoyen* (The Declaration of the Rights of Man and of the Citizen) of 1789 was the principal document of the French Revolution. It defined individual and collective rights of all estates as one. It was influenced by a doctrine of 'natural rights' in which those rights are considered to be universal. They are legally binding at all times and in all places and relate to 'human nature' itself. Although it laid down fundamental rights for all men rather than only for the French, it neither made any assertion about the status of women nor did it unequivocally address slavery and servitude. Nonetheless, it can be deemed the precursor to international human rights principles. The first article is: '*Men are born and remain free and equal in rights. Social distinctions can be founded only on the common utility*'.

In 1790, Nicolas de Condorcet and Etta Palm d'Aelders appealed to the National Assembly to extend civil and political rights to women. The attempt was unsuccessful. Condorcet declared that "and he who votes against the right of another, whatever the religion, colour, or sex of that other, has henceforth adjured his own". As a consequence, the French Revolution did not lead to recognition of women's rights, which prompted Olympe de Gouges to publish the Declaration of the Rights of Woman and the Female Citizen (*La Déclaration des droits de la femme et de la citoyenne*) in 1791. It is based on the Declaration of the Rights of Man and of the Citizen and attempts to expose the failure of the French Revolution which had originally been committed to sex equality. It is, despite its failure because its predecessor

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[1]The English Bill of Rights is one of the fundamental documents of English constitutional law, is substantially different in form and intent from the American Bill of Rights. It was intended to focus on the rights of citizens represented by Parliament against the monarchy. However, some of its basic tenets were adopted in the American Bill of Rights. James Madison, the author of the American Bill, incorporated the ideas of John Locke, whose *Two Treatises of Government* (1698) argued that civil society was created for the protection of property (that which is one's own: 'life, liberty, and estate'). He also put forward the notion that each individual is free and equal in the state of nature and also that natural rights that are inherent to all individuals, a concept Madison mentioned in his speech presenting the Bill of Rights to the 1st Congress.

basically delivered rights literally to 'the Man', an early example of the need to sometimes compartmentalise human rights to achieved certain ends, as indeed the CRC now does for children.

The US Bill of Rights, 1798, consists of the first ten amendments to the Constitution. The amendments define the powers of federal government to protect the rights of all citizens, residents and visitors on the territory of the United States of America. Among the specific rights these amendments guarantee, are those that ensure freedom of speech, press and religion, allow citizens to keep and bear arms, enjoy free assembly, freedom to petition, be free of search and seizure, cruel and unusual punishment and to be compelled to incriminate oneself. It also restricts congressional power by prohibiting the making of any law to establish a (state) religion and by prohibiting the federal government from depriving any person of life, liberty or property without 'due process' of law.

Thomas Paine's (1999) *Rights of Man* has occasionally been cited for its influence on the US Bill and French Declaration. Its two parts were published in 1791 and 1792 respectively as more a response to Edmund Burke's criticism of the French Revolution than in response to either, although he included the latter in the first part. Mary Wollstonecraft's (2004) *A Vindication of the Rights of Women* appeared in 1792, partly in response to Burke, but also following Paine's precedent. One of her causes was the principle that civil and religious liberties were part of one's birthright (Wollstonecraft 2004: xviii) which departs from the narrower extension of rights (to men) espoused in English and American Bills and French Declaration and is probably the closest to a child inclusive proposition.

A new wave of human rights bills and charters began to appear in the twentieth century. In the wake of the First World War, the Geneva Declaration of the Rights of the Child was drafted by Eglantyne Jebb in 1923. It was adopted by the International Save the Children Union in 1923 and endorsed by the League of Nations in September 1924 and is a precursor to the 1959 the United Nations General Assembly adoption of a much expanded version as its own Declaration of the Rights of the Child and eventually the CRC in 1989. However, much of the impetus came as former European colonies gained independence.

Consequently, emergent independent countries pursued a similar route toward extending human rights along lines that share basic principles with the English and American Bills and French Declaration. India is a good example. After independence in 1947, they introduced a Bill of Fundamental Rights enshrined in Part III of the Constitution. It guarantees equality before the law, freedom of speech, association and peaceful assembly, the right to practice religion and the right to constitutional resolutions for protection of civil rights by means of such writs as *habeas corpus*. Violations carry punishments prescribed in the Penal Code. Fundamental Rights are defined as basic 'human freedoms' through which every citizen has the right to enjoy proper and harmonious development of personality. They have their origins in many sources including the English Bill of Rights, US Bill of Rights and French Declaration of the Rights of Man. They apply to all citizens irrespective of race, religion, caste, creed, colour, sex or place of origin. Whenever looking at 'bills of rights' such principles tend to be similar in all

nations. There are also more general statements of intent to uphold human rights, particularly as a universal principle.

The Universal Declaration of Human Rights (UDHR) is an 'advisory' declaration adopted by the General Assembly of the United Nations in Paris on 10 December 1948. The 30 articles summarise the position of the General Assembly on the minimum standard of human rights that should be guaranteed to all people. The International Bill of Human Rights consists of the Universal Declaration of Human Rights with the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and its two Optional Protocols. In 1966 the General Assembly adopted both Covenants to complete the International Bill of Human Rights. In 1976, after the Covenants had been ratified by the required number of nations, it entered into force. The UDHR is one of the guiding principles of the CRC as shown in the preamble.

The United Nations Convention on the Rights of the Child

What makes the CRC very different was the process that ultimately lead to it. Eglantyne Jebb's 'Children's Charter' that the International Save the Children Union adopted in 1923, was adopted more or less verbatim by the League of Nations in 1924 as the five point Declaration of the Rights of the Child, often called the Declaration of Geneva. In 1948 it was used as the basis for a seven point Declaration that was adopted by the General Assembly of the then new UN. In 1959 it was further revised as the Declaration of the Rights of the Child that is still valid to the present day. Even at that time there was some lobbying for a more assertive convention. To celebrate 20 years of the Declaration, 1979 was designated International Year of the Child (IYC). At a session of the Commission on Human Rights in early 1978 Poland, who had supported a convention in 1959, proposed that a binding convention mainly based on the 1959 Declaration be drawn up and adopted in 1979. The Polish concern for children was very much influenced by the work of Janusz Korczak at the beginning of the twentieth century.

After consultation with governments and international organisations, it was felt that drafting and adoption of a convention could not be achieved in a year. In 1979 during the IYC an open-ended working group was set up. Any of the 43 member nations of the Commission on Human Rights could join the Working Group and all other UN member states were able to send observers. The first draft submitted by the Polish delegation consisted of 14 articles that were of a mainly economic, social and cultural nature. They omitted a wide range of rights including participation rights and any hint that it might be a means of introducing a notion of full citizenship for children. During 1979 the aim was to complete drafting within 10 years in order to present and adopt the finished convention on the tenth anniversary of the IYC. The core participatory articles (12–16) first appeared as Article 7 that was adopted by the Working Group in 1980. Article 7 expanded to have 7*a* in 1981, further to 7*bis* in 1982, 17*ter* 1987 and 7*quater* in 1988. The five articles were

adopted by the Working Group in 1989 and passed on into the official text of the Convention for adoption by the General Assembly on 20 November 1989.

In the passage of drafting (see Detrick 1992) every article had been the subject of debate and dispute. There were controversies over whether childhood begins at conception or birth, freedom of religion and adoption. Given that choice of religion and adoption are both not normally possible under Islam, accommodation had to be made. There were also strong debates on an age limit for children serving in armed forces. It has since been resolved by an optional protocol. Some aspects of civil and human rights have entirely been omitted; there are, for instance, neither full economic nor political franchise rights. All in all, by 1989 what emerged was nonetheless remarkable in its scope and what was to follow. The CRC was opened for signature on 26 January 1990. By 2 September and 30 days after deposit of the 20th ratification, the CRC entered into force. It was the first UN convention that had ever acquired a large number of signatures and ratifications that quickly. At the time of writing this all UN member states except Somalia[2] and the USA[3] have ratified and are in one sense or another in the process of incorporating it into national laws.

It is a convention that most certainly continues the tradition that began with the 'Déclaration des droits de l'Homme et du citoyen' and has some of the aspirations of the 'US Bill of Rights' within the scope of rights it includes. Above all, and as acknowledged in the Preamble, the 'UDHR' and 'International Bill of Human Rights' are reflected in its sentiments. However, it is not a 'perfect' instrument of law, remaining contentious and unpopular in some countries, with both supporters and detractors almost universally. Part of that is because of its content.

Toward the conclusion of drafting, *Defence for Children International*, an NGO which was at the hub of the non-governmental contribution to the process from 1983 onward, was asked to ascertain some kind of classification of the first 41 of the 54 articles (see van Beers et al. 2006:12). They determined that *protection*, *provision* and *participation*, sometimes known as the 3Ps, were the three immediately identifiable groupings and also distinguished each article within its relevant category. This drew attention to participatory articles. Since the CRC entered into force the articles addressing their participation, especially Article 12, the child's right to an opinion, have become an almost self standing focus in the children's rights 'world'.

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[2] Somalia has been in a state of civil unrest with no single, internationally accepted government for over 30 years. Consequently there is no single authority or government recognised by the UN that could sign and ratify the CRC.

[3] The USA played an active role in drafting the CRC and signed it on 16 February 1995, but has still to ratify it. Opposition is partly due to 'potential conflicts' with the Constitution and some political and religious conservatives. Two reasons frequently given for not ratifying were that Texas allows capital punishment of children which the CRC does not allow and that it could undermine parents' rights. The Heritage Foundation views the conflict as an issue related to national control over domestic policy. President Obama described the failure to ratify the CRC as "embarrassing" and promised to review this. The USA has however signed and ratified both optional protocols.

Children's Participation and the CRC

One of the most confusing aspects of the way the CRC has been used by 'aficionados' of child participation has been an almost immovable refusal to think beyond Article 12 by many. Their vision has often been constrained by their belief that the 'voice' of children somehow extends a wide range of new liberties to them. Article 13 should complement 12, yet is often almost treated as though it goes a step too far. Freedom of expression is a respected liberal ideal, yet is often censured with an outlook of mild embarrassment for all ages. Whoever speaks out, indeed including many people who make great sense, often shock those who lack the substance to articulate thoughts themselves. There would appear to be an undercurrent of distrust that deepens when children do on occasion speak freely.

As far as many people are concerned young people are, in their minds, not mature and, lacking fluency and vocabulary, often express things badly. Instead of accepting that Article 14 is where the meaningful content and depth of any view held by many children is to be found, the fact that the notion of freedom of religion is found there has led to a virtual disregard of its very strong set of social and civil functions. Therein, the desire to be impeccably politically correct is apparent whereby nobody wishes to upset people of 'other' beliefs. Ironically, much of this comes from a perceptibly secular sector, often NGOs who would appear to be liberal, secular organisations and already have well established policies that describe universal notions of tolerance.

In as much as children are also concerned, it would appear that there are preconceptions about what children should be allowed to talk about. Political activity (and religion) naturally figure highly in this domain (For examples of critique see Alderson 2000, 2001; Cockburn 2002; Davis et al. 2006; Kirby and Bryson 2002; Moss and Petrie 2002; Smith 2007).

A further problem undermining the potential of the CRC is the tendency for participation to be made the focus of a particularistic view of children's rights. In 1992 UNICEF published a 44 page book under the title *Children's Participation: from tokenism to citizenship* by Roger Hart. On page nine there is a 'ladder of participation' Hart 'borrowed' from an essay on adult participation by Sherry Arnstein in 1969 (Hart 1992:8–9). It has eight steps that describe 'levels' of participation in projects. However, Hart says "The Ladder of Participation" is designed to serve as a "beginning typology for thinking about children's participation in projects" (*Ibid.*). The main points to draw attention to here are 'beginning typology' and 'thinking about children's participation'.[4]

Whilst the ladder was never designed as a tool for measurement of participation it has become exactly that. In Johnson et al. (1998) several contributors either used

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[4]Participation is well enough defined by any good dictionary, yet there has been considerable competition among 'experts' to redefine what it is because it is 'children's participation' thus held to different to plain 'participation'. The competition to reach a definitive definition has generally confused rather than clarified and offers little if anything toward the notion of the child as a citizen since participation has come to mean quite specific things rather than having all of the all entailing qualities of citizenship.

the ladder itself, something based on it or a variation on a similar theme precisely as a measuring tool. Other authors have continued to do so until the present. To return to Hart, beyond inclusion of the word 'citizenship' in his title, there is nothing one could feasibly consider conclusive or indicative of how children's participation could transform itself or be developed into citizenship. It is in this vein that a steadily growing number of authors have attempted to either say what participation is or measure it without concretely addressing 'citizenship'.

Harry Shier's 'Pathways to Participation' (Shier 2001) was at one time highly influential. It consists of five 'levels' of participation beginning with children being listened to, then supported in expressing their views, thereafter those views are taken into account. Children are then involved in decision making processes and finally 'share power' and responsibility for decisions. It is highly dependent on how workers with children view this process and is also very much linked to Article 12 CRC, whereby:

> 1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

The second part of Article 12 and 'due weight in accordance with the age and maturity' principle is very clearly underscored and overall the intention appears especially mindful of the 'evolving capacities of the child' principle in Article 5. Shier believes that participation, at least the way he understands it, "requires an explicit commitment on the part of adults to share their power; that is, to give some of it away" (*Ibid*.:115). It is by no stretch of the imagination a tool for examination of participation as a gateway to full membership of civil society, especially being so dependent on adult consent rather than a genuine outcome of a negotiated process.

Whereas Hart's (1992) typology sets out eight levels of involvement that children may have in decision making (he only defines five as 'participation'), it has been extremely influential on discussions about the nature of children's participation in decision making. Shier (2001) has suggested that Hart's classification of the activities that should *not* be considered 'participation' is at least as useful for classification of what *is*. The ladder can be criticised for implying a hierarchy with a target at the top to aim for, whereas in reality different degrees of influence over decision making may be apposite in different situations. Shier's (*Ibid*.) typology built on Hart's ladder of participation without intending to replace it and whilst it is not designed with children's participation in decision making concerning their care in mind (see *looked after children* later in this chapter) some issues it raises are relevant.

Social Capital

Thomas (2007:199–218) attempted to draw together a theory of children's participation that relies heavily on typologies. There is some almost superficial examination of 'social and political' participation, including a specifically UK focussed

consideration of the lowering of electoral franchise age.[5] This is followed by a very narrow (essentially Anglophone) examination of representative and participatory democracy and democratic inclusion that avoids the issue of exclusion (see Chap. 3).

Therewith he is drawn down a route out of which extrapolation of a single conclusion is almost predestined not to happen. Where he begins to find some ground that remains underexploited, is where he begins to examine the notion of *social capital* and mentions *cultural capital* in passing. He draws heavily on Pierre Bourdieu who defined social capital as "the amalgamation of actual or potential resources linked to possession of a resilient network of more or less institutionalised relationships of reciprocal acquaintance and recognition" (Bourdieu 1983:249 [my translation]). Bourdieu's work on *capital* however identifies and distinguishes between four forms of capital: economic, cultural, social and symbolic capital. Thomas refers only to cultural and social capital, thus missing two entire elements of what is a single but necessarily subdivided concept. *Symbolic capital* is undoubtedly too important to ever exclude from examination of citizenship. It was an 'afterthought' to his first three forms (i.e. Bourdieu 1977) whereby he (1984:238) formulated the notion as an expansion of Max Weber's analysis of *status*. It normally represents resources available to an individual based on honour, status or recognition and acts as a credible representation of cultural value. However, symbolic capital cannot be converted to any of the other three forms of capital.

On the other hand any of the three can also have symbolic value. Thereby, for instance, a child being elected as class representative on a school council may have both social and symbolic value. The value of any object or situation is always the sum of its symbolic plus one or more of the other forms of capital. It is, therefore, always defined by the system within which it is given a value, although different value systems often see the significance of the same thing differently. In examination of the status of *being* a citizen, symbolic capital is perhaps an inexcusable omission.

However, beyond Bourdieu and more popular at present, the current notion of social capital focuses on an imprecise term with roots in the work of American social scientist Robert Putnam (see Putnam 1993, 2000, 2002). He made a distinction between three kinds of social capital he called *bonding*, *bridging* and *linking* capital which have since become omnipresent in examination of contemporary civil society.

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[5]At present some countries are beginning to lower communal and occasional general electoral rights to age 16. Nicaragua lowered the voting age from 21 to 16 in November 1984. Over recent years in Germany the states of Lower Saxony, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Saxony-Anhalt and Schleswig-Holstein have lowered the age to 16 years for municipal elections. The Isle of Man changed from 18 to 16 in July 2006 with legislation in force in time for the General Election of 23 November 2006. The Austrian Council of Ministers adopted a plan to lower the electoral age to 16 during March 2007. The motion passed into law on 1 July 2007. During May 2007 the Swiss canton of Glarus voted to reduce the voting age from 18 to 16 for cantonal and local elections. In Scotland the SNP's annual conference voted unanimously on 27 October 2007 in favour of a policy of reducing the voting age to 16 as soon as possible.

Social capital examined in this manner is by no means a single thing, whereby people may measurably have *more* or *less* of any of the three forms. To be more precise, it is multifaceted. Bonding social capital broadly speaking refers to connections with people like oneself such as classmates, friends or neighbours, thus places individuals socially. Bridging social capital then refers to links to people who are generally unlike oneself, particularly in a demographic sense. They might, for instance, include people one includes in their phone and e-mail lists that are not contacted regularly but are on the other hand essential in such areas as professional life.

Linking social capital suggests associations with people in positions of power. For children that may be a head teacher or other people in influential positions, particularly those offering financial advantages. An individual's standing, capacity to get things done and such things as future careers often depend on connections to these members of particular influence and interest groups. Essentially, it is the degree to which individuals can bring into play different types of bonding, bridging and linking social capital that has an effect on such conditions as success, progress or welfare. People without bonding, bridging or linking relationships are commonly seen as 'outsiders' who often lack any benefits of strong social capital. Whilst Thomas rightly describes (2007:212) Bourdieu as "analytically more robust that Putnam…" the use of the latter to complement the former offers a reasonably clear insight into a sociological analysis of children as holders and users of each form of capital.

There are, furthermore, a number of constituent parts of social capital that have been described as a 'social glue' between people, organisations and their communities that make it possible for them to work together in pursuit of common objectives. In theory this should be complemented by cultural capital. It is comprised of three taxonomies that Bourdieu describes as *embodied*, *objectified* and *institutionalised* (Bourdieu 1984:47) (see Chap. 8 under the subheading Bourdieu for another examination of this concept). Each of those contributes to the role of the individual within society and particularly explains the significance of the culture goods human beings carry and acquire that give them uniqueness within a cohesive social order.

Thus, although social and cultural capitals are indisputable parts of what defines membership, Thomas nonetheless omits economic and symbolic capital. Whilst children do on the whole lack direct an immediate access to most forms of *economic capital*, in itself an inhibitor to the nature of full membership citizenship. He overlooks the fact that children are increasingly important contributors to economies as consumers, whether as proxies through adults or through the use of their own resources. In fact, what appears to be exclusion is almost a contradiction in terms since of all three types, economic capital is that which, if only generated and used by adult proxies, in one sense or another comes first. There is an economic cost (thus value) from the moment of birth, if not even a short time after conception, might define it as being the only genuinely lifelong form of participation.

Thomas concludes with a suggestion that a theory of participation should include the following (Thomas 2007:215):

(a) encompass all the sites where children's participation may or may not take place;
(b) be located in a broader context of inter-generational relations;

(c) understand the distinction between 'participation' meaning activity that children engage in conjointly with adults, and children and young people's autonomous activity;

(d) accommodate the new kinds of participatory practice with children and young people that have been developed (particularly in countries of the majority world);

(e) account for the demands for children and young people to have the same political rights as adults.

It is a conspicuously prescriptive proposal that uses a rather abstract language in some places (i.e. 'sites where… [it] …take place' or 'new kinds of participatory practice') that imply 'set pieces' for children in particular places and conditions. They eliminate any real possibility of an inclusive liberal democratic or civic republican notion of undifferentiated participation that may exist within or alongside traditional practices. Part of the overall problem that Thomas is in turn part of is that many people 'designing' or operating participatory work do so within particular disciplinary or professional parameters. This suggests the need for critical appraisal of some of these sources since the interrelationship of 'rights' and 'participation' for children became conjoined under the children's rights heading.

Lansdown (2005:17) argues that participation not only implies the process through which children contribute to bringing about change but also it presents them with the chance to arrive at a sense of autonomy, independence, enhanced social competence and robustness. She looks at this development in terms of Barker's (1968) six 'zones of penetration' that are levels of children's participation in different settings:

As an onlooker with no active role.
As part of an audience with a recognisable place but no power.
As members who have potential rather than immediate power.
As an active functionary with power over part of the setting.
As a joint leader with shared immediate authority over the setting; for example, representative of a school council.
As a single leader who has immediate and sole authority.

She goes on to argue that in areas in which children only have the benefit of low levels of participation, the prospect of developing competence is reduced. In her view using Barker's schematic approach the most valuable preparation for a sense of effectiveness is to achieve a goal for oneself and not just seeing somebody else accomplishing it. In closing this issue, she states that the development of competence continues for the duration of a lifetime. Much of her work, however, focuses on the premise that adults are gatekeepers to participation anyway since children's capacity is continually evolving. Moreover, Barker's almost contextually disingenuous use of the six zones simply describes what adults generally experience, let alone children, giving no real guidance to what changes of access to and participation in civil society really means.

A further example is Feinstein and O'Kane's (2005) *Spider Tool* that proposes a model that is 'intended to promote reflection, analysis, sharing, dialogue and action planning within organisations' (*Ibid.*:1). The intent is that participants work together to consider the strength of an organisation in relation to a number of key

considerations that they call 'Key Quality Elements'. The outcomes of the evaluation are transferred to a spider web drawing that exemplifies how participants see the organisation they are appraising. The results are intended for use in planning or restructuring the organisation's work. Some participation specialists have interpreted this model as a potential tool for evaluation of a wider range of participatory activities. However, it is again a model that whilst it encourages working together across ages, is both a specialised evaluation tool and is very clearly designed for children to use rather than adults. Thus it is potentially unwelcomed by the latter, who may be unaware of or suspect the original intent.

On the whole it appears that there is confusion about the difference between a typology and a tool. Most of the models appear to be typologies, thus describing standardised or exemplary aspects of participation rather than being tools that can be used to measure it. Of course, there is always a problem in either, since typologies describe norms and there is no provision for how one might account for deviation from that standard and thus measure with a tool that which has no standard described typologically or otherwise.

The History of Child Participation and Its Importance

The history of child participation where it is unambiguously for children rather than part of a wider adult initiated active membership of civil society has a common origin with children's rights in education. In 1917 Maria Montessori (Montessori 1964) was emphatic about the importance of children being free (*Ibid.*:196–97) and bearers of rights (i.e. *Ibid.*:12). Freedom is the starting point for her:

> …honesty ought to make us recognize one day that the fundamental rights of man are those of his own "formation", free from obstacles, free from slavery, and free to draw from his environment the means required for his development. In short, it is in education that we shall find the fundamental solution of the social problems connected with "personality."
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> Deeply instructive is the revelation made to us by the children; that "the intelligence" is the key which reveals the secrets of their formation, and is the actual means of their internal construction. (Montessori 1964:197)
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> If Montessori did not believe in "liberty" as Tom Paine knew it, she did believe quite profoundly - for reasons tracing back to St. Francis of Sales more than to Rousseau - that the child left to himself must will what is good for him. In fact, then, Montessori was prepared to let children make the vast majority of decisions for themselves. Though her theory could have led her the other way, Montessori in the classroom was forever urging her in her teachers to leave the children alone, to tolerate disorder and mess and apparently random or even self-punishing behavior, on the grounds that the child probably knew what he was about better than the teacher could know it. (Holmes in Montessori 1912: xxix, cited in van Beers et al. 2007:78–79)

Perhaps Holmes is right to assume that Montessori did not believe in Paine's understanding of liberty. However, there is far more of Kant's idea of the innate liberty of the individual and almost undoubtedly some shades of Hegel's view that children are potentially free and that the life that follows is the epitome of that

potential freedom. Thus, in her 'children's rooms' (For example, see Montessori 1965 (1912):44–49 and 62–71) she is not describing a place that is for respite from an adult dominated environment but a school in which a child is able to use 'his liberty' to exploit "the means required for his development". In fact this is a form of 'participation' that still persists in education.

Her contemporary John Dewey (see Chap. 7) tried to amalgamate, reappraise and broaden educational philosophies of Plato and Rousseau. Dewey's pragmatism, focus on human relations, contemplation and appreciation combined with engagement with notions of community and democracy, formed a noteworthy educational typology. For him intellect and its constitution are part of a collective process in which individuals are only a key concept when regarded an indispensable part of his or her society. Schooling has no import other than its fulfilment in the lives of individual members of that society. In 1907 he wrote:

> (From) the standpoint of the child, the great waste in the school comes from his inability to utilize the experiences he gets outside the school in any complete and free way within the school itself; while, on the other hand, he is unable to apply in daily life what he is learning at school. That is the isolation of the school - its isolation from life. (Dewey 1990:75)

It was therefore crucial that education should not be the mere instruction of so-called facts and that the skills and knowledge students garner are entirely integrated into their lives as individuals, human beings and also citizens. He viewed Plato as having placed far too much emphasis on society and Rousseau overstating the importance of the individual. Although finding the medium between the two extremes, his philosophy lacks the test of practice Montessori's work allowed her.

In fact there are shades of both in Alexander Neill's Summerhill School a very few years later. Further on in time, Freire brought Dewey's ideas up to date and positioned them alongside his contemporary (1960s) theories and educational practice. They created the basis for what was to become 'critical pedagogy' which undoubtedly embraces a notion of inclusion that most certainly argues strongly for children's inclusion in civil society. It also provides one of the strongest 'human rights' arguments for children's citizenship.

Education and Children's Participation

Not only are those aspects of participation too little visited by people working with children or having an intellectual input into the question, but there is as yet almost no critique of these oversights. When looking back over the work some of the pioneers in what has since become children's rights we occasionally find a broader vision. Montessori's philosophy (Holmes, in Montessori 1965: xxix) was undoubtedly far more tolerant and courageous than many of the people who form opinion today.

Korczak most emphatically embraced a vision of an extensive range of possibilities in his ideas, Dewey's educational theories trusted children far more than many

contemporary child participation devotees and Illich's (1971) critique of education most undoubtedly placed far more trust in the hands and minds of all ages – children included. In fact, when critically examining participation, education offers some positive views on how children might learn to use democracy.

Perhaps most illustrative of all is the work of Alexander Neill (1953, 1962, 1966). In his school, Summerhill, whilst sometimes seen as an anachronism, intellectual and personal freedoms of the kind included in the CRC have been advocated and practised for over 90 years. Children give living example that these principles work. In parts of Africa, South Asia and Latin America they are activists within children's movements.[6] Because those movements exist to organise, defend and represent highly disadvantaged children who work, live on streets or both, they tend not be received as well as more 'respectable' structures. They are a manifestation of the positive use of the principles enshrined in not only the CRC but several of the historically preceding bills of rights and declarations. As a guiding principle in the process toward full citizenship children need to be allowed the right of freely expressed views. Thus all that is incumbent in a principle of free and democratic participation in civil society is also due to them, at least as part of the process to give them political inclusion.

One can compare some aspects of the philosophy of Summerhill with a Peruvian children's organisation. MANTHOC (*Movimiento de Niños, Niñas y Adolescentes Trabajadores Hijos de Obreros Cristianos*) has five philosophical principles:

1. Children and adolescents are not dependent but are autonomous agents. They can and should act on their own behalf.
2. They have an active role in society and they, not adults, should defend children's rights.
3. Advocacy is universal: it does not favour MANTHOC members but all children.
4. MANTHOC views itself as a model for other movements.
5. Children are teachers – not just for peers – but for all people.

MANTHOC initiated a successful experiment in the late 1990s when it opened its own school in Ciudad de Dios in Lima. The school began as a formal after-school programme. Soon children were asking MANTHOC to turn it into a real primary school. Now it has its own curriculum, mainly written by the students. It is licensed by the Department of Education. Instead of grades, it has 'circles'. Children go to the appropriate circle for their educational level, regardless of age. They move to the next circle after achieving certain requirements. This model has turned out to be

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[6]Describing 'child led' organisations such as *MANTHOC* in Peru, the *Concerned for Working Children/Bhima Sangha* in India, *ENDA-Jeunesse* throughout West Africa or the *Movimento Nacional de Meninos e Meninas de Rua* in Brazil in detail would be a wasteful indulgence here, however these and numerous other organisations have websites and have produced a sizeable number of publications over the last 30 or so years. At the time of working on this text, the *Concerned for Working Children* are one of the nominees for the 2012 Nobel Peace Prize which of itself endorses the positive nature of this children's organisation.

better for older children who never really attended school. Teachers give individual attention and base lessons on the child workers' strengths. For instance, they use the mathematical skills of street vendors. Children also participate in school administration. They choose the colours and symbols on uniforms and help to improve curricula. In contrast to most Peruvian schools, they do not rule with an 'iron fist' and children generally call their teachers by first names. The results are proven through the development of children and their test results (taken and translated from IFEJANT's website: www.ifejant.org.pe/WWWEnlaces/programas/Educativo.html").

Summerhill School was founded in 1921 as an independent boarding school with the belief that its education and social activities should be made to fit the child, rather than the other way around. It has never had philosophical principles as firmly defined as MANTHOC's. Summerhill has always been run as a democratic community in which pupils have always participated in the self-government of the school. School meetings are held three times a week at which pupils and staff have an equal share in the decision making that affects their day-to-day lives, discussing issues and creating or changing school laws. The rules agreed at meetings are wide ranging, including agreement on acceptable bed times or allowing nudity at the swimming pool. Meetings have also always been used as an opportunity for the community to vote on a course of action to deal with unresolved conflicts and agreeing punishments such as a fine for theft (see Neill 1966, for greater detail).

Today we find education in some countries returning back to what Korczak appears to have done, also underlies Dewey's educational philosophy and would probably see the approval of Neill or Freire. That is the role of 'empowering' children through citizenship education. Howe and Covell examine this topic through the medium of children's rights that advance their knowledge of democratic principles and being citizens. Their chapter on 'catching citizenship' (2007:118–49) looks at what makes a 'children's rights curriculum' that they feel is necessary to promote and sustain democracy by empowering child citizens.

However, when we turn back to the 'pioneers' of the early twentieth century, Janusz Korczak has a highly influential role for a number of reasons. His educational ideas were influenced by Pestalozzi. That is a notion that attempts to reconcile the tension between the education of the individual (seeking freedom) and citizen (for responsibility and function) that was recognised by Rousseau. Thus Korczak looked toward establishing a 'psychological mode of instruction' that conformed with the 'laws of (human) nature'. Thus special emphasis was placed on spontaneity and self-motivation that included responsibilities including decision making and expressing opinions on matters beyond personal spheres.

Children should therewith not only be given convenient answers but should arrive at them themselves. In order to achieve this, their powers of observation, judgement and logic had to be cultivated and self-motivation encouraged. Part of the process was to nurture a sense of social justice combined with his, as also with Pestalozzi, commitment to work with those who were disadvantaged within society. He shared Pestalozzi's notion of education as a key to the improvement of poor social conditions. Thus once he became the director of the Dom Sierot Jewish orphanage in Warsaw in 1912, and also the Catholic orphanage later, his priority

was to make a democratic institution. It had a constitution that gave children key roles in the operation of the orphanage (see Korczak 1992: xiv–xv). The constitution allowed them a court, parliament, newsletter and other mechanisms for children to enjoy a wide range of self-government and overviews.

Korczak retained the role of ultimate mediator and overseer in view of the children's need for some adult guidance and probably as a link to the outside world. Later on the children wrote a newsletter *The Little Review* that eventually became a weekly supplement to the main national Jewish daily newspaper *Our Review*. It was to last at least a dozen years until the German occupation of Poland and had a wide adult readership. He was the only adult contributor to the newsletter. Korczak's work was the momentum behind the Polish drive for a children's rights convention after the Second World War that came to fruition after their proposal in 1978. The experience of the orphanages also contributed immensely to the process of incorporating participatory rights into the CRC. In some ways it is perhaps best viewed as an example of child participation in education for citizenship rather than as providing children with any more than pseudo-citizenship. Above all else, not only did it not integrate children into civil society but was also the creation of an adult and very much driven by that same person.

Again contemporary to Korczak and generally held to be far more important, Eglantyne Jebb was trained as a teacher and rather than be imbued in any of the ideological notions Montessori, Dewey or Korczak drew into their work, she was concerned with the condition of children. In what was almost certainly a 'child saving' undertaking in the aftermath of the First World War, she changed the position of children vastly when in 1921 she wrote her 'Children's Charter'. When in 1924 it was adopted by the League of Nations as the *Declaration of the Rights of the Child*, (*Declaration of Geneva*) she set a course that would eventually bring the discourse on children's rights to where it is at present. The *Declaration of Geneva* is neither a charter that would of its own volition put children on a passage toward full citizenship nor was it ever intended to do so.

However what stands out above all among these 'pioneers' of both children's rights and participation is their vision that children are human beings with a place in society that needs be prepared and protected on the basis of their fundamental right to be part of society. Conversely, with the exception of Dewey to some extent, who was the far more theoretical of all four, they also saw themselves as initiators or and perhaps the overseers of something that was distinctly for and about children. That was rather than integrating them into a society without the age discrimination that allowed and maintained separation. Thus, as with a great deal of participation in the contemporary world it was always a notion that was imposed or inculcated from above and consequently 'top down'. That is as opposed to what would be a genuinely democratic process that challenged or dismantled age distinction as a 'bottom up' route that would achieve full societal membership as citizens for children.

Education has frequently been held to be the principal course to some nature of 'liberation through knowledge' for children. That argument is adequate although since education is ultimately adult made and managed it is not reaching that goal. Education is usually defined by curricula that are intended to bring about

consistency of 'production' that is measured by those who achieve qualifications. Standards are set and examinations leading to qualification are rarely open to discussion with children and youth who must sit them to acquire qualification and access to higher levels of education. In those areas children's own inputs into education are marginal and rarely reflect children's rights principles.

Participatory rights suggest an inducement for schools councils although they do not usually guarantee members influence on education. Although it reflects on work in the UK only, Mayall (2000:257) remarks that:

> As regards the education service, where children's participation rights are so woefully ignored, there is some pressure to take action, by, for instance, a statutory framework for school councils which give students a say (…)

Thus we see that although education has a 'track record' of at least a full century, in reality little has been achieved since Montessori wrote of her children's houses.

Looked After Children and Those in Need of Protection

We must also consider what are known in the English language as *looked after children* of whom there are many and are very different depending on where one looks worldwide. What is most common is that there is some form of care order whereby a local (occasionally national) authority assumes legal responsibility for a child. The actual parents[7] continue to have parental responsibility. The authority taking responsibility decides where a child should live, which is normally away from home. The responsible authority will seek a court order if a child is not receiving the kind of care it would be reasonable to expect from normal adult caretakers and lack of care is causing that child significant harm. Depending on where this happens, a court or state agency will decide whether or not a child is suffering harm. The responsible authority will usually consult with parents about where a child should live but will make the final decision. A child will often be placed with foster carers[8] or in a home. In the western world particularly, but increasingly as modern methods of child care become more common around the world, children's participation in making decisions about their placement is being encouraged.

There are two ways in which children participate in these processes. Firstly, there is participation in decision making affecting them as individuals. That includes taking their views and wishes into account in both ongoing processes and in measures such as assessment, care or adoption proceedings, family group consultations, care planning and reviews, child protection conferences and complaints. Then there is participation in decision making on issues relating to children as a group, and as part

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[7]These can be birth parents, adoptive parents or legal guardians.

[8]This is the first option in countries with fostering schemes although in many of those a placement in an institution will precede that. In countries with no alternative care systems, homes are the usual option although placement with approved relatives is also a possibility.

of development, provision, assessment and evaluation of services and policy. They are occasionally involved in parts of consultation exercises, research and as respondents, advisers or young researchers in studies. They sometime comprise part of a management committee, advisory group or community initiative and sometimes have a pro-active role as peer mentors, counsellors or volunteer workers.

Clearly, adults' assessment and judgement about the appropriateness of children's participation in any given context is informed by adults' own assumptions and understanding of children's capacities and best interests. These also influence, and are themselves influenced by, assumptions within institutions and structures in which decision making happens and the resources allowed for participation. In assessing issues influencing children's opportunities to participate it is necessary to examine influential approaches to thinking about children and childhood. It has been implied that the CRC reflects a shift from a conceptualisation of children as 'objects of concern' to a perception of children as human beings with agency and capacity.

A small-scale study by Hoggan (1991) using Adler's (1985) framework described three contrasting approaches to children's participation adopted by adults as 'protectionist', 'parentalist' and 'liberalist'. That study considered the involvement of children aged 5–12 years and concluded that those children frequently experienced a 'parentalist' stance from professionals. She said that the main factors playing a part in this were:

Lack of resources: Her argument was that there is need to be honest with children about decisions based on available resources rather than on what they feel they might need or want.

Unwillingness to take their views into account: Discussion about what would occur was often in the form of persuasion of children that they should accept adult decisions.

Perceived need to avoid pain on the part of adults: She suggested that adults involved must realise that recovery from traumatic experiences inevitably involves some pain.

Minimising children's perceived competence: Adults regarded challenging behaviour, or what they viewed as developmental delay, in children who have suffered abuse, loss and other traumas as a factor for assessing levels of competence.

In many cases despite policy that either requires or recommends child participation children are excluded. There are always issues around children's ability to comprehend their situation and give articulate, informed views to those who are responsible for their placement. Lack of resources, and probably most frequently shortages of human resources in the form of people with 'hands on' skill, are often close to the reluctance of judges or senior public servants to listen to children. Whilst it is a strongly advocated approach that would contribute to children learning to share and even take control of responsibility for their lives, countervailing forces appear to dilute its potential contribution to imparting the importance of active citizenship to these particular types of children.

As the world becomes increasingly infected by fear of bad things that might happen to children, the notions of freedom of association or peacefully assembly have

been very much 'diluted' in the face of angst about 'stranger danger'. Article 14 CRC has received only limited attention because in some respects it confronts notions of protection. Ironically, when considering the notions of privacy, honour and reputation in Article 16, fear of abuse is overshadowed by exactly some of the same facets of attitudes that inhibit freedom of association and peacefully assembly. Both now require presence and allowance for the possibility of intervention in children's 'best interests' in the face of any perceived threat.

More recent inputs into both participation and rights have come from the work of development agencies and UN agencies such as the World Bank. Children's participation in development work has usually been set up and measured using rapid appraisal methods in particular. More recently, validity of young people's roles in structured activities have been 'measured' using one particular 'model'. That is again the ladder scale or variations on the model first used by Hart (1992:9) to serve 'as a beginning typology'. Despite Hart specifying that, few of the 'experts' who tend to staunchly adhere to Hart or one of the modified versions has contributed to development toward any other or more appropriate models. However, it also remains to be seen whether participation needs to be measured since in the first place all social actors are always participant in their society. In the second, civic society varies so much from one place to another that it is probably impossible to set a standard to measure against.

Johnson et al. (1998) nonetheless do precisely this without consequently developing the argument significantly beyond what Hart was saying in 1992. However it is not only the use of models and measurement that attracts critical appraisal, but participatory approaches themselves.

Participatory Approaches in Development – A Critical Appraisal

In a direct critique of NGOs particularly, Cleaver (2002) says:

> Participation has (…) become an act of faith (…) something we believe in and rarely question. This act of faith is based on three main tenets: that participation is intrinsically a 'good thing' (especially for the participants); that a focus on 'getting the techniques right' is the principal way of ensuring the success of such approaches; and that considerations of power and politics on the whole should be avoided as divisive and obstructive. (see, Cooke and Kothari 2002:36)

Bill Cooke and Uma Kothari include a paper by Harry Taylor (Cooke and Kothari 2002:122–138) that challenges the optimistic slant of the 'rapid appraisal' school of thought's line on parallels between participatory development and management. His critique is that participation is part of an attempt to sway power relations between elites and less powerful recipients of programme work.

Rapid appraisal methods seek to gain community perspectives of local needs and to translate findings into action. They nearly are nearly all variations of the Rapid Rural Appraisal (RRA) approach that owes much of its early development to Farming Systems Research and Extension that were promoted by the Consultative

Group on International Agricultural Research Centres in the early 1980s (for instance, see Chambers 1992, and Simmonds 1985).

Those methods have been designed to draw inferences, conclusions, hypotheses or assessments during a very limited period of time. Data are generally collected through interviews with a range of local informants, existing records about the people and place, plus observations made in the neighbourhood or in the homes of the interviewees. The data collected form an information pyramid that can be assembled describing the respondents' problems and priorities. The pyramidal shape is assumed to be a reminder that success depends on building a planning process that rests on a strong community information base. The scientific rigour and validity of the approach depends more than anything else on triangulation. Data collected from one source are validated or rejected by cross-checking with data from at least two other sources or methods of collection.

There are problems. Sometimes it is not even participatory, and is frequently used as a fashionable label for standard techniques. A researcher or team, sometimes critically referred to as a 'hit team', often arrives in a community to 'do a rapid appraisal'. This is an often rushed and exploitative approach that is all too common in project-based evaluations where there is a deadline to meet. Local expectations can also easily be raised too high. If nothing concrete emerges, local people may come to see the process as a fleeting development event. Far too many evaluations claim to be empowering and participatory, but the reality is that for often very pragmatic reasons they are selective rather than inclusive. Unfortunately, despite initial promises neither the respondents nor the wider community are involved in analysis of data. Likewise, people are all too frequently uninformed about the conclusions of the appraisal and there is no follow up or outcome.

The empowerment proposition of rapid appraisal and the influence of the social analysis it generates can create threats to vested interests. Programmes working with children in developing countries have been a particular target for participatory rapid appraisal. Thus Taylor's view (2002) of these participatory methods as a means of influencing power relations between elites and less powerful recipients of programme work is an interesting, if also in some people's view pessimistic, point of view in terms of what has happened in the world of children's participation.[9]

Work with children that is very easily comparable to what Taylor refers to has frequently very deliberately chosen children in 'need' such as street and working children. Those have sometimes been organised into 'children's movements' that are susceptible to criticism and even condemnation for politicisation of child members by adult organisers (Invernizzi and Milne 2002:409–14). This, needless to say, is prevalent among participation programmes working in the South and appears

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[9]Much of what is said here is self-critical. A large part of my income over the last two and a half decades was earned as an evaluator. Rapid appraisal has been the only viable choice since such situations as evaluation visits to several communities in a number of geographical dispersed provinces within a few days with *terms of reference* that stipulate a participatory approach demand it. I have always been the first to acknowledge the fact that it is categorically *not* research and is as prone to its failings as it is often useful.

seldom, if ever, to have been tried in the North. Poor, socially and politically weak people are accordingly visited by researchers and sometimes programme planners then later project workers. They appear to be offered something by the very presence of people from the rich North, at the very least the status of being chosen before people elsewhere. In effect they are told what to do, how to do it and results and progress are duly measured before the project comes to an end.

The commissioning 'client' is usually motivated by its campaigning process, political role or even a threat to its financial sustainability rather than being interested in the exact needs and wishes of the people appraised. If they cooperate with the evaluation they may receive benefits. If they do not, they will usually receive nothing, perhaps face some kind of retribution or punishment.

This is a repeated theme Cooke and Kothari's (2002) collection of essays draws attention to and contributes to their choice of *Participation: The New Tyranny?* as the title of their book. That book looks at the topic at community level rather through a specific age group, however one may extrapolate from that that what is said their applies to all people, thus including children. Cleaver (Cooke and Kothari 2002:36–55) states that: "Participatory approaches can be further criticized for their inadequate model of individual action and the links between this and social structure" (*Ibid.*:47). Furthermore, that: "… project approaches that focus strongly on institutions as a development tool often see people as 'inputs', as the 'human resource'. Social difference is recognized through the categorization of people into general occupational or social roles: 'women', (…) and 'the poor'" (*Ibid.*).

The same critique includes children who may well know how to conduct focus groups and role plays after inclusion in 'participatory' development programmes. They may well, for example, have the fact that they should not be working deeply ingrained into them as the objective of the programme. This tends to occur, irrespective of whether that work operates in line with local custom, economic survival strategy and so on, in line with the application of ILO Conventions (138, Minimum Age Convention, 1973 and 182, Worst Forms of Child Labour Convention, 1999) that set out to eliminate child labour.[10]

Despite those limitations, the concentrated power of formalisation of community knowledge through participatory techniques sometimes generates an impressive amount of information. It happens in a relatively short space of time, leaving time for more selective structured formal surveys where and when they are necessary and

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[10]Rather than develop this here, I would recommend looking at the International Labour Organisation's *International Programme on Elimination of Child Labour* (IPEC) resources database. Since they began work in the 1980s they have lacked sensitivity toward the children they intend to 'save' as participants in programmes with opinions that sometimes also include explicit arguments for being allowed to work. One notable omission from those resources is: McKechnie, Jim, and Sandy Hobbs (Eds.), 1998, *Working children: Reconsidering the Debates: Report of the International Working Group on Child Labour*. Although the report was published by Defence for Children International Netherlands, IPSCAN and ILO/IPEC were commissioning partners and donors. This report went against the grain of ILO policy and has been notable for the fact that the ILO has always disowned their part in its existence. For other dimensions of the issue see Woodhead (2007).

of value. NGOs working with and for children often depend on periodical evaluation of programmes for prolonged or new funding using rapid appraisal.

What critics have picked up on, is that what is most frequently occurring is participatory approaches are often defined in terms of the design of the project. That will usually be feasible anyway, because after the needs assessment, a recommended approach will have been chosen in advance of the rapid appraisal. Consideration of the impact of the changing social position and value of individuals tends to be less important than the collective action of all participants targeted by the programme. Thus, in many evaluations and research, much of what is 'acted out' by children in (for instance) role plays appears as data on what the needs of the programme beneficiaries are converted into positive outcomes.

They also examine what can be done to change conditions or one or more of several other possibilities, without thorough examination of negative outcomes. In line with views expressed by several contributors to Cooke and Kothari's book (e.g. Mosse, 16–35; Cleaver, 36–55; Francis, 72–87; Cooke, 102–21; Kothari, 139–52 and Mohan, 153–67), what is too often the case, is that after the project goes there is usually no real follow-up or support left behind. People change or revert. Change can bring negative outcomes that are unpredictable and reversion can similarly be 'out of the frying pan into the fire'. However, the northern elite have *done* its participatory development work by showing the people the options and how to *do* them. The management of the 'thereafter' is what nobody in the North sees as a rule.

Despite the notion that development work in 'poor' countries conveys democracy, rights and other 'artefacts' they need before they are emancipated from poverty and other 'negative' aspects of their lives, little is done that suggests extending citizenship to children in even the long term.

However, critique and doubts are beginning to extend to the North. In one example, Tisdall (2008:419–29) asks whether this inclusion is working with her title 'Is the Honeymoon Over? Children and Young People's Participation in Public Decision-Making'. Following the line of her argument, if the enthusiasm for inclusion of young people is in decline then this share in decision making, albeit it a minor role, reduces the political inputs of children. It is thus also removing some of the citizenship-like 'duties' and 'responsibilities' their efforts afford them.

Human Geography, Environmental Planning and Participation

Human geographers and environmental planners have similarly treated participation as an observable situation that serves a particular purpose with specific or intended outcomes. The *Children's Environments Research Group* at the University of Colorado has made participation and rights key issues that have been important components of publications such as *Cities for Children* (Bartlett et al. 1999) and in the journal *Children, Youth and Environments*. British human geographers have made an especially important contribution to children's use of space in which they learn, live and play. We find examples in Holloway and Valentine (2000), whereby

Tracey Skelton's study of teenage girls in two Rhondda valleys places importance on their participation (*Ibid*.:80–88) and Stuart Aitken (*Ibid*.:119–38) looks at parental attitudes to gender and the social construction of children with spaces of identity.

The overall outcome has been to make a very rich and detailed contribution to children's participation. However, on the one hand human geographers focus on very narrow remits within the wider contexts. Where participation is examined in depth an enormous degree of emphasis has been placed on children's roles in sharing decision making with Article 12 CRC as the main identifiable vector of that function. It also has the overall effect of segregating children and adult domains. Many publications convincingly describe children's participation rather than an age neutral, thus all age inclusive, version and those tend to examine schemes where children are by and large the main beneficiaries. They contribute a great deal to an understanding of children in social and physical space.

Consequently, despite the importance of the sector, it is most certainly not directly contributing to the possibility of children attaining a wider decision *sharing* role in civil society that would be part of citizenship on a par with adults.

Indeed, this latter point addresses similar weaknesses that come to the same end in education and development. Arguably, we need to consider the 'evolving capacity' principle and exclude children until the point in time at which they have reached maturity and articulacy that would make the responsibility of sharing possible. On the one hand this opposes a notion of full citizenship for life. It is also fraught with dilemmas such as deciding a particular age at which this is possible despite the reality of individuals all developing differently and reaching the 'standard' at a range of ages that are occasionally very low or high. It hence provides a tenuous but nonetheless real argument for not having set ages.

Participation studies have all been highly influential in the formation of policy among not only such UN agencies as UNICEF and UNESCO and NGOs working with children specifically, but also organisations working with the family, health, development, environment and education. Thus, when using a resource like UNICEF's *Child and Youth Participation Resource Guide* (Upadhyay 2006) many of the several hundred entries tend to come from domains like those examined above. They seldom take a more political and social route to provide resources and sources from which a 'children's rights route' toward an age neutral direction may be extrapolated. Among all disciplines, education started to influence these ideas a full century ago (for instance Montessori, 1965, first published in English in 1912 after some years of practice and an earlier Italian version of that work) but has never bridged the age divide.

If Montessori, Korczak and other 'visionaries' ideas had ever been universally accepted, they should have provided intellectual counsel against the tendency to carry over shadows of a *tabula rasa* notion. That is the view that children begin most (if not all) undertakings without prior knowledge or experience of what they are *learning*. It generally supports the inequity between generations, in which it is frequently assumed adults can *do* 'most' things. In reality, that often proves not to be the case since adults often need to train in new skills until very advanced ages.

Edwards (1996:47–48) gives five reasons why there are problems with children's participation where it is found within projects and programmes and the development of communities and societies generally are touched:

1. Planners use a standard model of childhood which has its roots in nineteenth century Western thinking. This model treats all children as immature and irrational. People are qualified to participate in decisions only when adulthood has been reached, at a pre-defined age (usually 16 for some things and 18 or even 21 for others). By definition, children's views are considered "childish" and their opinions are not sought.
2. Children are seen as inherently non-productive. Despite the reality that they participate all the time in economic development, family life and culture (especially in non-Western societies), they are routinely excluded from official definitions and measurements of work.
3. Children are treated as by-products of other units of study such as the household, family or parent. The need to collect information which is specific to children's lives is not perceived.
4. Adults may feel that, as they have once been children, they understand the needs of children without having to ask them; children's own views are seen as unnecessary.
5. By treating children as passive and dependent, adults reinforce their monopoly of power in the world over and above that required to nurture children towards adulthood. This is a particularly sensitive area, and one in which adults who are also parents may feel particularly threatened.

Participation as a Contributor to the Citizenship-Like Status of Children

In point of fact, the Edwards line of reasoning extends to more or less all domains and should be seen as a universal analysis of the situation of children within society. The exceptions might be when examining working children's movements in the southern hemisphere. To some degree and that often depends on how one appreciates and appraises their activities, they 'challenge' points except perhaps 4 in his thesis. The examples given in a single collection (Hungerland et al. 2007) by Pedraza-Gómez (23–30), Bourdillon (55–66), Invernizzi (135–44), Coly and Terenzio (179–86) and Reddy (187–96) combined with Liebel (2000), Cussiánovich (1997) and Glauser (1990) show the diversity of situations in which children who work and are occasionally living on streets display qualities that might be compared with the duties and responsibilities of citizenship.

Despite that they tend to be marginalised by the 'mainstream' of society because of the 'deviant' nature of their initiatives. Organised children's movements tend to be adult initiated and rely heavily on adult management. However, child members usually share much of the decision making and political action that give them some of the qualities of their adult trade union equivalents. Regardless of that, trade unions who may not see eye to eye with governments tend to side with those regimes in their opposition to the activities of child workers. In itself that is extraordinary since children throughout Saharan West Africa (see Coly and Terenzio 2007), in India (Reddy 2007) and South and Central America (Liebel 2000; Cussiánovich 1997) rarely directly agitate politically but are more commonly engaged in

negotiating fair pay, reasonable hours, equitable working conditions and sometimes even attempting to define what 'exploitation' is themselves. For instance, as Coly and Terenzio say:

> In September 2003 ECOWAS (Economic Community of West African States), … organised the 'peer review' on child policy. MAEJT and other children participated in the meeting together with ministers and public. It was decided that in each country (…) periodic reviews would bring together government and public organisations including child-led ones.
>
> The children's statement together with the minister's declaration was adopted (…) by the heads of state. The implementation of the 'peer review' is now a decisive matter for the MAEJT, African Global Movement for Children and the African NGO (…) Coalition for children.
>
> In some countries like Guinea Conakry or Senegal the government is even demanding 'more participation' from AMWCY-MAEJT to increase its contribution to the policy, and thus enhance national policies and their definition and implementation. (2007:182)

It is a very active political role that extends citizenship-like qualities, duties and responsibilities to working children in member countries. Whilst they do not have electoral franchise, they enjoy constant dialogue with governments. The children also tend to remain within their families and make a significant contribution to their families' economic survival whilst either continuing to attend school or campaign for provision of schools, teachers, etc. Some of them are significant contributors to familial and community decision making. Yet they are seldom valued for their positive contribution and more for the negative qualities that make 'bad' citizens among adults (see Milne 2005b). They thus belong among those who can be excluded from full membership (see Chap. 3).

Participation in children's activities within these movements tends not to be measured in terms comparable with 'ladder' models or adult focussed schemes like those proposed by Barker or Shier or more sophisticated models such as Feinstein and O'Kane's 'spider'. They are also generally marginal to the children's rights arena since child labour is considered to be both illegal and counterproductive to the aims and intentions of the CRC. The ILO IPEC programme has frequently attempted to end this 'illegal' work by children. However by taking a positive and responsible political course, governments have listened and cooperate with the children rather than simply banning their work.

Thus it becomes apparent that there is no 'even playing' field in either child participation or rights, or indeed where the two conjoin. Despite the inclusion of the word 'citizenship' (e.g.: Hart 1992) in titles the tendency is to not actually touch on the topic. This runs counter the objective of defining citizenship and perhaps more particularly in contemporary views of a 'global citizenship' in which human rights are integral. The use of separable adult and child versions of measurements of delivery of and participation in membership of all nature of situations from projects through to civil society and understanding of a separation of human rights (for adults) and children's rights has made these entirely separate domains to the citizenship topic this research examines.

There are an almost excessive number of models. Each of them suits a specific discipline or practice area and normally addresses a narrow remit, for identifying

participation particularly. That has obscured the possibility of identifying a generic participation that is or could become synonymous with citizenship.

Child participation and children's rights was never one and the same thing when they 'emerged' in the early twentieth century, although since the 1989 adoption of the CRC they have been closely associated with each other. In the early stages, participation was clearly definable as an educative process in which children were being prepared for citizenship and their active role in civil society more generally. Children's rights were conceived out of a wish to improve child protection. Neither is an entirely natural part of the other and similarly neither was ever intended as a 'portal' into children's full citizenship. This is to the point that the association of the two and the limitations they singularly and jointly place on the topic tend toward creation of an obstacle to the resolution of the question this research poses.

One of the most difficult questions to resolve is almost always that regarding the legal status of children. Almost universally there are only two statuses: under and above the age of majority. To be below majority, or of minority age, means that children are under the authority and care of adults and all forms of autonomous activity or decision making depend on the approval of at least one adult. The following chapters examine issues that explain rather than offer a resolution to this question.