

The IISL: There and back again – a journey through disciplinary margins



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Introduction

My first contact with children's rights was the course called "A Socio-Legal Approach to International Children's Rights" given by professor Michael King during my student days in the IISL Master's (2007-2008). In preparation for this article, I re-read my essay for his course and discovered that, surprisingly, I am not that far away now from what I thought back then.¹ After finishing the coursework period of the Master's, and when I was already a couple of months into the research for my Master's thesis, I began to realize that I had probably found what could really be "my" research interest. Since Professor King's course, I had found it striking that children – unlike adults – had been granted a specific right to play in their Convention (art. 31 CRC). At the beginning I had seen this as a progressive move, because I had been influenced by the Chilean biologist Humberto Maturana's understanding of play as one of the bedrocks of being human (see Maturana and Verden Zoeller 1993). Thus, I delved into the subject in my Master's thesis, ready to become a staunch defender of children's right to play (whatever that could mean). But after months of research, my thesis acquired a much more critical approach. It turned out that the right to play was loaded with grey areas and thus I entitled it *The Ambiguity of Children's Right to Play*, paraphrasing Brian Sutton-Smith's brilliant *The Ambiguity of Play* (1997).

I had come to realize that this right to play was ideologically loaded with an understanding of play that was an heir to what I later came to know as *adulthoodism*. This is a key concept in my field, that could be defined, with Kennedy (2006, 162), as "the ignorant attribution of ignorance [and incompetence] to children" (my brackets); to which it may be added, ignorant attribution that can only be paralleled by the also ignorant attribution of knowledge and competence to adults. Put another way, *adulthoodism* is the prevalence of the adults' will over the children's, merely by the former being adults and the latter being children. So, it turned out that children's right to play was an adult-designed right to a specific, circumscribed play, meant to "develop" and "socialize" children towards a docile and productive adulthood (see Cordero Arce 2009). Furthermore, this play was (and is) completely disentangled from work, which is a historical and cultural anomaly that the

¹ Of course, there are also major evolutions (in an empirical and a normative sense), such as the change from an acritical endorsement of the United Nations Convention on the Rights of the Child (CRC) to my current very critical understanding of it. This lack of a critical approach led me to another flaw in my analysis back in those days, which was to think that the key problem with children's rights was the 'implementation gap', i.e., the gap between what the CRC says, and how it is 'done' (i.e., implemented). I no longer regard this as the key problem, though many mainstream children's rights' scholars still do.

insightful works of Manfred Liebel (a sociologist of childhood), Cindi Katz (a geographer of childhood), Samantha Punch (an anthropologist of childhood), and Hugh Cunningham (a historian of childhood), amongst others, helped me understand and be critical about.

My Master's thesis was like opening a small window and peeping into a very messy and windy field of children's rights (I focused on just one right – the right to play – but from a very critical perspective). After having earned my MA at the IISL, I went on to study a PhD in Sociology of Law at the University of the Basque Country, which was like really opening the floodgates and properly walking into that messy and windy field (the field of every child's right, written and unwritten; acknowledged and denied; claimed and granted). In my dissertation I tried to take the first steps towards an emancipatory discourse of children's rights, because article 31 CRC had served as an eye-opener which had revealed to me a mainstream understanding of children's rights that I deemed, and still deem, prevents children from being full-fledged rights-holders and duty-bearers, that is, citizens. The dissertation became a published book in 2015, and I was especially happy that it could be published by probably one of the most representative institutions of my children's rights-from-below perspective, which is the Institute for the Training of Educators of Working Children and Youth (Ifejant), in Lima, Perú (Cordero Arce 2015a).

The IISL

Regarding my experience at the IISL, the Institute allowed me to get to know some amazing scholars – teachers and co-students alike,² which helped me to refine my critical thought (and somehow to become humbler about it...). The six-months long coursework period of the IISL Master turned the institute into a hub of critical thought and growing friendships, where I took deep dives into the institute's mind-blowing and mind-opening library, spent late-hours co-writing to reach the deadlines, had sheer fun, and held deep and thoughtful conversations that sometimes led us off-track from the subject-matter of the courses, but placed us right on-track with the critical spirit of the IISL. It was also a fitting context to face my previously unacknowledged prejudices, especially given that we were 17 students that came from 13 different countries *and* academic backgrounds!

² To name just a few: Manolo Calvo, Teresa Picontó, Maggy Barrère, Joxerramon Bengoetxea, David Whyte, Pablo Ciocchini, Stefanie Khoury, José Atilés...

Over time, I have come back to two workshops. The first one in 2017, dedicated to “La transformación de las enseñanzas jurídicas y criminológicas desde las clínicas por la justicia social”, (“The Transformation of Legal and Criminological Teaching from the Perspective of the Social Justice Law Clinics”). It was coordinated by professors Maggy Barrère and Juana Goizueta and it was very special to me. Firstly, because it was co-organized by one of the supervisors of my PhD research – Maggy Barrère – and secondly, because at that time I was struggling for the inclusion of *adulthood* as another axis of oppression in any and every intersectional analysis, and this workshop seemed like a good opportunity to socialize my purpose. The other workshop was held in 2019 and it was dedicated to the issue of “Youth Violence: De-escalation Strategies and Socio-Legal Responses”. It was organized by Asher Flynn, Mark Halsey, and Murray Lee and the topic of the workshop was also especially meaningful to me given my work as an educator in a Young Offenders’ Institution, as it provided a rare opportunity to share and academically reflect on my professional experiences with young offenders.

A third workshop, for the first time completely aligned with my field of research, was to be held in 2020. Its topic was “Using the Children’s Rights Framework: Who’s been left behind?”, and it was organized by Aoife Daly and Francesca Dominello. Aoife contacted me in the early stages of the organization of the workshop to talk about names of local scholars for the workshop, and I was very excited about an event that could somehow start bridging what I thought, and still think, is a gap between Spanish academia and European and international academia regarding children’s rights studies research. Sadly, the COVID-19 pandemic rendered the workshop impossible, and subsequent attempts to hold it online failed as well.

Lastly, it was very special for me to be invited by Noé Cornago, then Scientific Director, to come back in the 2020-2021 course as a teacher to the IISL, and to be given the freedom to teach precisely what I am most passionate about in my field of research. This obliged me to go over my 13 years in the discipline – that had begun with the essay for Michael King’s course – in order to distil them into a 2-week course, and the outcome was deeply gratifying.

Children's rights studies and childhood studies in relation to socio-legal studies

Children's Rights Studies and Childhood Studies are the two main theoretical approaches that ground my research, and I think that they still travel parallel paths in relation to Socio-Legal Studies. In the seminars, conferences, workshops and publications of my field there tend to be always the same scholars, whose background is either the sociology of childhood, children's geographies, the anthropology of childhood, the history of childhood or, to a lesser extent, children's literature. All these disciplines are englobed under the umbrella category of Childhood Studies. In a blurry very close aside, or *within*,³ figure the people of Children's Rights Studies, which would be my core discipline, who come and go seamlessly from Children's Rights Studies to Childhood Studies. And in all of this, there is a scarce presence of legal sociologists; that is, of scholars who formally self-identify as such,⁴ even though quite a few of us *are certainly* doing sociology of law in the entangled fields of Childhood Studies and Children's Rights Studies.⁵

As for the impact of these disciplines amongst socio-legal scholars and institutions, the Research Committee 12 (RC12, on Sociology of Law) of the International Sociological Association (ISA) has no working groups on the sociology of children's rights, and its webpage names no cross interest with the Research Committee 53 (RC53, on Sociology of Childhood). The Working Group on Human Rights of the RC12 has no subgroup on Children's Rights, nor any contact with the RC53. Furthermore, although within the RC12 there is a research network dedicated to "Family Law and Family Policy", which is part

³ For the use of the adverb 'within', see the metaphor of the thread (Children's Rights Studies) and fabric (Childhood Studies), below.

⁴ There are some notable exceptions, like the recent PhD dissertations at the University of Geneva's Law Faculty of Edward van Daalen (2020), on working children, and Christelle Molima (2021), on child soldiering, which testify to the fact that children's rights can be researched from a socio-legal perspective without necessarily stemming from the field of childhood studies.

⁵ I'm thinking here of Deflem's definition of sociology of law, which applies to many of the research done in my field, including the massive amount that considers the CRC as the golden standard of children's rights, against which children's lived realities must be assessed: '... it is the confrontation of the ideal of law with the many facets of its reality that counts among the sociology of law's most distinct contributions. Expressed in such conceptual distinctions as between intuitive law and officially positive law, juristic law and living law, official and unofficial law, and law in the books and law in action, what the sociology of law most typically seeks to reveal are the discrepancies that exist between the stated objectives and self-understanding of law and the reality of law in terms of its origins, course, and impact at the social level' (Deflem 2008, 276).

of the RC12 Working Group “Comparative Studies of Legal Professions”, it has not developed any line of research regarding children’s rights. Last but not least, in the case of the IISL, founded and still partly governed by the ISA’s RC 12, the courses and workshops hosted at it rarely deal with matters of children’s rights *qua* children’s rights (especially meaning, rights of children conceived not as merely members of a family, a school or some other larger group), or of Childhood Studies, the exception being the workshop I mentioned above to be held on the IISL on the rights of marginalized children, organized by Aoife Daly, and which had to be cancelled due to the COVID pandemic.

This failure to take children and their rights seriously reminds me of what a colleague once told me about family law: “the worst enemy of children’s rights is family law”,⁶ just as until some decades ago – and even today in many places – it could have perfectly been stated that the worst enemy of women’s rights was family law. Actually, as I later learned, it was precisely this insight that was already acknowledged by Michael Freeman, probably the most renowned children’s rights scholar to date, in 1985, in an article entitled “Towards a Critical Theory of Family Law”. In this article Freeman critiqued the role of family law *vis-à-vis* women but also children, and insightfully and presciently claimed that “children appear in the law as legal objects rather than as legal subjects. They are property, rather than persons, a problem population that needs to be controlled” (Freeman 1985, 159). So, it is no surprise that the first ground-breaking special issue on children’s rights was published in a journal called *International Journal of Law and the Family*, because back then (1992) there were no journals exclusively dedicated to children’s rights. Only in 1993, with precisely Michael Freeman as the editor, would *The International Journal of Children’s Rights* appear, being the expression of an academic, but also a normative decision that reflected the understanding that children’s rights had to be studied in their own right, and not because of children being subsumed under, let alone subjected by a wider group.

⁶ Isaac Ravetllat, personal communication.

Key developments in children's rights studies and childhood studies over the past thirty years

Children's Rights Studies and Childhood Studies are areas of research that are actually around 30 years old, so talking about their key developments during this period of time is really talking about *all* their key developments!

To begin with, maybe a further explanation should be made about the intermingling of the categories of Sociology of Childhood, Childhood Studies, and Children's Rights Studies. Michael Freeman, for example, was writing about children's rights in the early 1980s, but his writings then were not yet informed by the Sociology of Childhood, because the Sociology of Childhood as such was still not even a discipline (even less had Childhood Studies become the umbrella or supra-discipline that I talked about above).

My discipline, or field, in a narrower sense, is, as I said, Children's Rights Studies, which emerged around the same time, mainly prompted by the drafting of the CRC in 1989. Now, even as such a field, its meaning varies amongst scholars, which directly bears on its unsettled relationship with the field of Childhood Studies. Personally, I tend to think of Children's Rights Studies as a thread of the larger fabric of Childhood Studies, alongside the sociology of childhood, the history of childhood, childhood geographies, or the anthropology of childhood; a thread that studies children's rights guided by the principles and tools of legal scholarship, or more precisely, of *critical* legal scholarship (feminist jurisprudence could be a good model of what I mean by critical legal scholarship).⁷ Thus, and just as feminist jurisprudence, I see it as a normative, i.e., political endeavour. But other scholars include under the denomination of Children's Rights Studies basically whatever any researcher, from any field, says about children's rights. Worse still, this approach is itself limited by an overwhelming tendency to circumscribe children's rights to the CRC's framing. That is why I think a more disciplinary and disciplined approach to children's rights is needed (see Cordero Arce 2015b). I will return to this below.

Getting back to the beginnings of Children's Rights Studies, though it is inevitably reductionist I think it is helpful and fair to place them on the publication dates of two

⁷ For the metaphor of the fabric and thread, see James 2010, 492. Even if I tend to think of Children's Rights Studies as a discipline *within* Childhood Studies, there are also good reasons to conceive them both as sister disciplines, so this is not a settled understanding; see footnote 4, above, for an example of Children's Rights Studies research that is autonomous from Childhood Studies.

seminal collections. The first of these, already referred to above, was the “Special Issue on Children’s Rights” of the *International Journal of Law and the Family*, published in 1992, which somehow came to acknowledge that children’s rights could and, at least to some authors of the issue, *should* be studied on their own terms. The second collection, entitled *Constructing and Reconstructing Childhood*, was a volume edited by Allison James and Alan Prout in 1990. In it the editors and authors laid down the key features of a new paradigm of the social studies of children and childhood. Again, at the risk of being reductionist, it might be said that the hermeneutic dialogue between the logic, arguments and spirit of these two collections have laid the ground for the current field of Children’s Rights Studies. I’ll stop with a bit more detail on the James and Prout volume, because the content of their collection might still seem, to many, more counter-intuitive than the content of the special issue on children’s rights of the *International Journal of Law and the Family*.

In their edited volume, James and Prout (1990/1997, 8) formulated six key features of the new paradigm of the social studies of children and childhood, which I loosely cite as follows:

1. Childhood is understood as a social construction. As such, it provides an interpretive frame to contextualize the early years of human life. Childhood, as distinct from biological immaturity, is neither a natural nor universal feature of human groups but appears as a specific structural and cultural component of many societies.
2. Childhood is a variable of social analysis. It can never be entirely divorced from other variables, such as class, gender, or ethnicity. Comparative and cross-cultural analyses reveal a variety of childhoods rather than a single and universal phenomenon. This has huge implications, for example, regarding intersectional analyses, which with this in consideration have to necessarily include the variable of “childhood” in order to account for the whole of social reality.
3. Children’s social relationships and cultures are worthy of study in their own right, independent of the perspective and concerns of adults.
4. Children are and must be seen as active in the construction and determination of their own social lives, the lives of those around them and of the societies in which they live. Children are not just the passive subjects of social structures and processes. Thus, children’s *agency* becomes a key concept in the research project of the new paradigm.

5. Ethnography is a particularly useful methodology for the study of childhood. It allows children to have a more direct voice and participation in the production of sociological data than is usually possible through experimental or survey styles of research.

6. Childhood is a phenomenon in relation to which the double hermeneutic of the social sciences, theorized by Anthony Giddens, is acutely present. This refers to the sense in which social sciences *constitute* a phenomenon and do not simply *reflect* it (James and Prout 1990/1997: xiii), to the fact that the language and models of research adopted by the researcher *create* the “reality” of childhood that is discovered, which must necessarily lead to question whose interests this serves (James and Prout 1990/1997: 5). In other words, it acknowledges that to proclaim a new paradigm of childhood sociology is also to engage in and respond to the process of reconstructing childhood in society, all of which reveals the inevitable political nature of the new paradigm.

It’s been thirty years since this classical theorization by James and Prout, and, broadly speaking, it still serves as a research guide and program for researchers in both Childhood Studies and Children’s Rights Studies. However, during the last decade or so, many authors, including myself (see Cordero Arce 2018) have developed a sense of uneasiness with the paradigm, for example, regarding children’s agency and the autonomous individual presupposed as the bearer of such an agency. This has everything to do with the steady collapse of modernity’s polarities – which has certainly affected Childhood Studies – and the concurrent emergence of diverse continuums, of only incipient theorization. As put by Alan Prout already in 2005 (p. 59, my brackets):

the construction of a place for childhood within sociology was accomplished in terms that reproduce the oppositional dichotomies around which modernist sociology turns. These include the opposition of nature and culture but [also] (...) the issues of structure and agency, the individual and society, and being and becoming. The key point (...) is that childhood studies need to move beyond these dichotomies and deploy non-dualistic analytical resources.

So, we are now treading the path envisioned by Alan Prout, from the previous modernist paradigm that helped to lay the key features 30 years ago, towards a non-dualistic, “hybrid”, and unstable paradigm. As put by Prout when referring to the biology/culture polarity:

[T]he cultural/social and the biological are not ‘pure entities’ but are, rather, mutually implicated with each other at every level. The natural sciences through which biological

entities and processes are apprehended both shape and are shaped by culture. The human species evolved through a complex process that includes both genes and culture (...) resulting in a hybrid form that cannot be reduced to either biology or culture. (Prout 2005, 3)

Where to now, childhood studies and children's rights studies?

1. I think that the diverse calls to *take interdisciplinarity seriously* need to be heeded. For instance, in my view, Childhood Studies has not sufficiently engaged in the necessary dialogue with the wide array of pedagogical theories, a circumstance particularly disquieting since, especially concerning critical and anarchist pedagogies, so much could be learned and unlearned from it. Likewise, we – because I include myself in this – have been keeping mainstream developmental psychology at bay, conceiving it more as a foe to be confronted than as an inevitable partner in a much-delayed conversation. Certainly, at least in the latter case, as I'll mention in a moment, this has not been without reasons, but in both cases the risk is to turn Childhood Studies into a sort of endogamous interdisciplinary field, which is an untenable oxymoron.

Especially regarding research on children's rights, the discourse on the rights of children is present in many disciplines, but I think that it doesn't properly constitute a discrete discipline (yet...). On the contrary, as I suggested above, we have still a very messy and one-size-fits-all field of "Children's Rights Studies" which includes, basically, whatever any researcher, from any field, has to say about children's rights. So, as I said, a more disciplinary and disciplined approach to children's rights is needed in order to specifically address the jurisprudential, legal-theoretical, politico-philosophical and socio-legal dimensions of children's rights, that is, the core dimensions behind the concept of "rights". Beyond that, the position of Children's Rights Studies *vis-à-vis* the (wider?) interdisciplinary field of Childhood Studies also needs to be addressed.

2. We should expose and engage with the *political nature of our research*. I conceive my research as fundamentally political, and so did James and Prout 30 years ago, when saying, as I quoted above, that one of the key features of the new paradigm of the social studies of children and childhood meant that "to proclaim a new paradigm of childhood sociology is also to engage in and respond to the process of reconstructing childhood in



society”. It is important to emphasize that this does not imply “politicizing” research, since research, especially in fields like Childhood Studies and Children’s Rights Studies, has always been politicized (see, amongst many, Scott *et al.* 1990). It implies, rather, to understand and assume such politicization, and to act ethically in light of it (see Steinberg and Kincheloe 2004, 4).

3. So, *no academia without activism*, because research is never “neutral”. This means there is an empirical and a normative dimension to the academy. In 1845, Karl Marx said in his 11th Thesis on Feuerbach that “[p]hilosophers have hitherto only interpreted the world, in various ways; the point is to change it.”⁸ Noam Chomsky reminded us of the common-sensical caveat: if we want to change the world, we’d better try to understand it. But “that doesn’t mean listening to a talk or reading a book, though that’s helpful sometimes. You learn from participating. You learn from others. You learn from the people you’re trying to organize [with].”⁹

4. Work and research *with* children: adults have to let go of the microphone, and let children, especially of and from the margins, grab it. This, inversely, means offering self-aware collaboration – and being always wary of not falling into co-optation.

5. Legal scholars have not consistently engaged in a discussion of the child legal subject. They have said virtually nothing of relevance for an understanding of children’s legal subjecthood that takes children and their rights seriously, that is, for an understanding that should have drunk from the fountain of more than 30 years of Childhood Studies and of centuries of emancipatory legal scholarship. Contrariwise, they have insisted, time and again, on different versions of legal paternalism, that is, on “mini legal subjecthood”, based on the dogma of children’s incompetence. For an alternative to this dogma, which intends to overcome it without falling back into modernist binaries, I have advanced the concept of children’s and adults’ *autonomous interdependence*. This concept conceives agency as no longer a strict attribute of an independent individual, but as something that emerges collectively, *relationally*, in interdependence with others, for children and adults alike (see Cordero Arce 2015a, 2015b and 2018). I’ll return to this below.

6. There is a normative necessity to move from children’s participation (art. 12 CRC) to *children’s citizenship*. The protected “participation” granted to children by article 12 has no room to fit in the struggles, from and for citizenship, of majority world working

⁸ Retrieved on 6.6.2022 from <https://www.marxists.org/archive/marx/works/1845/theses/theses.htm>

⁹ Retrieved on 6.6.2022 from <https://inthesetimes.com/article/occupy-the-future>; my brackets.

children's associations (NATs), who demand the right *to* work and rights *at* work and who, organised at a local, national and global level, have conquered a wide array of social and legal changes in favour of them, their families and their communities. "Participation", as well, cannot express all the richness of the decades-long struggles of Chilean secondary students; to name just two examples that are very dear to me (see Cordero Arce 2015b and 2018).

7. The normative (il)legitimacy of the (international) system of children's rights needs to be addressed, starting by underscoring the lack of legitimacy of the CRC *vis-à-vis* children. Firstly, in its origin, because it was drafted for children, but without children: there was no self-legislation (Habermas 1996), nor inclusion (Young 2000), nor endorsement (Rawls 2001) of children in the coming to be of the CRC. As Cockburn (2013, 372) acknowledges – including, but speaking in wider terms than the CRC, "the current social contract has completely written out children from it", which puts a huge question mark over the CRC's normative legitimacy. Secondly, in its implementation, because it is implemented, at best, just "listening" to some children (see art. 12).

8. There is an uneasy and still not properly addressed relationship between children's rights and children's "sciences". We need to inquire as to what space, if any, should the diverse disciplines dedicated to the study of children and childhoods have in shaping children's laws and Law. Today, developmental psychology occupies a *de facto* monopoly of this space. Briefly speaking, developmental psychology studies/constructs a "child" whose telos is adulthood, who becomes an adult by walking through natural, universal, successive and pre-defined stages, from incompetence and dependence to competence and independence, and who is particularly sensitive to twists and deviations from this developmental path which, if to happen, will surely manifest themselves as adult pathologies. Surely, there are works within developmental psychology that are more nuanced and culturally-sensitive than this account,¹⁰ but the fact is that it is *this* understanding the one that, as stated by White (1998), guides the law and justice of child welfare in the minority world childhood¹¹ configuring what he terms an authentic *psycho-legalism*. So, Children's Rights Studies should put a huge question mark over the modern

¹⁰ See, for example, the works of Barbara Rogoff and Joan Miller.

¹¹ By "minority world childhood" I mean the hegemonic construction of childhood in the minority world -or Global North- which is a childhood of incompetent, irrational, innocent, developing, playing and non-working children, which conceives of children as *becomings*, and which has been exported to the majority world through globalization.

scientific framework that still entitles one social group (i.e., adults) to define and thus control another social group (i.e., children) (see Cordero Arce 2015b).

9. We must understand that *adulthood is an axis of oppression*, and that the resulting oppressed minority are children. For Iris Young (2000), a given social group is oppressed if it suffers any of the following “faces of oppression”: violence, exploitation, marginalization, powerlessness, and/or cultural imperialism. Any of these will suffice for there to be an oppressed group, and in the case of children, usually more than one of these faces of oppression shows up (of course, this is an empirical question, so it will vary across childhoods). Acknowledging this should inevitably lead to the consideration of Children’s Rights Studies as a branch of antidiscrimination law, which puts the CRC – the “golden standard” for most Children’s Rights Studies scholars – in an inevitably difficult position as a tool of children. This is because, as opposed to, say, the Convention on the Elimination of All Forms of Discrimination Against Women – CEDAW – or the Convention on the Elimination of All Forms of Racial Discrimination – CERD –, the rationale behind the CRC was not to protect children against all forms of discrimination, that is, to put them on an equal footing with adults, but simply *to protect children*. And who is supposed to protect children? Adults, of course... So, the challenge for Children’s Rights Studies is to fight back adulthood and overcome the conception of the *adult* as the yardstick of “the human being”, and more specifically, of the legal subject, just as feminists have been struggling for centuries to overcome *man* as that very yardstick.

10. The above means that Childhood Studies and Children’s Rights Studies research should dig into, embrace and promote research on experiences in which children are powerfully and meaningfully resisting adulthood. One such experience is that of the already mentioned NATs, that is, of the organized movements of working children and youth in the majority world, whose struggles *from* and *for* citizenship, as well as for a right *to* work and rights *at* work is not only defying adulthood – which would rather have children just playing and being schooled – but also capitalism, because working children are struggling for a dignified work which is constantly denigrated by it. This and the fact that the discourse about their struggles is radically dependent on the movements themselves leaves a very narrow space for the possibility of hijacking NATs’ claims for lowermost purposes, that is, for the (adult) co-optation that I warned against in number 4, above.

As I understand it (see Cordero Arce 2012, 2015a, 2015b and 2018), the NATs are not merely a great example of an “agentic childhood” on which researchers might focus but,

more importantly, they are: (i) a model of children as subjects of their own emancipation, (ii) a model of an emancipatory childhood, and (iii) a model for the building of full-fledged citizenship (i.e., legal subjecthood). Rights and citizenship only emerge through collective struggle; that is, they are always defined and conquered by the legal subjects themselves, and, to my knowledge, the experience in which children and youth are most conspicuously organized in a collective way to struggle for their rights and citizenship is the one of the NATs. Actually, the collective, interdependent and inter-generational struggles of the NATs help us rethink and reframe the idea of “agency” itself, in line with the already mentioned ongoing debate within Childhood Studies about the overcoming of modernist binary concepts for understanding reality. “Agency” and the “agent”, the debate goes, and the experience of the NATs confirms, are growing increasingly distant from the modern idea of the independent autonomous individual – Marx’s “isolated monad” –, and this is true for children and adults alike. This is the reality that the concept of *autonomous interdependence*, mentioned above, intends to grasp:

[T]he NATs are charting the course for a new legal subjecthood, which represents neither independence nor dependence, but autonomous interdependence. Interdependence does not annul the legal subject, quite to the contrary, it boosts her possibilities of furthering her rights, only possible through collective intergenerational struggle. That is why it is an autonomous interdependence, because the individual (child) subject is not pushed down by belonging to a community, but lifted up. Borrowing Bhaskar’s concepts, family, community, and society are ‘a necessary condition for, and medium of, intentional agency’ but intentional agency, children’s will of their own, is also ‘in turn a necessary condition for the reproduction or transformation’ of family, community, and society (see Bhaskar 1993, 154). Autonomous interdependence represents the meeting of ‘care’—dependence, relationships, duties—and ‘justice’—independence, autonomy, rights. (Cordero Arce 2018, 179; and see Cordero Arce 2015a and 2015b)

As a model, then, the reality of the NATs is one from which to learn and, politically speaking, a childhood that might fertilize other childhoods. This implies that all researchers in the field of Childhood Studies and Children’s Rights Studies should pay more attention to working children, especially NATs and research with NATs.¹² It also implies that much more research should be done with NATs movements. More generally,

¹² In this regard, it is sad to see that the Peruvian-based journal *Revista Internacional NATs* is seldom cited in the Childhood Studies’ or Children’s Rights Studies’ literature, which attests to the validity of an ever-increasing criticism of the marginalization of research produced outside the minority world’s borders and/or in a language other than the hegemonic one in academia.

it means that children's participation in social reproduction – under which I subsume “production” – is of paramount importance for the study of children and childhoods, that children's play cannot be studied independently from children's work (or lack of it), that learning-as-schooling is an insufficiently problematized concept, that intra-generational rearing is as important as inter-generational rearing and, certainly, that childhoods cannot be studied independently of adulthood. In sum, I think we must engage with NATs because their struggles speak to every child and every childhood.

What role can the IISL play with regard to all of these concerns?

Michael Freeman was not only a brilliant scholar, but also a very stubborn one. Having written “Taking children's rights seriously” in 1987, he wrote: “Taking children's rights more seriously” in 1992, and “Why it remains important to take children's rights seriously” in 2007. Of course, he persisted in publishing on the topic because he knew that regardless of the progresses made in the theory and practice of Children's Rights Studies, children's rights were still not being taken seriously. This leads me to the question of what the IISL can actually do about this lack of concern for children and their rights; how could it heed Freeman's call to *take children and their rights seriously*? First of all, the IISL could open its doors to more scholars of Childhood Studies and Children's Rights Studies, and have more courses on children's rights studies in the IISL International Master's. In the Master's syllabus there are many courses on feminist jurisprudence, class-oriented legal perspectives, racial justice, LGBTI[Q] legal studies, etc., but there are rarely courses on Children's Rights Studies (or Childhood Studies, for that matter). The IISL could also reach out to the only Research Committee of the ISA that does focus on children's rights (RC 53, on Sociology of Childhood), in order to begin a much-delayed conversation and collaboration. And last but definitely not least, the IISL could reach out to children themselves, in order to try and visibilize that part of society which is most invisibilized and muted. Politically speaking, all this implies promoting teaching and research that engages with intergenerational justice, and that assumes that children are an oppressed minority and that adultism is a category of oppression that should be included in any and every intersectional analysis.

Post scriptum

I have spoken of disciplinary margins, so maybe it is helpful to make explicit that I write this also from the margins; from the margins of academia, because I have no permanent affiliation to any university, and from the margins of society, because my full-time work is as an educator in a Young Offenders' Institution, where I attend to youth (under-18s) who have committed offences and who in an overwhelming majority come from criminalized collectivities such as Roma, immigrant, and/or poor children. I write with one foot in the "mud", which, I think, continually puts to test the other, "scholarly foot", and vice versa.

Regarding *agency*, for example, the already mentioned critique about the need to overcome the modernist binaries shows up clearly when I have to face the educational challenge of the mixed identities of young offenders, who have been – in most cases – victims as younger kids, and who become perpetrators when youth. So, how much "agency", i.e., responsible perpetrators, and how much "structure", i.e., irresponsible victims, for these youth? How to articulate this hybridity in the here and now of my everyday work? Something analogue happens when focusing on children who have been raised by their parents, obviously not on purpose, to "do what I want" and who later become perpetrators of parental abuse because they have acquired something like a *limitless* agency. This evidences not only the structural and collective character of agency and its constructions, but also its very important historic, *diachronic* character, that shows up very clearly in my work as educator. Furthermore, and probably going beyond the critique of the modernist binaries, there are youth who have been so deprived, so victimized, so pathologized, that it's hard to discern any "proper" agency in them; that is, in whom the ability to consciously act in an intentional way, to have and effect a *will of their own*, seems radically impaired. So, with regard to them, it appears that you can only do something akin to *presuming* agency in order for them to be later able to actually develop proper agency: you *label* them agentic in order for them to actually become agentic.

And with regard to adultism, for another example, there is also a whole lot to unpack from the dominant understanding of (adult) "educational" authority inside Young



Offenders' Institutions, regarding issues such as (the lack of) youth's participation, or the adult imposition and policing of rules.¹³

I have not yet delved academically into these issues. Like many issues in my everyday work that would be extremely interesting to approach academically, they are still just academic babble, mainly, but not exclusively, because I'm still in the "mud" and thus find it difficult to look at the relevant issues with the necessary perspective. For now, I have a notebook in which, every now and then, I take field notes in the hope that, some day, I will be able to start digging academically into the issues that arise from my work with the same passion with which I engage in the work itself.

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¹³A similar critique could be raised, of course, of most schools, and I have raised that critique already (see Cordero Arce 2015a, 112–123). But I don't work in a school, but in a Young Offenders' Institution, and I am talking here of the contradictions I face in my everyday work.

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