

# CHILDREN'S RIGHT TO PARTICIPATE IN SCHOOL DECISION-MAKING: REFLECTIONS ON TOKENISM



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# A POWERFUL FRAME FOR UNDERSTANDING CHILD PARTICIPATION

*“States 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 12(1) of the UN Convention on  
the Rights of the Child**



# A DISCONNECT BETWEEN LAW, CHILDREN'S EXPERIENCES AND ADULTS' UNDERSTANDING

NORTHERN IRELAND COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE 2004

*The legal text of Article 12*



Adults' focus on the 'voice of the child'

*A boy not getting a say in a conversation.*



# WHAT DOES ARTICLE 12 REQUIRE?

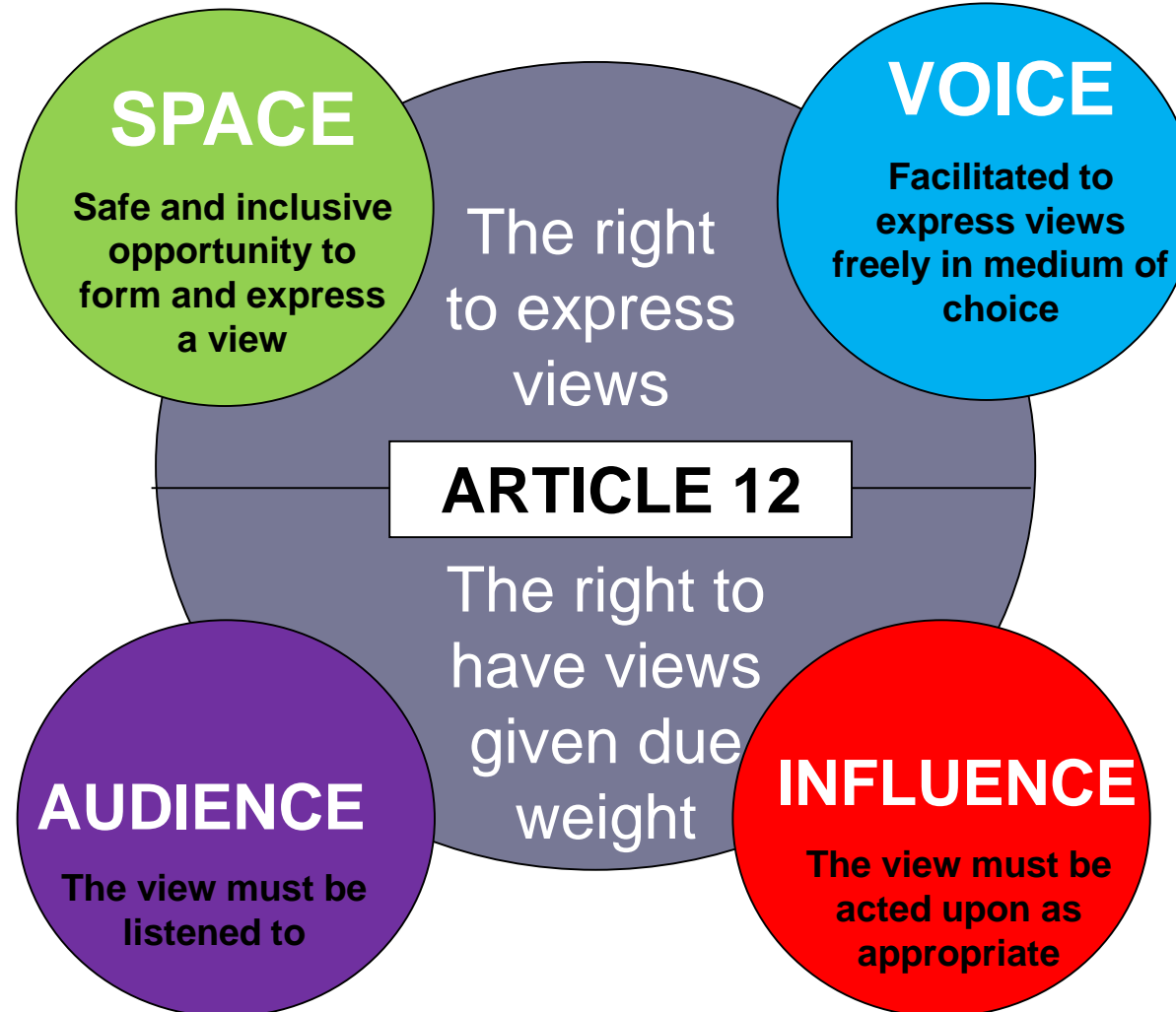
- The Voice of the Child/ Pupil Voice?
  - The Right to be Heard?
  - The Right to Have a Say?

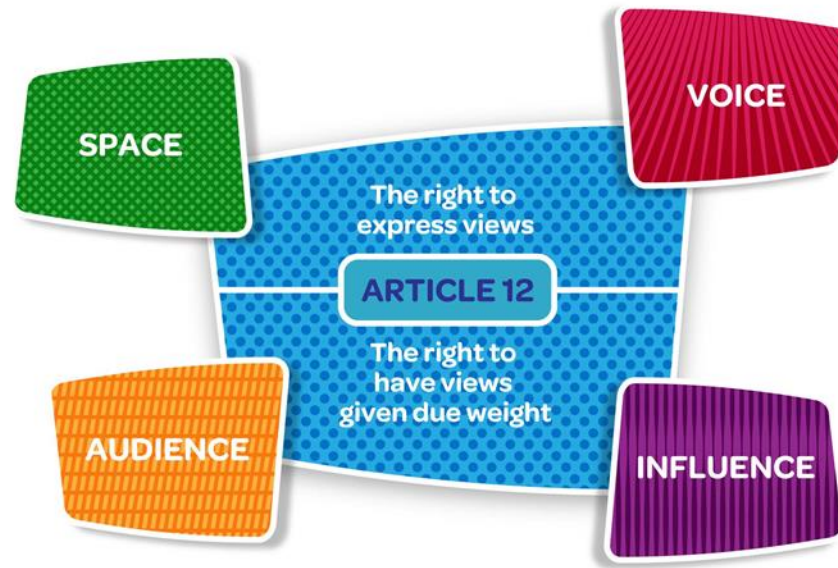
*“Each of these abbreviations is an imperfect summary and can potentially undermine its implementation”*



# VOICE IS NOT ENOUGH...

LUNDY (2007)





This model provides a way of conceptualising Article 12 of the UNCRC which is intended to focus educational decision-makers on the distinct, albeit interrelated, elements of the provision. The four elements have a rational chronological order:

- **SPACE:** Children must be given safe, inclusive opportunities to form and express their view
- **VOICE:** Children must be facilitated to express their view
- **AUDIENCE:** The view must be listened to.
- **INFLUENCE:** The view must be acted upon, as appropriate.



# SPACE

## “ASSURE TO THE CHILD”

- Needs to be actively created – the obligation is on government to “assure” the right to the child....
- Needs to be a “safe” space (Art. 19)
- Needs to be inclusive (Art. 2)



# VOICE

## “THE RIGHT TO EXPRESS A VIEW FREELY”

- A right not a duty.
- Afforded to all children “capable of forming a view.”  
N.B: this is not restricted by “age and maturity.”
- Silence may be the expression of a view.
- Enforcing silence?





# AUDIENCE

**“THE VIEWS OF THE CHILD BEING GIVEN DUE WEIGHT”**

- Need to be listened to actively.
- May necessitate the establishment of formal channels of communication - a right of audience/ ‘a dedicated listener’ with the power to effect change



# INFLUENCE

**“DUE WEIGHT IN ACCORDANCE WITH THE AGE AND MATURITY OF THE CHILD”**

*“It should not be interpreted as an endorsement of authoritarian practices that restrict children’s autonomy and self-expression and which have traditionally been justified by appealing to children’s relative incompetence and their need for socialisation”*

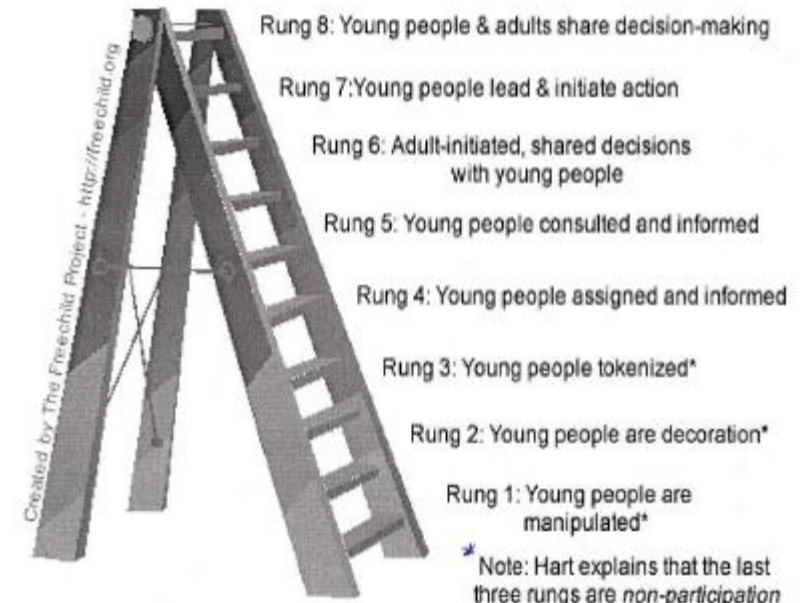
Committee on the Rights of the Child, 2005.



# ITS APPEAL

- “Legally sound and user-friendly”
- Intended to capture **the qualities of rights-based participation** rather than different forms or levels of participation
- Concepts are fluid and flexible: can apply to any form of participation for all children in any arena of decision-making.

Roger Hart's Ladder of Young People's Participation



Adapted from Hart, R. (1992). *Children's Participation from Tokenism to Citizenship*. Florence: UNICEF Innocenti Research Centre.



# IRELAND'S NATIONAL CHILDREN'S PARTICIPATION STRATEGY (2015): A CHECKLIST



**“IT WOULD BE TOKENISTIC...”**



# BUT WHAT IS TOKENISM?

The Committee on the Rights of the Child has urged States parties to avoid tokenistic approaches defining these as those:

**‘which limit children’s expression of views, or which allow children to be heard, but fail to give their views due weight’** (UN, 2009: para. 132).



# TOKENISM IS NOT A GOOD EXCUSE.

- A clear breach of a human rights obligation cannot be justified on the basis that it can't be done well.
- Even where the children's views will not be given due weight (the critical second dimension of Article 12), the child continues to enjoy a right to freedom of expression under Article 13 (irrespective of whether or how those views are addressed or not) and measures should be taken to respect, protect and fulfil that.



# **PARTICIPATION IS ALWAYS IMPERFECT**



**'Tokenism' may be a start.**





# DON'T UNDERESTIMATE CHILDREN'S ABILITY TO CLAIM THE SPACE

***Being surrounded by adult journalists, I took the floor to ask my question, attracting everyone's attention. So I took advantage to talk in the name of all children. No more violence, no more human trafficking."*** (Girl, 12, Latin-America-Caribbean)

Freeman et al (2003: 66):

***'It was tokenistic though, to a point. But we took it past that point when we started talking and not saying what they wanted to hear. And there's nothing wrong with tokenism for a beginning because it develops into a big hard stick that's poking them in the eye'.***



**OR THAT THEY GET INVOLVED FOR THEIR OWN REASONS...**

***I have conquered insecurities and emotions; I have made new acquaintances; I learned how to work in a group and how crucial this was and I have had fun. I think all of us have taken away something. (Child, Eastern Europe) (Orr et al, 2016)***



# THE 'MUNDANE' IS OFTEN MEANINGFUL



# MAKING ‘MEANINGFUL ENGAGEMENT’ A MEANINGFUL TERM.

In 2007, trying to articulate the concept of influence, I settled, as others do, on **feedback:**

*“... make it uncomfortable for adults to solicit children’s views and then ignore them...”*

Lundy, 2007.



# THE ROLE OF FEEDBACK.

*‘The feedback given by adults to children at the end of a process is a pivotal point in this dialogue. From a children’s rights perspective, this is when duty-bearers and decision-makers get an opportunity to demonstrate to the rights-holders how they have put the ‘due’ in the ‘due weight’. It opens up a space for further informed interaction and the possibility of continuing the dialogue. It is therefore core to accountability which is in turn core to human rights’ ( Lundy, 2018)*



# SOME HELPFUL 'F' WORDS...

**Feedback**  
should be:

Fast

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**Full**

*What did you agree with? What surprised you and why? What did you disagree with and why? Who is taking this forward? When will this happen and what is happening next?*

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Friendly (Child-)

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Followed-up.

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