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Children's rights and the changing face of work in the field

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• Introduction

For as long as aid and development work has existed, and whether we have been involved in research, assessment, evaluation, policy or programmes, some of us have worked with children. Or so it seems. Research and programmes with children were more likely to have been by proxy than direct contact. Work in rural areas tended to be part of community-based projects and urban programmes usually only worked with special-needs groups such as disabled and handicapped children or 'children in especially difficult circumstances'. Even then it was often implemented through adult 'brokers'. On the whole these means of working 'for' children were successful. At least, they gave the impression of achieving their goals.

It is only work in extraordinary circumstances, with child refugees, victims of natural disasters and so on that have provided field workers contact with children, without the mediation of communities or other adults.

• The Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC) was adopted by the General Assembly of the United Nations in November 1989. It is the first international instrument of law that guarantees children many of the civil and human rights that many adults do not enjoy. The vast majority of nations have signed the CRC, many others have ratified and are already working towards implementation in their countries. An important change the CRC introduced was that children should now be included in all work that directly involves them.

After more than a decade of mainly incorporating them into community-based projects, many focusing specifically on women, we now have to consider children the front line in our work. In the CRC there are six Articles, 12 to 17, that demand children's participation in a number of areas that directly affect them.

During a recent visit to India and Nepal a number of interesting issues arose. Using the Articles as a basic framework for developing criteria for the evaluation of children's participation in civil society, these issues are examined.

The right to express opinions

Article 12 has frequently been identified as the most significant expression of children's participation. It gives children the right to express their opinion and have that opinion taken into account whenever there are issues or events that affect them. Research that focuses on children, or includes them as part of the wider community, has been encouraged to take children's views on board from the beginning of the process and carry it over into all stages of programme work. Children's opinions are simply the basis of the participatory process, since the five other articles in this 'block' either supplement or reinforce the inclusion of opinions.

For NGOs working in Nepal this is not a conceptual problem. Several of the numerous organisations working with street and working children have included children's opinions since the late 1980s. However, given that they are mostly urban projects in the Kathmandu Valley, there are problems with the conversion of experience into wider practice in rural areas, where practice leaves project work and moves into the wider community. In India we find the

same problems. In both countries field workers are nervous about implications of caste, class, wealth, traditions and the generally accepted position of children within the family and wider community.

The right to freedom of expression

Article 13 gives children the right to freedom of expression. It gives them the right to obtain and make known information and to express their views, except when this violates the rights of others.

In Delhi and Kathmandu there are again no conceptual problems. Outside of the two capital cities there are, indeed, numerous children's newspapers, art and drama workshops and other ways in which children can express themselves. However the same reasoning as with Article 12 (caste, class, etc.) means that in reality participation by children is limited. Thus, one finds, political actions and statements 'by children' tend to be made by adult NGO workers, but rarely by children themselves. It is often hard to tell exactly how much input children have at all.

The right to freedom of thought, conscience and religion

Article 14 falls comfortably in line with 13. It gives children the right to freedom of thought, conscience and religion. Guidance by parents or legal guardians and the national law have been taken into account within this article. In some cases, comments and reservations have been expressed that reflect the religious and moral environment children are growing up in. For instance, this article does not satisfactorily conform with many interpretations of Quoranic law, so some Islamic states party to the CRC have simply excluded Article 14.

In Nepal I found a very relaxed attitude, whereby people were clear that where religion is that strong it is not worth the effort of introducing that freedom. Otherwise, the strong influence of ancient Buddhist philosophies makes freedom of thought and conscience every person's right from birth. In contrast in India, almost unsurprisingly, the same criteria as before (caste, etc.), slightly modified, were expressed almost unanimously. Despite the

secular constitution and the diversity of religions in India, the conservatism inherent in the society provides little religious freedom. Grassroots workers are themselves often held back by their own beliefs and they made all the usual arguments about the position of children in Indian society.

The right to freedom of association

Article 15 gives children the right of freedom of association. The principle is that it enables them to meet other persons of all ages and to join or form associations except where such activities are not against the interests of national security or public order, offend public health, morals or rights and freedoms of others. This offers children increased mobility within society, with a guarantee of 'visibility' hitherto virtually unknown. Within NGOs, schools and other institutions this was considered to be 'normal'.

In India when this question was further probed, practice itself often proved that the right of association meant, for instance, children listening to adult speakers or as the audience at a drama workshop on the environment, human rights and such themes presented by adults. For many people, the fact that children played together achieved this end satisfactorily. In Nepal, NGOs working with child workers encouraged association and self-organisation. However it was quite clear that this is not yet well developed in rural areas. Plan International's proposal for a children's conference in a remote rural area of the country in 1997 was welcomed and considered neither extraordinary nor difficult to arrange - indeed, children will be involved in staging it.

The right to privacy

In contrast, Article 16 gives children the right to the protection of their privacy. The intention is that in personal, family and home spheres and in correspondence, the integrity of the individual as a private being should be enforced. With the guarantee of protection of honor, reputation and integrity, they are protected by libel and slander laws to the same extent as adults.

Here I have little comment. In India and Nepal, as even the most Westernised and open-minded

commentators said, this is not a key priority as these societies are not particularly closed ones. As for laws to protect against libel and slander, they are reserved for only the tiniest minority of the wealthy elites anyway.

The right to access appropriate information

Article 17 gives children access to appropriate information. The principle is that nations party to the Convention are required to encourage the media to disseminate information to and for children that is consistent with moral well-being and also respects the cultural background of those children.

In urban India and Nepal, children's media is viable. Elsewhere, the proposition was that media for children would develop as funding was found. As such it will be a very slow process.

• Implications for work in the field

- When we spoke of work with children in the past, we may really have meant community work that usually examined and delivered services through adult agency, but seldom through direct contact with children. That has changed. We are now obliged to do exactly what we say. Recent reports by ActionAid (Johnson *et al*, 1995) and SCF (1995) have clearly stated the case for children's participation in development programmes. Whilst ActionAid briefly, but very carefully, shows the importance of the inclusion of children in PRA, and SCF examines socio-economic factors that directly affect children, neither agency includes extensive use of children's contributions in its overall work. This is not because of a reversion to the exclusion of children, but because the nature of inclusion is itself changing:
- Most importantly, many adults are still having to learn how to work with children.
- We have to convince communities that children must now be included. They are often accustomed to the notion of children as recipients of programmes through adult

agents. Children were usually invisible clients whose adult caretakers serve as conduits. Because of this it is often difficult to measure exactly how successful programmes really were. Now we have to meet the needs of children and incorporate their views on quality and success into evaluations.

- The bottom line for serious consideration in policy and programme planning is that we are now finding out exactly how competent, efficient and adaptable children really are.

With this 'awakening' some field workers are now beginning to move into the role of facilitators who oversee tasks carried out by members of the community. These include children. In the research world it is becoming acknowledged that data collected by young research assistants within their peer group is often more thorough than that previously gathered by adults. Researchers now have the freedom to nominate and allocate work within the community, oversee without being too invasive, then draw data together and leave the field with material that is appropriate rather than what was previously perceived to be right. Of course, assessment, analysis and evaluation still remain in our hands. However, there have been some attempts to incorporate children into the completion of analysis and evaluation for final presentation of research findings.

Not only are some of us attempting to go down this challenging road, but as we reflect on these six articles of the CRC, new questions arise as to how we apply each complicated set of rights. NGOs mentioned here are part of a growing movement of agencies who are genuinely concerned with the fulfilment of the aims and objectives of the CRC. In the past their work was often far more likely to have been with women as first line contact with children and thus, given the similarity of many issues surrounding empowerment, they have no great problem with the transition in principle. The reality is that direct comparison is difficult, given the problems of working across age barriers instead of with adults with whom we more or less identify as peers.

• Letting go....

The real challenge in this transition is letting go of the control we have exercised over children directly and through adult caretakers and then incorporating them into all levels of research, programmes and so on. Conceptually it is very difficult for someone with a great deal of experience to turn to young, inexperienced colleagues and say "you do it". When making children colleagues we must bear in mind that we should not impose participation on children any more than we would on adults. Article 16's protection of privacy should remind us that there are limits beyond which we should not go. We should not aim to make children into 'little adults' or 'probationary grown ups', therefore we may go only as far as they can and not expect endless and tireless devotion to the task. They should have the choice to accept or not. We should not set out to go to the absurd extremes of the 'kiddie libbers' of the 1960s and 70s. This is not a political campaign that puts children first, as children's liberation proposed, but a process of creating a society that is inclusive of young citizens. We must also guard against making participation what Hart has called 'tokenism' with little or no substance behind what we demand of young partners (1992 and this issue, page37)¹.

In India the proposal to give children rights was often considered contentious. Although India has ratified the CRC and their first report to the Committee on the Rights of the Child was being finalised at the end of 1995, the general view was that it was an unachievable goal. The whole set of reasons raised several times already (caste, etc.), and the additional view that the 'Indian Child' is not the 'Global Child', were raised. The difference between the two versions of the child, it was held, was that the

¹ Roger Hart's 'ladder of participation' shows the eight steps that divide non-participation from fully comprehensive inclusion. Although it was a typology to begin the discourse, three years on people are still having conceptual problems developing new models, drawing children into practice and thus moving up the ladder from 'tokenism' to participation. Whilst including children in research is increasing often well-intended, the movement away from token involvement is still far more a good intention than apparent.

CRC contains too many things that do not apply in India. The Indian child is unique. The CRC is about the global child. In Nepal, conversely, people were willing to try to apply the CRC. The main problems were lack of experience and resources.

Within the children's rights movement, experience of their full integration into all levels of project work has existed since the 1970s. A small but fast growing number of children's organisations throughout Latin America have seen adults and children share all stages from planning and research to assessment and evaluation, through finance and management, and even seen children as young as eight or nine years old travel vast distances to speak at international conferences. Similar projects are being adopted in a small, but steadily growing, number of African countries. In India and Nepal they exist, but as a tiny minority². As a result, organisations such as the Concerned for Working Children in Bangalore and Child Workers in Nepal (CWIN) in Kathmandu stand out for their uniqueness. They are deeply distrusted because they had the courage to incorporate children into their work several years ago (for instance, children helped start CWIN in 1989), well before their governments had signed the CRC. Because of their advanced positions, they also threaten the primacy of older but less flexible organisations. Behind all of this, there is an obligation to change. Signature and ratification of the CRC demands and assures that.

This obligation to change is what drove the ActionAid and SCF publications. Whilst policy-makers and legislators struggle with notions of children's participation in civil society in the West, and are hardly daring to step too far beyond token roles for children, developing nations have divided into two fronts. There are those who have a great deal of good will and are trying to meet their obligations. Then there are others who are obliged, but are nervously avoiding action. Thus far, experience is limited to NGOs who often specialise in work with street and working children and whose experience is almost entirely within the confines of the project cycle. That means we have restricted terms of reference for evaluating

² For examples see Baker, Narayanasamy, Nieuwenhuys, Sapkota and Sharma, this issue.

the context of the CRC, since only a small, often non-representative community, and not the whole of civil society, is putting it into practice. For the hesitant nations there are still no precedents.

A barrier against taking this task forward may be that change is threatening. The developing world is not very good at the 'South-South' dialogue version of this debate because of the depth of cultural differences that serve as yet another excuse for inaction. In India I was told that it is easy in the West because we are so used to changes and our culture allows us that anyway. In reality changes in the West are as radical as changes anywhere in the world. That aside, the demand for evidence that children's participation can work outstrips our ability to set up and evaluate new projects.

It is striking that whilst Nepal is one of the most traditional countries in the world, the mood is optimistic about the diffusion of children's increased participation. India claims to have adopted great liberal and democratic traditions, be academically and, in some respects, socially progressive and aspires to join the modern industrial world as a *force majeure*. Yet, positive indicators for using children's participation in the delivery and enjoyment of rights are hidden behind conservatism.

• Conclusions

The prognosis must be that the criteria for the evaluation of children's participation in civil society depends not on 'hands on' work with children but on the progress had with opening adult minds and the acceptance of children as their partners. Although the brief may be to change policy and programmes to be inclusive of children's rights, particularly participatory ones, in practice it may be more useful to spend a little longer with adults who need reassurance that children's participation will not threaten their position. For researchers and NGO practitioners it is not an easy time since we sit between two fronts. One thing is on our side. As countries commit themselves to full implementation of the CRC, and delivery of participatory rights in particular, we can keep one step ahead by continuing to include children in research and programme

implementation in order to deliver our greater experience once the ice breaks.

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