Interpreting and supporting participation rights: Contributions from sociocultural theory

ANNE B. SMITH
Children's Issues Centre, University of Otago, Dunedin, New Zealand

This paper looks at how sociocultural theories of development can contribute to understanding and developing effective ways to enhance children’s participation rights. “The child development industry” (Mayall, 2000, p. 129) has attracted a good deal of criticism from sociologists of childhood, and much of this criticism is well founded. Prout and James (1990) say that psychological concepts which inform Western orthodoxies about childhood, view development as an inexorable universal path from immaturity and incompetence towards rationality, competence and autonomy. Social roles are thought to be replicated through generations by a process of socializing passive children. Childhood is of interest to scientists because it is a pathway towards true personhood when adulthood is reached. Psychological research produces generalised descriptions of children and analysis of relationships between variables which produce grand overarching generalizations and a description of the “universal decontextualised child” (Mayall, 1994, p. 2).

In contrast, sociologists of childhood view childhood as socially constructed rather than static, universal and immutable (Hendricks, 1997). Societies and cultures at different times have interpreted childhood differently, and these constructions are located in specific times and places. Freeman (1998) has already identified the overlap in perspectives between sociologists of childhood and children’s rights advocates. He says that both share a focus on children’s agency and how children construct their social worlds; children as subjects not objects of control or concern; and children as individuals and persons rather than as a collective undifferentiated class or immature beings.

Advocacy for children’s best interests often relies heavily on knowledge obtained from social science about children’s problems and capabilities. Most of the data has been gathered through measures constructed by adults which allow children little choice about how they express their views, and which constrain them within a pre-defined framework. Often the research has been carried out in different cultural and historical settings (usually North American) than where the findings are being applied. It is important in my
view to find a more appropriate way of doing research and constructing the knowledge through which we advocate for children. We should view children as articulate and competent enough to express their views in a way which respects their agency and participation rights, recognises the central importance of cultural and social contexts, but does not regard children as the passive subjects of social processes.

An alternative to traditional child development theory, a more appropriate framework for child advocacy work, and a new theoretical dimension to be added to children’s rights discourse is offered by sociocultural theories of development. Vygotsky (1978), the father of sociocultural and sociohistorical theories of development, saw development as a process arising out of participation in the social and intellectual life surrounding the child.

**Participation rights**

At its broadest and most general level, participation means involvement in activities, but there are many levels of participation, which are influenced considerably by roles, expectations and relationships within society at a particular time. Lansdown (1994) differentiates children’s Participation Rights from Provision and Protection Rights, which are the three main types of rights in the United Nations Convention on the Rights of the Child. She describes Participation Rights as involving civil and political status, in other words respect for the personhood and citizenship of the child. Participation rights include the right to a name and identity, to be consulted and taken account of, to physical integrity, to access to information, to freedom of speech and opinion, and to challenge decisions made on children’s behalf (Lansdown, 1994).

Alderson (2000) believes that the child’s right to express a view is the most important participation right and Freeman (1996) describes Article 12 as the linchpin of the convention. Children themselves (Morrow, 1999; Taylor, Smith and Nairn, 2001) give a high priority to participation rights. Yet Article 12 is also “one of the most widely violated and disregarded in almost every sphere of children’s lives” (Shier, 2001, p. 108). Article 12 deals with the child’s right to express a view and have it heard, and states that:

State 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.

Article 13 is about the child’s right to give and receive information, and states that: