

## **Children's Rights: Towards Social Justice**

***Anne B. Smith, University of Otago, College of Education***

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Welcome all and thank you so much for coming to discuss children's rights and social justice today. It is a real pleasure to see so many, including colleagues and former students, who are now doing fantastic work to support children's rights. It is also great to see people here who are and have been a huge influence on what happens to children in Aotearoa. Thank you also to Variety for their support with funding the seminar.

This is a very special opportunity to talk about the importance of considering children's rights in any policies relating to children. I come to this issue as a social scientist, and for me the connection between a children's rights moral imperative, the findings of research, and the implementation of policy that affects children, is absolutely vital. (See Power Point presentation for diagram). After a long career as a researcher with a strong interest in research being put into practice, I am finding writing about children's rights to be helpful in strengthening those rights/research/policy/practice connections. This year I have authored and published a book entitled *Children's rights: towards social justice*, and in 2015 an edited book *Enhancing children's rights: connecting research, policy and practice*. These have been labors of love for me in the last couple of years, keeping me engaged with children's issues from a rights and social justice perspective, and drawing together a number of strands of the work that I have spent a lifetime working on.

Social justice means that "everybody has a fair chance" and that the dignity of every human being, including children, is upheld. Rights are claims or entitlements that are justifiable on legal or moral grounds to have or to obtain something or to act in a certain way. Why there should be any argument about children (including very young children) as well as adults deserving respect and dignity, is difficult for me to understand. And how people can think that recognizing children's rights, implies encouraging them to defy adult authority and misbehave, is also a puzzle, as there is no such implication.

What appeals to me so much about a children's rights framework, for thinking about children's issues, is that the UN convention is *hugely comprehensive*, and all the rights within it are *interconnected and influence each other*. It's almost impossible to talk about one kind of rights without talking about other ones so it makes us look at children holistically. For example if children do not have their right to health care addressed, they have much less chance of realizing their educational rights. Another thing I really like about children's rights frameworks is that they present us with positive aspirational goals, and don't have to dwell on vulnerabilities and deficits, that portray children as powerless needy victims of their circumstances. These positive goals and expectations create a construction of children as persons who are active in their own lives, capable with support, of coping with difficulties and solving problems.

Implementing the UN Convention depends on research, so from a lifetime of being a researcher, the convention has helped me look for the “So what?” beyond research findings, and try to ask questions in a way that includes children and listens to their voices. Most of my research has stemmed from a rights framework and I have worked at connecting it to policy.

The UNCRC is comprehensive in the diverse range of contexts and situations within childhood that it covers. It applies not just to the prevention of children’s dire suffering as victims of trafficking, of sexual or physical abuse, of being held in detention centres, or from the ravages of war such as displacement and homelessness – but to children in their ordinary lives in whatever everyday contexts that they inhabit, in rich or poor countries, in families, early childhood centres, schools, child protection and health systems or in the workplace. A central concern is about children having the chance to be heard (no matter who they are, or how old they are) and to have an input into their own and other’s well-being. The UNCRC makes us ask questions like:-

- How are children treated in families when parents divorce? (How much do they understand? What kind of say do they have in who they live with and where they go to school?)
- Do children live in a warm, dry house and can their parents get them to a doctor if they are sick?
- Are children able to participate in early childhood programmes that respect their competence and promote their learning regardless of their family income?
- Do children get a fair chance to be heard in school in disciplinary matters like suspension or exclusion?
- Do children within Child Protection Systems have access to information about their families and placements, and are their other rights (to privacy, to education) respected?
- Do doctors and nurses tend to talk mainly to parents of children with chronic health conditions (like asthma or diabetes) and ignore children?
- Are children who work, safe in their workplace and are they treated fairly and equitably?

The most fundamental of all children’s rights-based thinking is that children are citizens who deserve dignity and respect, and that means very young children too. Twenty years ago, when I was working with Shanee Barraclough, Pat Hubbard, Jayne White and others on a project about infants and toddlers under two, I was shocked to learn some of the ways that the rights of babies in early childhood centres were being disrespected. I don’t want to focus on the negative, but this following description moved me to ongoing concern and action to attempt to remedying the situation. I just want to read you a short quote (refer last slide of Power Point) from the notes of one of my research team at the time, Pat Hubbard.

The staff member said that there had been occasions of hitting. They left a very distraught infant to scream for approximately 20 minutes before the child fell asleep. The supervisor forced a 3-year-old boy to sit on the potty for 30 minutes. The child was

extremely upset. I (the researcher) find the centre an extremely upsetting place to be. A most unpleasant experience. During my time at the centre I saw children being told to go away, that they would be 'sent to bed if they didn't stop being naughty', infants being told that they were being 'naughty' if they cried, children laughed at when they were upset. (Barraclough & Smith, 1996, p. 21-22)

I hope that such situations no longer exist in ECE centres, but it took years of reforms to staff training qualifications, funding, curriculum, and regulations, to reduce the chances of such rights violations happening. A concern for the rights of the children in such centres (although I wouldn't have put it that way at the time), was the impetus for a lot of ongoing reform.

What a contrast with the *Te Whāriki*, which was introduced in 1996 at the same time as the Barraclough article was published! Ten years on we can see the widespread implementation of *Te Whāriki*, and a respect for children's rights, but we still need state support to fund Professional Development for early childhood teachers and all other professionals working with children.

*Te Whāriki* recognises and incorporates children's voices, and recognises the uniqueness of children, and their rights (Smith & May, 2006). Children are seen as active learners who choose, plan and challenge, rather than as passive recipients of the teaching of skills. *Te Whāriki* builds a climate of reciprocity, listening to children, and observing how their curiosity, feelings and interests are engaged by their learning environments, encouraging them to contribute to their own learning. Including children's and parents' voices in the formative assessments that accompany *Te Whāriki* (Learning Stories), constructs children as social actors, and orients them towards self regulating their own learning, and striving towards increased competence (learning goals) rather than towards favourable judgements and the avoidance of failure (performance goals). Learning stories also help early childhood staff engage with families, and give them a more positive belief in children's competence (Carr, Lee & Jones, 2005). (Smith, 2015, p. 85)

These opportunities for autonomy

- help children establish learning identities rather than avoiding failure, and promote their self-efficacy and self control.
- They learn about reciprocity and how to communicate, and that they are not just objects to be manipulated by adults.

*Te Whāriki* is based on children's rights, and they accord even young children dignity and respect.

I believe that all children regardless of age or other characteristics are entitled to such dignity and respect, and that by providing them with it, we are nurturing a democratic society where rights-violations are a thing of the past.

## **References**

Barraclough, S. & Smith, A.B. (1996). Do parents choose and value quality child care? *International Journal of Early Years Education*, 4 (1), 5-26.

Smith, A.B. (2016). *Children's Rights: Towards Social Justice*. New York, USA: Momentum Press.

Smith, A.B. (2015). Early childhood education in New Zealand: Progress and challenges in achieving children's rights. In Anne B. Smith (Editor) (2015). *Enhancing children's rights: connecting research, policy and practice* (pp. 80-94). Basingstoke, UK: Palgrave MacMillan.