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review of

John Wall, *Children's Rights: Today's Global Challenge* (2017), London:  
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*Children's Rights: Today's Global Challenge* draws widely on social, economic, political and global sources and has three main substantive chapters: on education, slavery and the vote. John Wall considers the right to education that is 'available, accessible, acceptable and adaptable' (Tomasevski, 2004) to benefit everyone. He deplores how inflexible under-resourced schools do long-term harm from personal to national levels. Wall details problems of grossly unequal schooling that favours privileged children and greatly increases the life-long disadvantages of many others. As a philosopher, he explains children's education rights to develop their own capacities and their Socratic critical thinking, and he describes other valuable ways for education rights to promote better societies.

Wall analyses differences between child labour and child slavery. It is estimated there are over 5.5 million child slaves doing enforced, exploited and often bonded labour, although numbers vary depending on how slavery is defined. All child prostitutes, for example, count as slaves when minors cannot give legal consent to sexual relations, yet many religious sex workers in Indian temples may seem to be willing employees. Wall carefully reviews a range of controversies, including whether child soldiers can be volunteers or are inevitably enforced slaves. He shows how we are all implicated when we cannot avoid buying goods produced by slave labour.

Wall reviews the history of how children have been unfairly denied the right to vote and believes, like John Holt, that everyone should have this right, by proxy at first until children are ready to vote themselves. He dismisses the view of David Archard and others that children are not competent, saying that neither are many adult voters. Wall gives examples of competent, rational, knowledgeable, independent-minded children, but he believes these abilities should not be criteria for citizens' right to vote, which should be unconditional. Wall considers that democracies gain from including and respecting all their citizens by teaching and encouraging children to vote, particularly where children are one third to one half of the state's citizens.

The book concludes by mapping out generally what it might take to create a better children's rights future and gradually to overcome their historical disempowerment. Wall hopes to see human rights expanded and reshaped to achieve their promised humanity through including children more fully, which could, he believes, benefit society generally.

Useful arguments in the second part of Wall's book are preceded by three more questionable introductory chapters. But before discussing them, I

suggest there are two main ways to approach children's rights. The first sees rights as always having been at least tacitly shared by all age groups in 'the inherent dignity' and 'equal and inalienable rights of all members of the human family' (UN, 1948, 1966; UNCRC, 1989). For example, human rights require that humans, unlike other animals, must not be murdered, tortured, enslaved or left destitute. We have human rights because we are human. In this view, UNCRC grew out of earlier all-age treaties; it emphasises the inclusion of children and adds some extra ideas, but it follows centuries of working children and adults campaigning together to promote their human rights (Cunningham and Lavalette, 2016).

The second approach emphasises children's different "new" rights, as if these were invented in the UNCRC and as if, for example, "protection rights" construct and exclude children as vulnerable victims. This is supposed to require that 'children should have a safe and happy existence, and childhood is seen as a work-free and care-free time' (Hanson and Nieuwenhuys, 2013: 72) (whereas UNCRC neither bans work nor mentions being "carefree", which could not possibly be a right). This approach can overlook how adults share "protection rights", which were especially promoted after World War II in hopeful efforts to prevent Nazi crimes against humanity from ever recurring (Sands, 2016). Wall tends to take this second approach, which limits respect for children's rights when it stresses their difference from adults' rights. Writing in the USA, the only country not to ratify the UNCRC, Wall is hampered by several exclusions. He says American children can be sentenced to life imprisonment, and they have no "standing" or right to speak in court cases that affect them (151), unlike laws in many other countries. He assumes child patients have to rely on their parents' permission when USA parents usually pay directly for healthcare, whereas children using free health services have greater legal independence to choose and consent to treatment (Alderson, 2017). He believes the UNCRC, Article 13, freedom of expression, is confined to the public media, unlike adults' broader rights (60), whereas the UNCRC clause 'or through any other media of the child's choice' actually refers to all media or forms of communication. Wall suggests that home-schooling is among the reasons that the USA could not ratify the UNCRC, although many other countries allow this, it is 'education otherwise' in England. USA recruitment of adolescents into the armed forces is another suggested obstacle, yet the UK and some other countries recruit from age 16. Wall only briefly considers the aim 'to fully integrate child and youth rights into existing structures of adult rights' (66-7). He prefers to propose a "childism" movement, which would transform adults' rights to into being more humane and inclusive of children. It is not clear how willing adults would be to let childism transform their own rights. Wall confuses moral with cultural relativism. He defines cultural relativism as accepting all local moralities equally without judgment, however unjust or cruel they may be (31-5) and he doubts that universal rights can exist. Debating child marriage, he refers to Nussbaum's capabilities and Benhabib's postmodern iterations as vague theoretical supports of girls' rights to marry or refuse to marry, and he sets out options when rights

‘increase the horizons of hope’, or are just available for girls to use, as they wish, to ‘become empowered’.

This, however, is moral relativism, which rejects any universal, transferable moral concept of wellbeing, suffering, justice or rights, by which to judge and compare cultures. It is the unduly social constructivist belief that moral concepts develop, exist and have meaning only within their own local culture (Lukes, 2008). It is questionable how far moral relativists’ tolerance can extend. Is Harvey Weinstein excused because his local Hollywood culture should be respected?

In contrast, cultural relativism means respecting all other cultures to the extent of not judging them by standards set by one’s own culture, as if that alone can decide the universal moral standard. Yet cultural relativism still allows moral comparisons and judgments of all local cultures by universal values. Margaret Mead, for example, critically contrasted her own USA’s relatively unhappy stressful concepts of adolescence with the easy freedom and wellbeing that she reported were enjoyed by Samoan young people. Cultural relativism can respect universal equal human rights, and oppose violent abuse of all kinds in all societies including one’s own. Unlike moral relativism it cannot give unqualified respect to every culture, since some cultures oppose human rights and are corrupt and violently repressive. Moral relativism advocates a contradictory tolerance, which excuses intolerant societies and is intolerant of universal rights (Freeman, 2011; Lukes, 2008), which is especially troubling when adults abuse children.

Wall attempts to compromise within moral relativism: ‘Rights may not be universal norms but they should spur cultural debate and conversation’ (34). This reduces rights away from their reality in action into talk. Wall accepts that rights can be a topic of research if oppressed groups are found to be claiming their rights, but this still seems to restrict researchers to an amoral silence wherever rights are not already being claimed and abuses not being challenged. And silence then is not neutral, but inevitably aids powerful oppressors.

Children’s rights ‘must be acknowledged to possess the necessary procedural capacity to exercise and claim [children’s] rights and freedoms’ (van Bueren, 1995: 1). I suggest this can occur through five political and structural processes. Researchers, teachers and advocates of children’s rights genuinely support children’s emancipation (from oppression, not from other people) when they understand how rights slowly evolve: (1) through the historical struggles and demands of oppressed people, (2) through the skill of philosophers and lawyers to define rights and interpret in powerful statements, (3) through pressure from advocates, activists and politicians to enshrine these in effective laws and agreed conventions, (4) interpreted through public and professional debates about how broad rights (to work, to education) can best apply in specific cases and contexts. Then (5) through rights being enforced and by holding authorities to account, including governments, services and NGOs that help people, or fail, exploit or oppress them. All these political processes are necessary to rights, and all are driven by human longings for justice, mutual respect and solidarity. Pre-verbal

babies begin to share the longings in rudimentary ways, demonstrating how these are integral to universal human nature (Bloom, 2014; Gopnik, 2009). Laura Lundy and Gabriela Martinez Sainz (2018) and the late Judith Ennew (2011), among other promoters of practical children's rights, have considered that childhood researchers need to be far more aware of the reality and legal basis of children's rights. Anthropologists, geographers, social policy and jurisprudence scholars and other lawyers, sociologists, philosophers, historians, activists and, of course, children and young people, all need to work together, and move beyond relativist social constructionism (Alderson, 2012, 2013, 2016). Then we can produce reliable texts about children's rights at the high standard that is assumed in academic work on adults' rights.

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