CHAPTER 6

Childism – on Adult Resistance to Children’s Rights

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1 Introduction

Children’s rights theory emanating from childhood studies has dealt extensively with child rights-infused research ethics, exploring questions concerning how to conduct ethically sensitive\(^1\) and agency-oriented research in studies with children.\(^2\) Such questions concern how to ‘give voice’ to children’s own lived experiences, and how to ensure active participation, influence, and consent in the production of knowledge with children.\(^3\) If child rights theory is to add an important layer to earlier philosophical, sociological, and anthropological works on children’s experiences of their rights, this must be achieved by invoking questions regarding the prevailing lack of social justice for children. This lack of social justice can be analysed through the concept of childism, which according to Elisabeth Young-Bruehl refers to prejudice against children that leads to structural discrimination and oppression against children. Analysing childism addresses aspects of power, discrimination, and marginalizing structures concerning children. The aim of this chapter is to explore resistance to the realization of children’s international human rights by arguing that these can be recognized as examples of age-based discrimination against children that disadvantage children, stemming from overlapping childist, racist, sexist, and ableist prejudice against children.

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Childism characterizes children as defined by their lack of adult abilities and, therefore, as inferior to adults. On this basis, children are assigned or denied certain perceived abilities, skills, or character traits. In childist societies children are perceived as lacking abilities and are viewed as less valuable, or even less than human. Children in this scenario are described, for example, as lacking any capacity for rationality, logical thinking, or empathy, and orphans and street children are treated without due respect for them as human individuals. The manifestations of childism, drawing on Young-Bruehl's work on earlier prejudice studies, are comparable to racist, sexist, and ableist attitudes and beliefs. By studying expressions and enactments of childism, we may better understand the prevalence of violence and abuse against children. It is by addressing adult's prejudice about children that reasons and arguments for denying children basic rights and freedoms can be systematically examined. Age discrimination against children is a type of discrimination which is based on the age of the person (below 18 years) and occurs when a person is treated less favourably because of age (0–18), including age stereotyping.

In recent years, childism has become firmly grounded in John Wall's conceptualization, through which childism finds a parallel in feminism. Wall provides several arguments for not defining childism in relation to prejudice studies, as was done in earlier work by Elisabeth Young-Bruehl. While seemingly motivated by ambitions similar to those of this chapter – to challenge theories and research treating children as mere objects of adult agency when discussing their rights – Wall states that childism as conceptualized by Young-Bruehl ‘offers only a negative, deficit-oriented lens for studying childhoods, and not a positive, agentic one’. He further states that by defining childism as age-based prejudice and discrimination against children, ‘children are primarily framed as passive objects of adult socialization or harm’. Finally, Wall argues that ‘this deficit concept of childism likely deepens their oppression’ as it ‘assumes that only adults can act in child-empowering ways’.

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4 One can find parallels between childist, racist, sexist and ableist prejudice that disadvantage children.
7 Wall, J. (2022), 7.
8 Ibid., 7.
9 Ibid., 7.
The intentions of the abovementioned two uses of the concept might not be in as much opposition as Wall initially stated, since the ambitions speak of the need to generate more justice-oriented theory, methodology, and epistemology concerning children as rights subjects. I intend to use childism to explore structures of discrimination and systematic notions of injustice. In this way, my use of childism extends its initial focus on adults’ prejudice against children; while prejudice serves to uphold inequality, childism – like sexism, racism, and ableism – can help us discern the structures that put children at a disadvantage as a heterogenous, marginalized group. Firstly, as it has been important to address sexism leading to gender-based discrimination, naming childism helps us address human rights violations against children in terms of discrimination. ‘Women’ are not turned into passive objects of male agency through such critical work, but through unaddressed sexist reasoning. Addressing childism that already exists in daily conversations and in various forms of communication and media would not turn children into passive objects of adult agency, but the treatment of children stemming from unaddressed prejudice and discrimination in such discourses in societies will. If children’s agency is to be taken seriously by adults – irrespective of children’s physical abilities relative to those of adults – existing negative beliefs about children must be named and challenged.

The aim and intentions of the two uses of childism seem aligned – to contribute to anti-racist and anti-sexist work – but the definitions of the concept differ. Scholars using childism as an equivalent to feminism might argue that childism is the start of a child rights movement. The flaw with that ideal, however, is how (adult) researchers may overlook the need to first address the structures of power and discrimination fed by potentially unreflected adult biases and prejudice against children. Just as critical-race theorists would problematize engaging in work on the Civil Rights Movement without naming racism, white ignorance, or white privilege, childism as an equivalent with sexism, racism, and ableism helps us problematize unaddressed forms of discrimination against children, adult ignorance, and adult privilege.

In parallel with using a critical conceptualization of childism, I need to refrain here from defining a ‘child’ (assigning particular abilities or characteristics to children or denying them certain capacities through such definitions). Additionally, in contrast to adult claims of empowering children’s voices, I employ childism to problematize the structures that risk hindering children from being heard and limiting their subjectivity. This work thus harmonizes with earlier child rights theory that seeks to reconceptualize the legal capacity
of children. What is gained is a new discursive space in which to negotiate adults’ domination – exploring questions concerning social justice, age equality, and non-discrimination of children – when assumptions about children are no longer taken for granted as solid facts but examined as contaminated by prejudice.

What, then, is the relation between the concepts of childism and adultism? Adultism refers to oppressive forms of adults’ power over children, while childism refers to the discursive practices that uphold adult norms and supremacy in society. We can see a similar distinction in how sexism supports male supremacy and hegemonic masculinity, as well as in the ways in which racist discourses sustain white supremacy.

If adults are not aware of their own complicity in a discriminatory system of limiting structures and beliefs against children, these structures and beliefs are left unproblematised. For example, not admitting that children face structural discrimination due to age means that adults can ignore the fact that children can be denied the most basic right to healthcare and mental healthcare, while hospitals and health institutions will generally require guardians’ consent – without which a child has no right to receive care.

Childism consists of prejudice, discrimination, or antagonism directed against someone who is between 0–18 years old, based on the belief that adults are superior. Childism defines persons by their lack of adult abilities and as inferior to adults with such abilities. On this basis, children are assigned or denied certain perceived abilities, skills, or character traits. Childist discourses work to keep children subordinate to adults through various forms of violence. Conceptualizing childism as a form of discrimination against children is meaningful in human rights theory because it speaks to how earlier critical

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11 Adultism is here referred to as the order of power of adult supremacy whereby adults hold privileges, status and primary power of moral authority, property and social privilege. Childism consists of the prejudice and discriminatory structures that serve to uphold adult order of power, as sexism serves to uphold the power of male supremacy and racism serves to uphold the power of white supremacy.

12 Violence here includes epistemic violence which concerns the harm caused children due to how adults speak about them in belittling and negative and stereotypical ways. Epistemic injustice refers to how some people, children for example, are not seen as valid sources of knowledge, giving testimony of injustices, drawing on Fricker, M. Epistemic injustice: Power and the ethics of knowing. (Oxford: Oxford University Press, 2007).
theories addressing racism, sexism, and ableism have pushed the human-rights framework to become more inclusive through definition of different forms of discrimination. Hatred against women and racialized hatred have been named in critical work and covered in articles in international conventions on human rights. Like racism, sexism, and ableism, childism is based on prejudice, ignorance, and even hatred against a group of people.

The use of the theory of intersectionality, according to Karl Hanson and Noam Peleg, ‘enables us to move beyond thinking about children's minority status based on their age or assumed lack of or insufficient capacities’, and to include ‘the variations in children's experiences relating to identity, personality, poverty, ethnicity, race, religion, gender, sexuality and social background, as well as the intersections of these elements’.

The contribution of childism in this chapter adds to human rights theory and child rights theory in terms of the need to add the additional layer of age-based discrimination against children and children's subordination to an intersectional lens on children's rights. Its contribution could be measured by the extent to which childism will disrupt taken-for-granted assumptions in earlier work, where prejudice and negative attitudes towards children have not yet been unveiled.

The aim of this chapter is to explore identified obstacles to the realization of children's international human rights by arguing that such obstacles can be recognized as examples of age-based discrimination against children, stemming from overlapping childist, racist, sexist, and ableist prejudice against children. How may we understand the logic behind social obstacles to children's human rights by naming childism as a system of prejudice and discrimination against children, and how could such understandings inform processes for a strengthened discourse on children's rights?

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13 See Article 1 in the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW, and Article 1 in the Convention on the Elimination of Racial Discrimination, CERD.


15 Contrarily, one could claim that labelling children as a minority group and naming stereotypes against children reinforce such categorizations that we might want to move beyond through notions of uniqueness. However, not acknowledging how children are already treated unfairly due to prejudice and stereotyping would be expressing adult ignorance about children's subordination. Discussions about adult-child relationality that neglect power, and when faced with questions concerning social justice, thus risk obscuring privilege.
Resistance against Children’s Rights: The Need for Theory on Childism

Michael Freeman argues that in order to take children’s rights seriously, a cultural revolution is needed in terms of adults’ attitudes toward children. Laura Lundy similarly notes the resistance to taking children’s rights seriously, in terms of how children could be rights-holders as ‘indicative of a wider problem: it appears to be perfectly acceptable to deny that children are, should or can be rights-holders when there are very few who would publicly assert that they do not ‘believe’ in human rights’.

It is not enough merely to acknowledge a poor realization of children’s rights; as Lundy and Peleg note in the introduction to this volume, we need a conceptual framework to analyse why discursive negations of children’s rights persist. This chapter will not consider theories justifying the idea of children’s moral and legal rights – which for example have called for shifts in perspective from arguments of children’s capacity to their interests – or theories that base justification on the kind of rights that should be given to children. A conceptualization of childism is thus not a theory for justification, but rather a critical approach for analysing resistance among adults to the moral and legal rights of children. A theory that addresses systemic inequality and legislation against discrimination could generate a needed change in attitudes and beliefs in relation to children’s rights, for example making the violence against and oppressions of children visible as a form of discrimination. As noted, childism refers to prejudice against children that leads to structural discrimination, and through childist discourse, children are characterized as defined by their lack of adult abilities and, therefore, as inferior to adults.

The human-rights discourse has been informed by adult bias: ideas of the rights-holder have been defined according to adult normativity, human rights violations have been systematically analysed according to adult definitions,
and violence against children has not been properly legislated against in a majority of Member States to the UN.\footnote{21 See https://endcorporalpunishment.org/ for current statistics on legislation against corporal punishment.}

In contrast to the UN Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and the UN Convention on the Elimination of Racial Discrimination (CERD), the CRC – at least not explicitly – does not aim towards the elimination of all forms of discrimination against children.\footnote{22 See Daly, A., Thorburn Stern, R. & Leviner, P., *UN Convention on the Rights of the Child, Article 2 and Discrimination on the basis of Childhood: The CRC Paradox?*, Nordic Journal of International Law, Volume 91, 2022, s. 419–452.} Inadequacy of addressing age-based discrimination against children in the CRC and when implementing human rights for children is a primary weakness in how we have thus far made meaning of children’s rights.

The Committee on the Rights of the Child has regarded children’s rights as a major challenge for all states and actors concerned, and ten years after the adoption of the CRC, Paulo David lists six obstacles to its realization: 1) the idea of children’s rights rather than charity towards children challenges existing beliefs and attitudes held about children, 2) there is a lack of cooperation among the stakeholders responsible for realizing the rights of the child, 3) the child’s right to participation challenges traditional adult behaviour and parental values, 4) the right to education has not been adequately addressed in terms of how it encompasses discrimination in school, including protection against corporal punishment and harassment, 5) children’s civil rights are regarded by the adult community as a potential threat to adults’ rights, and 6) Member States have undermined the international acceptance of the CRC through major reservations to the Convention.\footnote{23 David, P., ‘Implementing the Rights of the Child: Six Reasons Why the Human Rights of Children Remain a Constant Challenge’, *International Review of Education* 48, no. 3–4 (2002): 259–263.} These obstacles are discussed further under the following six sub-headings in relation to childism. I give different examples of the reasons listed above and show that these obstacles are still relevant for unveiling possible instances of age-based discrimination against children, and thus illustrate the associated difficulties of realizing the CRC.

### 2.1 Challenging Childist Views about Children

There is a need for a fundamental change of attitudes towards and beliefs about children in order to strengthen the discourse on children’s rights. Childist beliefs consist of ideas that children are inferior to adults and should
know their place; children should not ask for too much, since their age-related differences relative to the ones of adults are said to justify children’s inequality (thus disclaiming any argument for social justice for children). The child’s perceived lack of ability or capacity relative to that of adults, risks leading to a poor realization of their rights as set forth in the CRC. An illustration of this problem – addressing violations of children’s rights when prejudice and discrimination against children are not named in the first place – is found in a study on ‘the practice of interpreting the law and physical child abuse in Sweden’. Sköld, Sandin, and Schiratzki explore the potential tensions between governmental redress schemes to acknowledge past child abuse and interpretations of criteria for what is deemed ‘normal child-rearing’ or part of ‘normal childhoods’ in terms of physical abuse, sexual abuse, work exploitation, detention, discrimination, violation, and neglect of children in Swedish out-of-home-care between 1920 and 1980. In their study of 1,225 decisions by the Swedish redress board on the severity of child abuse, Sköld et al. find a clear discrepancy between victims’ sufferings and the ‘implementation of an administrative legal system’ in which issues of justice through economic compensation are ‘determined by what kind of past child abuse is recognized as wrongful today and/or what kind of past child abuse is assumed to have been recognized as wrongful in the past’. As with other types of discriminatory forms of violence, the normalization of violence against children rests on established assumptions about children’s inferiority – long-held assumptions that serve to maintain inequality, which results in unaddressed human rights violations and a ‘silent pandemic’ of degrading treatment of children as a marginalized group. Prejudiced discourses on childhoods limit the respect for and the realization of children’s rights, but are also open to change over time.

Within the human rights discourse, tensions between different minority groups and their rights claims can be further explored by studying the intersections of childism, racism, sexism, and ableism, in terms of how children’s rights are compromised due to these overlapping systems. In a study on sexual abuse and children with neuropsychiatric disorders, Lindblad and Lainpelto

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26 Ibid., 179.
27 Ibid., 180.
Childism – on Adult Resistance to Children’s Rights

note the ‘forensic complication’ in ‘overlap of symptoms between ADHD and post-traumatic stress disorder’ and the ‘comorbidity between these disorders’, a dilemma ‘reflected in the increased risk of ADHD in sexual abuse victims’. They further note that children with disabilities are less easily recognized in the medical care system and are exposed to ‘focused rather than open-ended questions, which increase the risk of eliciting non-accurate information’. With an increased understanding of the commonality of prejudice, and hostility toward children and the overlapping prejudices against children with disabilities, we can examine how social inequality between adults and children is explained through childist and ableist discourses. The ways in which racist, sexist, and ableist prejudices become interwoven into childist attitudes about children calls for an intersectional lens for studying the discrimination that children face. It is not the actual or perceived differences between groups of people – between adults and children – that constitute a problem as such. The idea of equality and human rights for all encompass diversity. However, racist, sexist, ableist, and childist discrimination is based on connecting ideas of inferiority, along with a notion of superiority to such perceived differences and social myths of race and natural correlation between sex and assigned gender. By adding childism to intersectional analysis of discrimination that disadvantage children, we may better understand how negative beliefs and attitudes against children, as mentioned by David, still interfere with implementation of the CRC.

2.2 Child Equity: The Need for Cooperation between Institutions

The enforcement of children’s rights rests on the need and achievement of cross-sectional cooperation. Children’s rights are relevant to a wide range of professionals working with social services, education, healthcare, police departments, courts, media, housing services, recreational activities, sports, and many more fields. What is actualized in such cooperation are conflicting interpretations of child equality. Thus far overlooked, and something that would constitute a major focus in this cross-sectional realization of children’s

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31 Child equity is a structural and systemic concept that focuses the process for reaching equality when a system or structure in itself is unfair, biased, and discriminatory. See similar distinctions in relation to other forms of discrimination such as racial equity and gender equity; https://www.aecf.org/blog/racial-justice-definitions.
rights, is the importance of a clear definition of the kind of equality these various social institutions should strive for when it comes to children's rights. Are children's rights to physical health, mental health, quality education, and access to justice fulfilled according to the specific circumstances of each individual child, or are children regarded as appendages to families, for whom adults set the standards of 'best practice', 'best interests', and 'child-friendly' principles?\(^2\)

A notion of formal equality for children would presume children to be treated 'as adults' where ideas of corresponding duties to rights exist. Age-based discrimination against children cannot be adequately addressed in demands for formal equality, but instead through substantial equality, by which children are not treated 'as adults' but their child-specific differences are respected. Adult normative assumptions about who is seen as a rights subject do not work well in discussions concerning children's rights because childhoods require additional rights related to children's dependency on adults, and the fact that children cannot be required to act as duty bearers in light of their lack of social, physical, and economic resources. In comparable situations, children are not as 'free' as adults to act in a variety of instances where their rights might be actualized. Through childism, we acknowledge that there is widespread discrimination against children, and that they might be treated unfairly and unjustly because they are children – as individuals who are not listened to, not taken into consideration in matters that affect them, and not spoken with but informed of decisions already taken by concerned adults according to adult and parental interests and ideas. Children's social conditions differ in crucial ways from that of the adult norm, and discussions on formal equality demand that children be treated 'as adults', ultimately leading (as we can see in the treatment of children as adults in court systems, and countless other examples) to their increased suffering.\(^3\)

Courts would need to find ways to become more child equitable (fair and impartial), with the ambition of attaining fairness of treatment for children according to their specific condition. This may include equal or different treatment according to what would be considered equivalent in terms of children's rights and in refraining from reifying childist stereotypes of children and their needs; it would also require questioning adultist norms of standardized

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33 See https://jlc.org/issues/youth-tried-adults.
processes that hitherto may have overlooked the specific circumstances in which children may find themselves.

A conceptual shift from notions of formal equality toward a notion of child equity, I argue, is needed to take into consideration children’s social condition in society. Child equity is defined here as fairness of treatment for children according to their needs. This may include equal or different treatment according to what would be considered equivalent in terms of children’s rights and in avoiding reifying childist stereotypes and adultist norms. Child equity is thus based on ideas about substantive equality for children, which means that their social condition is taken into consideration when determining what is needed in order for their rights to be realized in different instances (conditions that may differ from those of adults – but not all adults – that may demand different treatment to acknowledge a child’s disadvantaged position).

Child equity in cases of child abuse and violence against children could mean involving the family and guardians of a child in preventative and/or rehabilitation measures instead of applying the adult framework of criminal law on children. In terms of legal justice, child equity would reflect children’s rights that ensure support for a child in risk environments to seek counselling for abusive communication and violent patterns at home. The dependency of a child, along with the pervasive influence on a child’s reasoning and actions that adults in their environment exercise, risk being overlooked as long as courts apply reasoning for criminal responsibility to children that is similar to the reasoning that applies to adults. In the UK and the US, for example, minors charged with serious crimes can be tried as adults before the law. Child equity in terms of the ‘best interests’ of the child could shift the focus in legal reasoning, from an individualistic to a more relational and community-based approach to rehabilitation. Imprisonment or fines are based on adult ideas about corrective justice that may not be as easily applicable when children are affected by the legal system, either in conflict with the law or as victims of crimes. Rehabilitation and supportive structures in society – connecting family counselling, trauma, and crisis management for victims and abusers,


parenting support, treatment for parents caught in alcohol or drug abuse, economic support, and therapy sessions – may be more aligned with child equity (fairness is relation to a child's specific condition) instead of conventional views of punishment and imprisonment. Realizing children's rights based on more substantive forms of non-discrimination and equality demands that the process of cooperation between several social institutions is equitable in itself.

2.3 Right to Participation: Challenging Prejudice against the Youngest Children

Children's right to participation requires 'deep social changes in attitudes, behaviour, and values' of adults. When studying obstacles to implementing Article 12 on children's right to participation, Rebecca Stern looks at 'traditional attitudes' when Member States explain inaction, and she comes to the conclusion that a focus on cultural attitudes overshadows 'the existing attitudes toward children in Western states'. I find this problematization interesting, as here Stern addresses the way in which Western states may overlook their own attitudes toward children that hinder children's realization of their rights in their own states.

Prevailing arguments that Article 12 of the CRC applies solely to older children, and which cannot be enforced for younger children and infants, rest on childist attitudes and beliefs connected to children's abilities at different ages. How are children supposed to be heard in issues affecting them when prejudices about children – that they cannot reason, do not know what is best for them, are not to be trusted, and change their mind constantly – risk being left unchallenged?

The child according to the UN Committee on the Rights of the Child, is 'able to form views from the youngest age, even when she or he may be unable to express them verbally'; thus a full implementation of Article 12

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39 See similar arguments by Kaldal, A., Chapter 3 in this volume.
‘requires recognition of, and respect for, non-verbal forms of communication including play, body language, facial expressions, and drawing and painting’.

The enforcement of Article 12 – on the right for the child to be included and to be heard – requires adults to adjust their communication and attentive listening to individuals who do not excel in oralism. Appreciating diversity in abilities requires changed attitudes and beliefs about children who deviate from the adult norm and about children with disabilities. Interpreting the responsibility of adults to realize Article 12 in the CRC by developing knowledge on age-based discrimination could enhance the child’s right to be heard, especially in securing the ability of individuals below the age of 12 to be listened to on their own terms.

The idea that children are not interested in social justice issues may lead adults to neglect to inform children about their rights. In what ways do such beliefs prevent adults from engaging children in conversations about discrimination and social injustice? Reflecting on how prejudice challenges the implementation of children’s rights can lead to more ethically sensitive relations between adults and children and to increased instances of using expert groups of children in politics and legislation, which in turn can lead to interventions other than those that adults may have thought of. Reflection on how prejudice against children leads to undue power imbalance in institutions that deal with children’s rights can create venues for more resources in the field of implementing children’s rights and freedoms. This progress could be achieved if children themselves take part in the process.

2.4 The Right to Education as Including Protection against Age-Based Harassment and Assault

Another obstacle to the realization of children’s rights is the way in which rights to something might foreclose the rights of a child in the exercise of that same right. Children’s right to cost-free education is one of their fundamental rights, but while the right to education is stated in the CRC, the discrimination and prejudice children face in education is not addressed in the Convention.

40 UN Committee on the Rights of the Child. General comment No.12 (2009): The right of the child to be heard. CRC/C/GC/12, para. 9.
41 See for example the empirical study by Klara Dolk about adult-steered child influence in preschool settings, and how child participation was limited to deciding on which transport to take for school trips, not on issues concerning social justice and discrimination; Dolk, Bångstyriga Barn: Makt, Normer Och Delaktighet i Förskolan [Unruly Children: Power, Norms and Participation in the Preschool] (Stockholm: Ordfront, 2013).
42 If we read Article 2 CRC together with Article 29 CRC, discrimination facing children due to their own position (unrelated to their family, such as sexuality) and age-based
It is not primarily formal curricula, but the hidden curricula – what is done by teachers in their daily interactions with children – that impacts children's subjectification and becoming a rights subject, according to Lisa Isenström. She notes that in her studies in Swedish schools, the actions of teachers in the school have a significant effect on children's learning about human rights, and also on their becoming rights subjects.43

When exploring children's experiences as rights subjects in education, the existence of corporal punishment, bullying, and inattentiveness to children's mental health should be reformulated as different forms of discrimination against children in need of more structural and systemic analysis. Age-based violence includes violent acts where children are primarily or exclusively the victims, and violence against children and youths connected to normative understandings of their age.

The right to education encompasses not only access to, but quality of education, and rights in education. Access may be hindered along socio-economic lines, quality may be compromised, and rights in education overlooked. The negative belief that children do not know what they need or what is best for them risks undermining children's own influence during their time in school.

Protection for children against direct and indirect age discrimination applied in education and children's services would ensure that the views and experiences of children are taken into account during the development of these and emphasizes the need for 'reasonable adjustments to enable equal access to public buildings and public transport'.45 Direct age discrimination against children refers to when a child is treated less favourably – differently and worse – due to age, for example by being denied services. Indirect discrimination against children includes instances where a child is treated in the same way as everyone else, but still suffers unequal opportunities due to age, gender,
disability, or race. Identifying instances of direct and indirect age discrimination against children by public institutions calls for a shift through childism and intersectional lenses from talking about children's needs to a discussion about the power structures that deny children's rights.

2.5 Children's Rights Threatening Adult Rights? An Anti-childist Lens on Adult Power

While there might be general support for the idea of children's rights, 'political parties, religious groups, teacher's organizations, parents associations' are groups that may feel 'that recognizing rights of children will infringe on their own rights'.\[46\] As noted by Susan Moller Okin,\[47\] there could be inherent tensions between different rights claims, and she discusses tensions between multiculturalist and feminist rights discourses. An additional layer that requires further discernment is the matter of rights tensions between anti-racist, anti-sexist, and anti-childist efforts to address social injustices.

As sex, race, ethnicity, language, religion, and other areas are mentioned as grounds for discrimination in international conventions on human rights, and as age – usually referring to the elderly – has not included age discrimination against children, these grounds are more likely to be taken into consideration in circumstances that might also affect the rights of the child. Special protection against discrimination for indigenous people, migrants, women, and persons with disabilities are all covered in UN conventions. Due to adultism – that is, adults being in power over children in degrading ways – these discrimination grounds risk being read as applicable only to adults in relation to services and rights. As noted earlier, the CRC contains no definition of age discrimination against children.

It is important for childism not to be treated as just another aspect of a feminist or multicultural approach. Issues that may benefit gender equality do not necessarily harmonize with respect for the individual child. Anti-sexist discourses in custody cases, for example, do not necessarily represent the rights of the child. Adult perspective in courts – regarding the rights, interests, and needs of adults primarily – would give precedence to concerned adults' ideas of what would be in the best interest of the child. Anti-childist lenses on adultist norms – norms that assign adults the status of being powerful and authoritative while disregarding children's voices, experiences, and different conditions – may question the interests of a parent, even though such an approach

may counter the traditional gender-based inequality or sexist reasoning found in national legislation and application of laws concerning custody.

Acknowledging that a minority group may be limited in the exercise of cultural and religious rights calls for special protection, but the flip side of such protection could lead adults to force children who are unable to provide ‘full, free and informed consent’ to undergo traditions harmful to their dignity.48 When examining legislation and policies that may discriminate against children, the heterogeneity of children and their double (and sometimes multiple) marginalization must be acknowledged. Should a girl have the right to be heard and challenge adult women’s expectations on her? Should a boy have the right to do the same against hegemonic masculinity? These are questions that anti-childist lenses on the rights of the child actualize when rights claims are viewed solely through the perspective of the right to culture, religion, or tradition. The attitudes of the adult community, including adult perspectives on marginalized groups, may hinder the full realization of the rights of the child because due to childhood, children as a heterogenous group – consisting of all other minority groups – are nonetheless marginalized within every minority group.

Adult authority over children can have violating consequences when serving childist interests and beliefs of children. Anna Kaldal and Pernilla Leviner argue in a study from 2007 that it is important to recognize that parental rights and children’s rights may conflict in both public and civil law, and they emphasize the importance of allowing social services to interview children without the presence or consent of the parents in such procedures.49

48 ‘Harmful practices are persistent practices and behaviours that are grounded on discrimination on the basis of sex, gender, age and other grounds as well as multiple and/or intersecting forms of discrimination that often involve violence and cause physical and/or psychological harm or suffering’. UN Committee on the Elimination of Discrimination against Women and UN Committee on the Rights of the Child. Joint general comment No.31 of the Committee on the Elimination of Discrimination against Women and No.18 of the Committee on the Rights of the Child on harmful practices, 4 November 2014, CEDAW/C/31-CRC/C/GC/18, 6.

49 We have seen a strengthening of the child’s right to be heard individually in the Swedish legislation the last decade, which may align with changes in beliefs and attitudes towards children over time. How the child’s right to participation is to be understood is continuously debated and the potential conflict of parental rights and interests versus children’s rights in such instances is still important to note. Kaldal and Leviner (2007). ‘Silencing the conflict of interests between parental rights and the rights of the child – legal requirements for the social services to interview children’, Scandinavian Studies in Law 50, (2007): 381–392. See Kaldal chapter 3 in this volume.
I argue that the well-established notion of *patriarchy* can be used as a basic concept to refer to both the structure of male domination over women and parental power over children.\(^{50}\) The etymology of the term ‘patriarchy’ stems from Greek. It consists of the two words ‘father’ and ‘ruler’. ‘Father’ implies having power over children in a family or demonstrating supremacy by being a parent and head of the household – traditionally a position bestowed upon men. Hence, two power structures intersect under patriarchy: the male/female, grounded in sexism and the adult/child, grounded in childism. Major reservations to the * crc* could illustrate in several ways how the adult community regards children’s rights as potential threats to their own privilege and power.

### 2.6 Major Reservations to Children’s Rights: The Need for Intersectional Analysis

Although the *crc* has received 197 ratifications since its adoption in 1989, major reservations to the *crc* dilute its international protection for children and lower the intended ambitions of its articles. However, reservations to the *crc* alone will not provide an overall picture of children’s marginalization in the human rights discourse. Children as a heterogeneous group actualize the framework of international rights examined through reservations to the *cedaw, cerd*, and the UN Convention on the Rights of Persons with Disabilities *crpd*, as well as the conventions on migrants’ rights and indigenous peoples’ rights.

By drawing on parallels with racism, sexism, and ableism, we may gain knowledge about how discrimination against children encompasses several intersecting systems of oppression. Children and youth, due to the interlocking systems of neo-colonialism, racism, sexism, ableism, and childism, are the first to experience how the subordination of race, class, gender, and abilities intersect. They are among the first to feel the effects of cuts in social services, healthcare, education, and other welfare provisions in a society that is supposed to provide the most vulnerable groups with an economic and social safety net.\(^{51}\) Thus, only a plurality of children’s voices on social injustice will adequately indicate where interventions are most relevant, and where human rights, on both societal and family levels, have not been realized.

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\(^{50}\) For further discussions on patriarchal violence against children, see Adami and Dineen, ‘Discourses of Childism: How covid-19 has Unveiled Prejudice, Discrimination and Social Injustice against Children in the Everyday’ *The International Journal of Children’s Rights* 29, no.2 (2021): 353–370.

An intersectional analysis of public budgeting could provide us with preventive and positive measures to ensure the realization of the rights of children from the most marginalized groups in society (children living in poverty, housing segregation etc). Intersectional budget analysis asks key and overlooked questions such as: how are children with perceived disabilities and with minority religious and ethnic backgrounds affected by allocations of resources? Intersectional budget analysis raises questions about social inequality, power, relationality, social context, complexity, and social injustice for children from marginalized groups.\textsuperscript{52}

3 Concluding Remarks

In this chapter, I have argued that 1) in order to challenge existing views about children, we need to be aware that anti-sexist and anti-racist lenses on human rights do not necessarily harmonize with anti-childist lenses on human rights that confront adultist norms; 2) cooperation between institutions for children’s rights is not helped by a formal notion of age equality that disregards the difference between children and adults, whereas child equity questions how adultism as a power structure is maintained through adult and ableist normativity; 3) the right to participation requires changes in how social, legal, and political processes that affect children have been handled thus far in order to accommodate differences and enable children’s decision-making capacity; 4) addressing the barriers faced by children in education require age-based harassment, assault, and discrimination against children in school to be named and faced; 5) patriarchal hierarchies that have denied women political agency by premising laws supporting political freedoms and autonomy on men alone can be analysed to shed light on discriminatory discourses of patriarchal structures that today deny children civil rights through paternalistic attitudes toward children’s voices; and 6) resistance against the rights of the child in the form of reservations to the CRC indicate that, due to childism children are not regarded as rights subjects. Studies on racism, sexism, and ableism have shown how biased use of language serves to perpetuate the idea that not all human beings are equal or regarded as legal subjects with rights and freedoms.

A conceptual move from formal equality to child equity will enable analysis of the extent to which ‘child friendly’, ‘child adapted’, and ‘best interests’ initiatives and standards conceal more than paternalistic perspectives. Child

\textsuperscript{52} See for example https://wbg.org.uk/analysis/intersecting-inequalities/.
equity, as noted, is a structural concept that encapsulates the process towards equality and thus enables analysis of the unfairness in how, for example, the best-interest principle might be interpreted by adults through their own interests. As there is no single ‘child perspective’, this definition of child equity is called for to address the structure behind age discrimination against children.

This normative conceptualization needs to be tested through future empirical studies on instances of age discrimination against children, and statistics are needed on crimes targeting children (for example, crimes in the home, where we might encounter the problem of hidden statistics, and unfair treatment by social services of children that could be labelled as discrimination). Further studies into systemic childism would also provide us with a framework for understanding poverty and other social inequalities among children.

References


