

# (Re)Imagining children's participatory rights with decolonial learning

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## Summary

This article considers how decolonial learnings can contribute to (re)imagining children's participatory rights. We first situate decolonial learning and its relation to children's participation. We then explore some implications as it relates to the connection between children's participation rights and other key articles in the UNCRC, namely three guiding principles of the convention: non-discrimination (article 2); best interests (article 3); and right to life, survival, and development (article 6). As part of deconstructing the ways participatory rights have been shaped by colonizing projects and to explore alternative ways of thinking and doing, we offer some probing questions designed to redirect and shape a (re)imagining of children's participation.

## Keywords

Decolonizing; Learning; Children's participation; Children's rights.

## (Re)Imaginando o direito à participação a partir de abordagens decoloniais

### Resumo

O artigo analisa como as perspectivas decoloniais podem contribuir para (re)imaginar os direitos à participação das crianças. Em primeiro lugar, situamos a aprendizagem decolonial e a sua relação com a participação infantil. Em seguida, exploramos as implicações entre os direitos à participação a três princípios orientadores da Convenção Internacional sobre os Direitos da Criança: não discriminação (artigo 2); melhores interesses (artigo 3.º); e direito à vida, sobrevivência e desenvolvimento (artigo 6). Por fim, delineamos questões para pensarmos modelos alternativos aos princípios universalizantes que serviram de base para a formulação dos direitos à participação, e que estão atrelados à projetos coloniais. A intenção é explorarmos formas alternativas de pensar e executar essas propostas, de maneira que possamos redirecionar e (re)imaginar a participação infantil.

### Palavras-chave

Decolonialidade; Aprendizagem; Participação infantil; Direitos das crianças.

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## Introduction<sup>5</sup>

The significance of embedding children's participatory rights into the *United Nations Convention on the Rights of the Child* (UNCRC) cannot be overstated. Prior to the UNCRC, these rights were not embedded into, nor protected, by the human rights framework. Yet, the history of children's participation did not begin when the UNCRC came into force. Children and young people globally have been operating as vital agents for social and political change (VOLTARELLI, 2018) participating in public decision-making processes well in advance of the UNCRC formally deeming this a right.

Children's rights scholars and practitioners from the global North have, however, largely informed participation discourses (COLLINS et al., 2020; JAMIESON et al., 2022) with an analysis of children's participation and rights that often centres on the UNCRC and "a legalist construction fixed to the state" (FREEMAN, 2020, p. 534). This has contributed to the contraction of children's participation discourse, the centralisation of knowledge production in the global North, and the non-inclusion of the myriad of ways, including non-formal, children have been and continue to be involved in decision-making at all levels of society across cultures. Increasingly, there is a call to revisit some of the presumptions on which human rights in general, including children's rights, have been based. Applying learning emerging from decolonizing discourses is central to these interrogations.

This paper considers how these learnings can contribute to (re)imagining children's rights to participate. We begin by situating decolonial learning and its relation to children's participation. We then explore some implications as it relates to the connection between children's participation and other key articles in the UNCRC, namely the guiding principles.

We contend that engaging in this process of (re)imagining can encourage practitioners and scholars to embrace a more pluralistic perspective on children's and young people's right to participate that recognizes and builds upon the varied forms of children's participation

that have existed both before and since the UNCRC and that are alive in many societies today. Placing the prefix “re” in parenthesis indicates that imagining participation involves a novel combination that draws from the original vision and principles of the UNCRC and supports varied forms of children’s participation that are responsive to children’s voices and a changing society. We hope this more inclusive conceptualisation of children’s participation rights will assist in moving forward the children’s rights agenda in a way that de-centres Eurocentric understandings of children’s participation and children’s rights.

Our paper is a collaboration between three authors who have each worked in the area of children’s rights for over two decades from different angles: legal, action research, and human rights education. Recent social movements in Canada and Australia, including the #BlackLivesMatter and #EveryChildMatters movements and experiences in decolonizing research and organizations with young people (BLANCHET-COHEN, GRÉGOIRE-LABRECQUE, COOPER, 2021; BLANCHET-COHEN et al., 2022), compel us to pause and critically revisit our framing of a child’s rights-based approach to practice and research. We acknowledge our privileged positionality and living and working on the unceded territories of Indigenous peoples in Canada and Australia. This paper is thus exploratory and intentionally indecisive, considering that the responsibility for decolonizing belongs to everyone and that the learning journey of interrogation and disruption demands coming from a place of humility and ongoing dialogue. Therefore, in the last section, we offer some probing questions designed to continue the journey.

### Situating decolonial learning

Increasingly, the international human rights system’s claim to be ahistorical, apolitical, and decontextualized is being critiqued (BARRETO, 2018; GOODALE, 2022; MUTUA, 2001). Human rights education (HRE), a primary tool for promoting human rights, has been embedded with colonialism with a Eurocentric approach to liberatory

engagement (COYSH, 2014; ZEMBYLAS, KEET, 2019). Many denounce the portrayal of universality, equality, and non-discrimination in a world that has been “structured by racist, sexist, patriarchal and capitalist hierarchies” (WOLDEYES; OFFORD, 2018, p. 27). The principles, norms, and standards promoted have been imposed by dominant discourses, disregarding local knowledges and systems (MCLAREN; TADEU DA SILVA, 1992). Human rights education has involved masking the relevance and resonance of local cultures and communities, a subjugation that has impeded the progressive potential of human rights for all (COYSH, 2014; DOYLE-WOOD, 2018; IFE, 2009).

Unlike HRE, the children’s rights framework has not been subjected to the same “fierce academic debates” (FAULKNER; NYAMUTATA, 2020, p. 68) about its perpetuation of Western-centered ideals and norms. The near-universal ratification of the UNCRC has masked opportunities for critique. The discourse and practice of child participation is primarily based on the same underlying presumptions emanating from Western paradigms and worldviews as other international human rights norms and standards (FAULKNER; NYAMUTATA, 2020). Notably, the children’s rights discourse has preserved Eurocentric attitudes towards children’s rights issues (LIEBEL, 2020), re-affirmed through the practices of international NGOs that promote a form of children’s participation which perpetuates Eurocentric norms (RAJANI, 2001). Over thirty years after the ratification of the UNCRC, implementation of children’s right to participate remains problematic and limited in scope and influence (TISDALL; CUEVAS-PARRA, 2022).

As part of renewing and revisiting children’s rights, there is a call for decolonizing children’s rights discourse to make the human rights project more relevant as a framework for promoting social justice and to be responsive to the actual experiences and realities of diverse community members (IFE, 2009; JIMÉNEZ, 2021; SAVYASAACHI, BUTLER, 2014). Accordingly, as Faulkner and Nyamutata did, we draw on the two elements of decolonization identified by Bhambra et al. to frame our analysis:

First, it is a way of thinking about the world which takes colonialism, empire and racism as its empirical and discursive objects of study; it re-situates these phenomena as key shaping forces of the contemporary world, in a context where their role has been systematically effaced from view. Second, it purports to offer alternative ways of thinking about the world and alternative forms of political praxis. (BHAMBRA et al., 2018, p. 2).

Decolonization research thus involves uncovering the ways knowledge production has been perpetuated, to then explore alternative possibilities. This means, for instance, moving away from a system and language that reflect othering as demonstrated by dichotomies, such as between colonizer and colonized, and that positions the North as superior and universal, while racialized and Indigenous peoples are marked as underdeveloped and inferior (AFOLABI, 2020; DOYLE-WOOD, 2018). The divisions are exemplified through either/or thinking and the oppositional binaries, prevalent within Eurocentric norms, that are demonizing and othering (MIGNOLO, 2017).

This Eurocentric, binary thinking has permeated the interpretation of the UNCRC as it relates to age and to protection versus participation. Indeed, the UNCRC defines the boundary between childhood and adulthood as the universal age of 18 years, yet most societies mark the boundaries between childhood and adulthood more fluidly (AFROZE, 2022; DE CASTRO, 2022). De Castro (2022) contended, for example, that due to colonial Eurocentric concepts of childhood, the divide between adulthood and childhood has become a “battlefield” (p. 360), as adults exercise power to maintain an oppressive system over young people.

What is obscured by colonial children's rights constructs is the shared struggle across generations and the importance of situating people of all ages as partners in the realisation of children's rights (DE CASTRO, 2022). The interdependency between young people and adults in various cultures of the global South calls for increased focus on intergenerational dialogue in children's participation discourse (MCMELLON, TISDALL,



2020; WYNESS, 2012). Importantly, scholars in Latin America have been found to frame children's participation as a relational and intergenerational exchange (COLLINS; RIZZINI; MAYHEW, 2021) that identifies the potential of critical allyship (YOMANTAS, 2020).

Likewise, overemphasis has been placed on the protection aspect of children's rights with portrayal of children as victims, with little importance given to the interconnections between children's participation and children's protection (COLLINS; RIZZINI; MAYHEW, 2021). Cheney (2018) contended that a decolonizing lens "may help to reduce the childism that pervades scholarship as well as policy and practice, hopefully liberating those spaces for an acknowledgment of epistemic diversity" (p. 103). Doing so would enable "other forms of life, relationalities and subjectivities" (DE CASTRO, 2022, p. 366) and "can serve as a linchpin for epistemic plurality" (ABEBE; DAR; LYSÅ, 2022, p. 258) within the fields related to childhood, including children's rights.

A central component of decolonizing entails recognizing the role of power in knowledge production (AFOLABI, 2020). It means reengaging with "pre-existing knowledges which have been buried and discounted by the global power structures," a process that Foucault named "counter-memory" (COYSH, 2014, p. 110). Barreto (2018) proposed a three-pronged process that includes "criticizing Eurocentric and Western thinking; retrieving concepts elaborated from the perspective of the colonised world and elaborating new ones; and, third, establishing a dialogue between these two approaches" (p. 487). This dialogue provides for "human rights from below" (IFE, 2009, p. 48) and calls for interacting with community and others to enable renewal and transformation.

While considering that acceptance of children as knowers is a central component of a decolonial act, we are informed by Nakata's (2007) Indigenous standpoint theory to understand how elevating children's participation involves going beyond expressions of their perspective or viewpoint. Nakata considered standpoint theory as something that

“has to be produced,” that cannot be predetermined based on experience alone but rather is “a discursive construction” (p. 214) with people’s lived experience as “the point of entry for investigation” (p. 215) in relation to “other communities of ‘knowers’” (p. 216). This is a helpful lens as part of decolonial learning as it encompasses children as knowledge holders, but in ways that highlight the possibilities that emerge from the encounters. Thus, our application of standpoint theory accepts children as knowers and emphasizes “investigating the social relations within which [they] as ‘knowers’ know” (p. 213).

Consistent with this lens is the importance of dialogue in supporting diverse epistemological traditions and narratives, making it central to any decolonial undertaking (IFE, 2009; WOLDEYES, OFFORD, 2018). This provides for “pedagogical moments” to consider multiple experiences and alternative viewpoints that would enhance and broaden human rights, and to what Mignolo (2017) referred to as “pluri-versality” (p. 41) as opening dialogue amongst various epistemic traditions. Critical pedagogies invite reflections on the “relationships among knowledge, authority, and power” (GIROUX, 2013, p. 28) through exposure to plural perspectives and fostering the skills necessary to act for a more equitable and just future. Building from Giroux’s work, Zemblyas and Keet (2019) called for a critical HRE that questions human rights discourses in a way that “offers pedagogical and curricular possibilities that go beyond conventional forms and HRE and create opening for pedagogical praxis along social justice lens” (p. 144).

Cree scholar Ermine (2007) referred to an ethical space of engagement as triggering “a dialogue that begins to set the parameters for an agreement to interact modeled on appropriate, ethical and human principles” (p. 202). He considered this space as offering possibilities for a partnership model in “a spirit of cooperation between Indigenous peoples and Western institutions” (p. 203). In this ethical space for critical and intergenerational dialogue, principles of cultural safety can serve as guideposts to ensure recognition, respect, and rights and

move away from deficit-based, disempowering models of practice (FIRST NATIONS HEALTH AUTHORITY, 2021).

In this paper, we refer to (re)imagining children's participation through decolonial learning that involves recognizing children as knowers as well as opening up spaces for alternative ways of thinking and doing. This process involves interrogating colonial constructs of participation. The undertaking will be messy and tentative but necessary to begin reengaging with children's rights in ways that are meaningfully transformative for all. Next, we explore what this entails more specifically.

### **Implications for (re)imagining children's participatory rights**

Children's right to participate is one of four guiding principles of the UNCRC, which means that it is a transversal right that should be "considered in the interpretation and implementation of all other rights" contained in the convention (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2009, para. 2). Article 12, commonly referred to as the right to participation, provides children with the right to express their views about all matters affecting them and to have these views given due weight, in accordance with their age and maturity, in decision-making processes (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2009). The UN Committee on the Rights of the Child (2009) fleshed out the right to participate and highlighted its interdependency and indivisibility with other provisions within the UNCRC, specifically article 2 (right to non-discrimination), article 3 (best interests principle), article 5 (right to family guidance and evolving capacities), article 6 (the rights to life, survival, and development), article 13 (right to freedom of expression), and article 17 (right to information).

All these articles are not simply universal legal provisions but are experienced by diverse children, across time, space, and cultures, and thus require an opening that recognizes this complexity (CUEVAS-PARRA, 2022). As Goodale (2022) stated, decolonizing human

rights “demands the critical interrogation of even the most apparently progressive doctrines and ideologies, in order to identify—and, ideally, strip away—hidden or unacknowledged assumptions that work to undermine radical potential” (p. 85).

In the sections that follow, we apply decolonial learnings to surface opportunities for (re)imagining children's right to participate through an examination of the three other guiding principles of the UNCRC (articles 2, 3, and 6). We explore considerations based on our review of the literature as practitioners and scholars who are reengaging with the provisions of the UNCRC and examining their interconnections. At the outset, we recognize that the scope of each of these articles is extensive and that applying decolonial learning will require much deeper and more elaborate focus.

### **Article 2: toward an intersectional approach to non-discrimination**

The right to non-discrimination is, alongside participation, a guiding principle of the convention. While article 2 has been a critical tool for globally leveraging the promotion of equality, it is subject to critique given a simplistic definition of discrimination and inadequacies in implementation among different marginalized young peoples, such as the girl-child (TAEFI, 2009), children living with disabilities (NGUYEN; MITCHELL, 2019), and Indigenous children (BLACKSTOCK; BAMBLETT; BLACK, 2020).

A dominant focus in children's rights research and practice has been on age, although article 2 cites also “race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status” as sources of discrimination. Current intersectional discourse calls however for recognition that one's multiple social identities compound experiences of discrimination and privilege (CRENSHAW, 1991). Indeed, research indicates that most spaces designed for young people's participation do not consider how their identities (i.e., race, gender, disability, age) intersect with local norms

and contexts (BLANCHET-COHEN; GRÉGOIRE-LABRECQUE; COOPER, 2021). Human rights educators have inadvertently embodied practices that reinforce discrimination by not engaging in their own blind spots, avoiding difficult conversations, and limiting practices that address issues of diversity to celebration of diversity. In neglecting or disregarding certain perspectives, including Indigenous, Black, and queer young people's voices, we fail to expose how rights are experienced differently given varied identities and realities (CUEVAS-PARRA, 2022; KONSTANTONI, EMEJULU, 2017).

In the absence of critical engagement of historically silenced voices, we risk being unable to move away from tokenistic forms of participation (MCMELLON; TISDALL, 2020) and surface the "pluralistic possibilities of participation" (SAVYASAACHI; BUTLER, 2014, p. 49). An intersectional approach to children's identity is necessary so as "to challenge multiple discriminations and promote complex social justice claims" (KONSTANTONI; EMEJULU, 2017, p. 16).

(Re)imagining children's right to non-discrimination with decolonial learning involves, for instance, reconsidering Lundy's (2007) framework of participation that identified space (opportunity), voice (build capacity to express), audience (obligation and accountability to listen), and influence (lead towards action). Cuevas-Parra (2022) has contended that embracing a notion of plurality of childhood requires adding three other dimensions: intersecting identities, enabling environment, and dimensions factors. This enables the surfacing of how complex and intersecting identities interact within decision-making processes to further exclude already marginalized young people, and opens the door to possibilities for moving forward in alternative ways (DOEL-MACKAWAY, 2022).

It is through such an intersectional (re)imagining of the non-discrimination principle that histories are unpacked and hidden voices emerge. A critical reflection of how power operates for and upon diverse young people can unlock the potential of children's right to participate in ways that are more inclusive and reflective of children's complex identities.

### Article 3: towards a collective understanding of children's best interests

The best interests principle is one of four guiding principles of the UNCRC. The Committee on the Rights of the Child (CRC) has described the best interests principle as dynamic, because it is aimed at ensuring children's full enjoyment of all rights, and has contended that states should apply the principle in varied ways according to specific contexts (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2009). While widely cited, it is a "contested and elusive concept in children's rights law" (VANDENHOLE; TURKELLI; LEMBRECHTS, 2019, p. 72). Article 3(1) of the UNCRC provides that the best interests of the child shall be "a primary consideration" (not the primary consideration) in relation to all actions and decisions undertaken by public and private bodies. Article 3(2) requires states to provide care and protection to children, and article 3(3) stipulates that the provision of such care and protection must meet appropriate standards. The latter two provisions are little known and underutilised (VANDENHOLE; TURKELLI; LEMBRECHTS, 2019) but should be considered when (re)imagining article 3, especially when assessing the best interests of groups of children, such as Indigenous children, children living in out-of-home care, children in juvenile justice contexts, children seeking asylum, and in childcare contexts.

An enduring problem with the drafting of the UNCRC and the consequential interpretation and implementation (or non-implementation) of its provisions, including the best interests principle, is that other than a few exceptions (articles 5 and 30), the UNCRC focuses on individual children divorced from their social grouping (FAULKNER, NYAMUTATA, 2020). This has led to narrow, Western, adultist, and paternalistic definitions of children's best interests that emphasise "protectionism rather than empowerment" (CHENEY, 2018, p. 91). The "lack of appreciation of the interconnections between conceptualisations of children's rights to protection and participation" and the "prioritisation of protection over participation" (COLLINS; RIZZINI; MAYHEW, 2021,

p. 303) has led to the siloing of children's protection and participation rights. This has facilitated the prioritisation of adults' assessments of what constitutes children's best interests divorced from children's own views about their best interests (COLLINS; RIZZINI; MAYHEW, 2021). This is reflective of Dejong and Love's (2015) analysis of the subordination of children's social status in comparison to adults as being intrinsically linked to colonialism, a context where adultism enforces youth oppression by ascribing adult supremacy. Furthermore, they contended that "denying young people access to power, privilege, and opportunities for participation in society maintains a lesser status for young people in relation to adults" (p. 490).

(Re)imagining the best interests principle is necessary to counter dominant protectionist interpretations and applications of article 3(1) and to facilitate empowerment, especially of marginalised children. Doing this requires adopting the definition of the right provided by the CRC which stresses it is both "a collective and individual right" (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2009) and heeding their direction about engaging communities and groups of children in the process of assessing what constitutes children's best interests. When assessing the best interests of Indigenous children, states must "consider the cultural rights of the indigenous [sic] child and his or her need to exercise such rights collectively with members of their group" and ensure such decisions are made with Indigenous children in a "culturally sensitive way" (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2009).

(Re)imagining article 3 and moving toward a collective understanding of children's best interests requires building relationships with communities to understand the relational standpoint from which children's views and perspectives emerge. Doel-Mackaway (2022) proposed an ethical and culturally appropriate model for participation that recognizes the significance of relationship-building with the community. The model, drawing on Lundy's (2007) conceptualisation of participation and Nakata's Indigenous standpoint theory (2007), emphasises the

importance of addressing ethical considerations, respecting cultural protocols, consulting with communities, and “getting to know” children before formal engagements are undertaken (DOEL-MACKAWAY, 2022, p. 221). Methods to engage children, particularly Indigenous children, in cross-cultural, child friendly participatory activities through yarning, play, and the use of technology are detailed, and emphasise how children’s best interests from a collective perspective can be facilitated through ethically and culturally robust participatory processes (DOEL-MACKAWAY, 2022, ch. 6).

### **Article 6: considering the environment as fundamental for life, survival, development**

The right to life, survival, and development is another of the four guiding principles of the UNCRC and is identified as the “supreme right” by the United Nations Human Rights Committee (SUTHERLAND, 2015, p. 272). It has been interpreted by the CRC as needing to be understood “in its broadest sense as a holistic concept embracing the child’s physical, mental, spiritual, moral and psychological development” (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2003, para. 12). It claims the right for children to realize their fullest potential through a range of strategies from meeting their health, nutrition, and education needs to supporting their personal and social development. The broad scope of the article raises questions however on the exact method of implementation (DOEK, 2015) and the underpinning values and norms being promoted.

Amongst an array of issues raised by this article, (re)imagining the implementation of article 6 involves prioritizing protection of the environment. Commodification and extraction of land resources and waters have been a focal point of colonial and capitalist forces and largely relentless despite mounting evidence of irreversible environmental degradation, the effects of which will be experienced to an even greater degree by the world’s children and subsequent gen-

erations (OTANI, 2021). Today, climate change represents the most urgent issue confronting our world (HAYWARD, 2021). Care of the environment is fundamental to providing for children's survival and development for current and future generations.

In 2019, the UN Human Rights Committee articulated that the current state of environment was "the most pressing and serious threats to the ability of present and future generations to enjoy the right to life" (UN HUMAN RIGHTS COMMITTEE, 2019, para. 62). The draft of the forthcoming General Comment No. 26 for the UN Committee on the Rights of the Child also recognizes that human caused environmental harm is more intimately tied to the life of children than of adults and disproportionately impacts children living in poverty, minorities, Indigenous children, and those living in rural communities, thus intensifying global inequities (UN COMMITTEE ON THE RIGHTS OF THE CHILD, 2021). The General Comment calls on states to integrate a child rights-based approach to mitigate the negative impact of environmental issues. This includes increasing children's participatory rights in connection to questions of environmental justice and addressing inequality which remains the most central issue for children's rights.

Decolonial learning involves providing young people with opportunities to care for the environment and seriously supporting young people's call to alter the system that underlies the current climate crisis. Indeed, children who have a unique relationship to the environment seek direct experience in nature and collective engagement (CHAWLA; CUSHING, 2007). They have been at the forefront of environmental activism, most notably with the climate strikes in recent years (HAN; AHN, 2020). But formal environmental education has emphasized awareness and dire statistics in ways that disempower children.

Instead, emphasis has been placed on making the individual responsible for the environmental crisis, a form of "non-citizenship"

embedded in neoliberalism that fosters fear and silences imagination (HAYWARD, 2021). Decoloniality involves supporting a form of strong ecological citizenship that centers children's social agency and provides for decentered deliberation and self-transcendence. This is necessary because "nurturing a democratic imagination can be a powerful and disruptive way to sow seeds for [a] more just, sustainable and inclusive future" (HAYWARD, 2021, p. 212).

Connection to the land is particularly significant for Indigenous children and communities whose traditional ontologies, epistemologies, and cosmologies are deeply connected to place and land (BLACKSTOCK; BAMBLETT; BLACK, 2020). Their identities and languages are deeply embedded in relationships with the land, carrying oral histories through words and concepts that reflect the natural world (GREENWOOD, 2016). Protecting the environment thus goes beyond meeting young people's basic needs to clean water, air, and a healthy environment (as per article 24 of the UNCRC) – it supports education, play, and well-being in holistic ways (MAKUCH; ZAMAN; ACZEL, 2019). Styres (2019), for instance, highlighted the imperative of Land literacy in decolonial praxis. As she noted, for Indigenous peoples, "Land is consciousness – Land is sentient" (STYRES, 2019, p. 27), and it is through storied relationships with Land as "etched into the essence of every rock, tree, animal, pathway, and waterway" (STYRES, 2019, p. 29) that colonial myths and dominant discourses can be disrupted.

Alongside the guiding principles, freedom of expression (article 13) and access to information (article 17) are linked to children's participation. Amongst the many points to interrogate is the role of mass media which has been used as a tool for promoting and sustaining colonial rhetoric and perpetuating a certain image of the child as a victim who needs to be saved (DEJONG; LOVE, 2015). There is also an issue with knowledge being produced by the minority in the North but consumed by the majority in the South, which is a dynamic that represents and reinforces inequalities (ACEY et al., 2021).

Children are important consumers of digital content on the Internet, and this reality is disconcerting.

Applying decolonial learning to these articles of the convention calls for more research, but clearly includes paying attention to who produces information, who provides information, and who has access to the information as well as how and why it is produced and disseminated. This is part of surfacing truthful histories and surfacing hidden voices that have been intentionally obfuscated to promote colonial rhetoric. (Re)imagining involves including children (especially marginalized children) as legitimate sources of information in knowledge creation (MURRIS, 2013).

### Continuing on the journey of (re)imagining

This paper seeks to critique and spark dialogue about children's participation rights by applying decolonial learning to an examination of the interdependence of article 12 of the UNCRC with articles 2 (right to non-discrimination), 3 (best interests), and 6 (right to life, survival, and development). Analysis of the implications of decolonial learning on article 12 should be deepened and undertaken with other articles, including article 13 (right to freedom of expression) and article 17 (right to information).

In this journey of (re)imagining using decolonial learning to further participatory rights, we deconstruct the ways participatory rights have been shaped by colonization and explore alternative ways of thinking and doing—reflecting the two aspects of decolonization defined by Bhabra et al. (2018). Emerging from this endeavour is a broadening of children's participation, considering pluri-versality and young people's multiple and dynamic roles in the context of their communities and society at large. As framed in the standpoint theory, children as knowers also produce knowledge based on their unique interactions with the world that surrounds them. Konstantoni (2022), for instance, explored such "radical democratic conceptualizations of citizenship" (p. 81) for children and with children in partnership with adults, identifying op-

portunities for intergenerational and intersectional activism. This is in line with the need to recognize shared experiences of oppression and liberation among children and adults (DE CASTRO, 2022). Focusing on such spaces makes visible the invisible (NEVEU, 2015) and opens plural possibilities for children's participation.

Our reflection invites consideration of an intergenerational, intersectional, and interdisciplinary perspective and, more generally, allyship across identities and disciplines. Like participation, allyship is not simply an outcome, but is a relational process of collective work towards justice. This requires allies leveraging their own power and resources to reimagine new futures together (YOMANTAS, 2020).

An important aspect of decolonizing begins with ourselves, in our positions as duty-bearers and allies, needing to be accountable for our privileges and go "beyond who we imagine ourselves to be" (SKOTT-MYHRE et al., 2020, p. 98), including being open to critique. In our process of working on this article, some questions emerged, and we offer these as an opening for dialogue for us all as we engage in decolonial learning.

- What are our own childhood experiences of participation? How have they contributed to our own biases around what constitutes participation?
- What are our own presumptions about the child-adult relationship? Is what we write reflected in our everyday practices as educators, parents/guardians, and community members?
- What do we know about our own selves and how this frames the way we are in the world?
- Are we committed to being challenged?
- Are we willing to cede our own power and privileges as scholars?
- When faced with opposition to stand up against social injustices, are we committed/well equipped to challenge systems that control us?



Counter-memories serve as acts of resistance against hegemonic discourses. They are formed because there is some dominant form of history/memory that exists within society which doesn't allow space for diverse memories to exist (FOUCAULT, 1980). Making space for counter-memories is also vital to decolonial praxis.

- How can children's rights research contribute to surface buried voices and histories?
- How can we employ due diligence in our research to draw upon scholarship from the global South?
- How can we highlight radical alternative knowledge contributions?

When we step back and critically reflect on the colonial ontologies and epistemologies that are driving us as children's rights scholars, researchers, and practitioners, we open up the possibility to actually listen, see, and be present in this world with others (SAVYASAACHI; BUTLER, 2014).

- Are we willing to take the time to listen and be present?
- Are we willing to sit in discomfort?
- How can we ensure cultural safety in our relationships with children from a position of humility?
- How can we encourage more interdisciplinary and intergenerational opportunities for knowledge sharing and knowledge production? What skills/practices do we need for this to happen?

Decolonial learning demands shifting attention to the informal, contextual, and local approaches to human rights efforts (IFE, 2009; LIEBEL, 2020). It necessitates recognizing children's participation in their everyday life (PERCY-SMITH, 2016).

- What don't we know about the ways different children participate? What constrains them? What supports them?
- Are we well equipped to appreciate various ways that diverse children are participating in communities?

Importantly, how do we ensure that children's voices remain at the centre given that we will always be limited by our age and position?

In our own journey as we move forward, we feel compelled to seek coherence and consider how all learning spaces can embody rights-based approaches to learning in ways that position everyone within classrooms as experts of their own lives. As university members, we are already on a journey to embed decolonial learning into our teaching practice by ensuring our classrooms are youth friendly and culturally safe spaces where students are encouraged to actively participate in co-creating their educational experience (CHARLES, 2019; MORLEY, 2003). Thus, we hope the application of decolonial learning to children's participation is not only useful to advancing the children's rights agenda, but is also applicable and relevant to decolonizing the way education is delivered and experienced throughout the education system. We all have a responsibility in this process. Writing this paper has been a small contribution to breaking down barriers that continue to silence what the academy and, hence, practitioners who are trained/informed by academia do (or do not) legitimize as knowing or knowers. Colonialism persists through policies and practices within our institutions that value certain types of research (quantitative over qualitative), certain types of partnerships (for example, for-profit ventures between universities and the private sector), and certain types of knowledge sharing/production (such as articles published in high impact journals that are rarely open access). We must dare to contest these practices and share spaces safely and bravely with voices that might challenge us and our understanding of the world.

### Concluding remarks

The ideas in this paper emerged from our collective and long-term experience working in the children's rights field, both as practitioners and academics, and we hope our observations are useful in building

knowledge as well as providing practical ideas for moving the participation agenda forward. We present this as a discussion paper and hope it will spark dialogue and stimulate others to think about children's participation more critically.

This paper provides new avenues for (re)imagining children's participation in relationship to the three other general principles of the UNCRC (article 2 – non-discrimination; article 3 – best interests; and article 6 – right to life, survival, and development). The paper includes a call to action to apply decolonial learning to (re)imagine children's participation. We contend that this will serve multiple purposes including opening opportunities in ways that re-equilibrate global South voices, to surface subjugated knowledge about, and practices surrounding, children's participation. This is necessary to challenge and correct the contraction of the participation discourse which has been primarily shaped by scholars from the global North (SAVYASAACHI; BUTLER, 2014) which has excluded the diverse ways children throughout the world have been and are participating in public life.

(Re)imagining children's participation therefore invokes the imperative to acknowledge how children in many communities are already contributing in different ways. Perhaps the onus to imagine or re-imagine children's participation rests more firmly with adults in some sectors of the community (and within the academy), necessitating them to learn from those who are already listening and taking notice of children. In other settings though, the participation of children has not been imagined, let alone reimagined. Our claim for (re)imagining therefore involves recognizing the instances where children's participation has been working, perhaps for a long time, and then affirming and supporting these practices. We encourage further research in this area using a decolonial lens. We believe this would contribute significantly to advancing the children's participation agenda. We agree with Walsh (2014), who observed that "decoloniality is neither a fixed state, status, or condition; nor does it denote a point of arrival.

It is a dynamic process always in the making ... a process of struggle not just against, but also more importantly *for* – for the possibility of an otherwise” (para. 5). It is in these dynamic spaces of (re)imagining children's participation in new and more inclusive ways that possibilities for children's participation can emerge.

## References

ABEBE, T.; DAR, A.; LYSÅ, I. M. Southern theories and decolonial childhood studies. *Childhood*, v. 29, n. 3, p. 255–275, 2022.

ACEY, C. E.; BOUTERSE, S.; GHOSHAL, S.; MENKING, A.; SENGUPTA, A.; VRANA, A. G. Decolonizing the Internet by decolonizing ourselves: Challenging epistemic injustice through feminist practice. *Global Perspectives*, v. 2, n. 1, p. 1–8, 2021.

AFOLABI, O. S. Globalisation, decoloniality and the question of knowledge production in Africa: A critical discourse. *Journal of Higher Education in Africa / Revue de l'enseignement supérieur en Afrique*, v. 18, n. 1, p. 93–109, 2020.

AFROZE, J. Decolonizing children's agency: Perspectives of children in an Urdu-speaking Bihari camp in Bangladesh. *Childhood*, v. 29, n. 3, p. 276–291, 2022.

BARRETO, J.-M. Decolonial thinking and the quest for decolonising human rights. *Asian Journal of Social Science*, v. 46, n. 4/5, p. 484–502, 2018.

BHAMBRA, G. K.; GEBRIAL, D.; NIŞANCIOĞLU, K. *Decolonising the University*. London: Pluto Press, 2018.

BLACKSTOCK, C.; BAMBLETT, M.; BLACK, C. Indigenous ontology, international law and the application of the Convention to the over-representation of Indigenous children in out of home care in Canada and Australia. *Child Abuse & Neglect*, v. 110, Article 104587, 2020.

BLANCHET-COHEN, N.; GRÉGOIRE-LABRECQUE, G.; COOPER, A. “The pandemic is galvanizing change”: Shifting to a critical and decolonial approach to human rights education with youth. *Canadian Journal of Children's Rights / Revue canadienne des droits des enfants*, v. 8, n. 1, p. 52–72, 2021.

BLANCHET-COHEN, N.; DROUIN, M.E.; DUFOUR, E.; PICARD, V. Jeunesses autochtones: se réappropriier la recherche pour mieux se représenter soi-même, *Revue d'études autochtones au Québec*, v. 51, n. 2–3, 2022.

CHARLES, E. Decolonizing the curriculum. *Insights*, v. 32, n. 1, p. 1–7, 2019.

CHAWLA, L.; CUSHING, D. Education for strategic environmental behaviour. *Environmental Education Research*, v. 13, n. 4, p. 437–452, 2007.

CHENEY, K. Decolonizing childhood studies: Overcoming patriarchy and prejudice in child-related research and practice. In: SPYROU, S.; ROSEN, R.; COOK, D. T. (Eds.). *Reimagining Childhood Studies*. London: Bloomsbury Academic, 2018. p. 91–104.

COLLINS, T. M. et al. Involving child and youth advisors in academic research about child participation: The Child and Youth Advisory Committees of the International and Canadian Child Rights Partnership. *Children and Youth Services Review*, v. 109, p. 104569, 2020.

COLLINS, T. M.; RIZZINI, I.; MAYHEW, A. Fostering global dialogue: Conceptualisations of children's rights to participation and protection. *Children & Society*, v. 35, n. 2, p. 295–310, 2021.

COYSH, J. *The dominant discourse of human rights education: A critique*. Journal of Human Rights Practice, v. 6, n. 1, p. 89–114, 2014.

CRENSHAW, K. Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, v. 43, n. 6, p. 1241, 1991.

CUEVAS-PARRA, P. Multi-dimensional lens to article 12 of the UNCRC: A model to enhance children's participation. *Children's Geographies*. 2022. Available at: <https://doi.org/10.1080/14733285.2022.2071598> . Accessed on: 10 December 2022.

DE CASTRO, L. R. Righting adults' wrongs: 'Generational' on the battlefield. A decolonial approach. *Childhood*, v. 29, n. 3, p. 355–370, 2022.

DEJONG, K.; LOVE, B. J. Youth oppression as a technology of colonialism: Conceptual frameworks and possibilities for social justice education praxis. *Equity & Excellence in Education*, v. 48, n. 3, p. 489–508, 2015.

DOEK, J. E. Article 6 CRC and the views of the CRC Committee. *Stellenbosch Law Review*, v. 26, n. 2, p. 254–271, 2015.

DOEL-MACKAWAY, H. *Indigenous Children's Right to Participate in Law and Policy Development*. New York: Routledge, 2022.

DOYLE-WOOD, C. Contesting "development". In: DEI, G. J. S.; JAJJ, M. (Eds.). *Knowledge and Decolonial Politics: A Critical Reader*. Anti-Colonial Educational Perspectives for Transformative Change. Leiden: Brill Sense, 2018. p. 47–59.

ERMINE, W. The ethical space of engagement. *Indigenous Law Journal*, v. 2007, n. 6, p. 193–203, 2007.

FAULKNER, E. A.; NYAMUTATA, C. The decolonisation of children's rights and the colonial contours of the Convention on the Rights of the Child. *The International Journal of Children's Rights*, v. 28, n. 1, p. 66–88, 2020.

FIRST NATIONS HEALTH AUTHORITY. *Anti-Racism, Cultural Safety & Humility Framework*. Available at: <https://www.fnha.ca/Documents/FNHA-FNHC-FNHDA-Anti-Racism-Cultural-Safety-and-Humility-Framework.pdf>. Accessed on: 18 October 2022.

FOUCAULT, M. *Language, Counter-Memory, Practice: Selected Essays and Interviews*. Ithaca, NY: Cornell University Press, 1980.

FREEMAN, M. D. A. *Book Review: A Magna Carta for Children? Rethinking Children's Rights*. Cambridge, United Kingdom; New York: Cambridge University Press, 2020.

GIROUX, H. A. Critical pedagogy in dark times. *Praxis Educativa*, v. XVII, n. 2, p. 27–38, 2013.

GOODALE, M. Decolonizing human rights. In: *Reinventing Human Rights*. Stanford Studies in Human Rights. Redwood City: Stanford University Press, 2022. p. 79–98.

GREENWOOD, M. Language, culture, and early childhood: Indigenous children's rights in a time of transformation. *Canadian Journal of Children's Rights / Revue canadienne des droits des enfants*, v. 3, n. 1, p. 16–31, 2016.

HAN, H.; AHN, S. W. Youth mobilization to stop global climate change: Narratives and impact. *Sustainability*, v. 12, n. 10, p. 4127, 2020.

HAYWARD, B. *Children, Citizenship and Environment: #schoolstrike*. 2nd edition. Abingdon, Oxon; New York, NY: Routledge, 2021.

IFE, J. Needs, rights and democratic renewal. *Nouvelles Pratiques Sociales*, v. 22, n. 1, p. 38–51, 2009.

JAMIESON, L. et al. International perspectives on the participation of children and young people in the Global South. *Third World Thematics: A TWQ Journal*. p. 1–19, 15 mar. 2022. Available at: <https://doi.org/10.1080/23802014.2022.2050940>. Accessed on: 10 December 2022.

JIMÉNEZ, E. Decolonising concepts of participation and protection in sensitive research with young people: Local perspectives and decolonial strategies of Palestinian research advisors. *Childhood*, v. 28, n. 3, p. 346–362, 2021.

KONSTANTONI, K.; EMEJULU, A. When intersectionality met childhood studies: The dilemmas of a travelling concept. *Children's Geographies*, v. 15, n. 1, p. 6–22, 2017.

KONSTANTONI, K. Radical democratic citizenship at the edge of life: Young children, cafés and intergenerational and intersectional activism. *Identities*. v. 29, n. 1, p. 80–87. 2022. Available at: <https://doi.org/10.1080/1070289X.2021.2017591>.

LIEBEL, M. *Decolonizing Childhoods: From Exclusion to Dignity*. 1st edition. Bristol: Bristol University Press, 2020.

LUNDY, L. Voice' Is not enough: Conceptualising Article 12 of the United Nations Convention on the Rights of the Child. *British Educational Research Journal*, v. 33, n. 6, p.927–42, 2007. Available at: <https://doi.org/10.1080/01411920701657033>.

MACQUARIE UNIVERSITY CHILDREN'S RESEARCH NETWORK. *(Re)imagining Justice for Aboriginal Children*. In: EVENT TO CELEBRATE UNIVERSAL CHILDREN'S DAY. Macquarie University, Sydney, Australia, 20 November 2018.

MAKUCH, K. E.; ZAMAN, S.; ACZEL, M. R. Tomorrow's stewards: The case for a unified international framework on the environmental rights of children. *Health and Human Rights*, v. 21, n. 1, p. 203–214, 2019.

MCLAREN, P.; TADEU DA SILVA, T. Decentering pedagogy: Critical literacy, resistance and the politics of memory. In: LEONARD, P.; MCLAREN, P. (Eds.). *Paulo Freire: A Critical Encounter*. London; New York: Taylor & Francis Group, 1992. p. 47–89.

MCMELLON, C.; TISDALL, E. K. M. Children and young people's participation rights: Looking backwards and moving forwards. *The International Journal of Children's Rights*, v. 28, n. 1, p. 157–182, 10 March 2020.

MIGNOLO, W. D. Coloniality is far from over, and so must be decoloniality. *Afterall: A Journal of Art, Context and Enquiry*, v. 43, p. 38–45, March 2017.

MORLEY, L. *Quality And Power In Higher Education*. Berkshire, England: McGraw-Hill Education (UK), 2003.

MURRIS, K. The epistemic challenge of hearing child's voice. *Studies in Philosophy and Education*, v. 32, n. 3, p. 245–259, 2013.

MUTUA, M. Savages, victims, and saviors: The metaphor of human rights. *Harvard International Law Journal*, v. 42, n. 1, p. 201–245, 2001.

NAKATA, M. N. *Disciplining the savages, savaging the disciplines*. Canberra, ACT: Aboriginal Studies Press, 2007.

NEVEU, C. Of ordinariness and citizenship processes. *Citizenship Studies*, v. 19, n. 2, p. 141–154, 17 February 2015.

NGUYEN, X. T.; MITCHELL, C. Introduction to special Issue: Disability, intersectionality, and struggles over social justice: Reframing debates over children's rights. *Canadian Journal of Children's Rights / Revue canadienne des droits des enfants*, v. 6, n. 1, p. 1–23, 8 November 2019.

OTANI, M. *Statement by Mikiko Otani*, Chair of the Committee on the Rights of the Child at the 76th session of the General Assembly. In: 76TH SESSION OF THE GENERAL ASSEMBLY. New York, 7 out. 2021. Available at: <https://www.ohchr.org/en/statements/2021/10/statement-mikiko-otani-chair-committee-rights-child-76th-session-general>. Accessed on: 15 November 2022.

PERCY-SMITH, B. Negotiating active citizenship: Young people's participation in everyday spaces. In: KALLIO, K. P.; MILLS, S.; SKELTON, T. (Eds.). *Politics, Citizenship and Rights. Geographies of Children and Young People*. Singapore: Springer, 2016. p. 401–422.

RAJANI, R. The Participation Rights of Adolescents: A strategic approach. UNICEF Programme Division, 2001. Available at: <https://participationpool.eu/wp-content/uploads/2020/05/UNICEF-2001-The-participation-rights-of-adolescents-A-strategic-approach.pdf>

SAVYASAACHI; BUTLER, U. M. Decolonizing the notion of participation of children and young people. In: TISDALL, E. K. M.; GADDA, A. M.; BUTLER, U. M. (Eds.). *Children and Young People's Participation and its Transformative Potential: Learning from Across Countries*. Studies in Childhood and Youth. London: Palgrave Macmillan UK, 2014. p. 44–60.

SKOTT-MYHRE, K. et al. De-settling ourselves: Conference reflections. *International Journal of Child, Youth and Family Studies*, v. 11, n. 2, p. 94–110, 2020.

STYRES, S. Literacies of Land: Decolonizing narratives, storying, and literature. In: SMITH, L.T.; TUCK, E.; YANG, W. (Eds.). *Indigenous and Decolonizing Studies in Education: Mapping the Long View*. New York: Routledge, 2018, p. 24–37.

SUTHERLAND, E. E. The child's right to life, survival and development: Evolution and progress. *Stellenbosch Law Review*, v. 26, n. 2, p. 272–294, 2015.



TAEFI, N. The synthesis of age and gender: Intersectionality, international human rights law and the marginalisation of the girl-child. *The International Journal of Children's Rights*, v. 17, n. 3, p. 345–376, 2009.

TISDALL, E. K. M.; CUEVAS-PARRA, P. Beyond the familiar challenges for children and young people's participation rights: The potential of activism. *The International Journal of Human Rights*, v. 26, n. 5, p. 792–810, 2022.

UN COMMITTEE ON THE RIGHTS OF THE CHILD. *General Comment No. 5 (2003): General Measures of Implementation of the Convention on the Rights of the Child*. United Nations, 2003.

UN COMMITTEE ON THE RIGHTS OF THE CHILD. *General Comment No. 12 (2009): The Right of the Child to be Heard*. United Nations, 2009.

UN COMMITTEE ON THE RIGHTS OF THE CHILD. *Draft General Comment No. 26: Children's Rights and the Environment with a Special Focus on Climate Change*. United Nations, 2021. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/draft-general-comment-no-26-childrens-rights-and>. Accessed on: 2 Dec. 2022.

UN HUMAN RIGHTS COMMITTEE. *General Comment No. 36: Right to Life*. United Nations, 2019.

VANDENHOLE, W.; TURKELLI, G. E.; LEMBRECHTS, S. Article 3: Best interests of the child. In: *Children's Rights: A Commentary on the Convention on the Rights of the Child and Its Protocols*. Elgar Commentaries. Cheltenham, UK: Edgar Elgar Publishing, 2019. p. 59–73.

VOLTARELLI, M. A. Los temas del protagonismo y la participación infantil en las producciones Sudamericanas. *Revista Latinoamericana de Ciencias Sociales, Niñez y Juventud*, v. 16, n. 2, p. 741–756, 2018.

WALSH, C. Pedagogical notes from the decolonial cracks. *Emisférica*, v. 11, n. 1, 2014. Available at: <https://hemisphericinstitute.org/en/emisferica-11-1-decolonial-gesture/11-1-dossier/pedagogical-notes-from-the-decolonial-cracks.html>

WOLDEYES, Y. G.; OFFORD, B. Decolonizing human rights education: Critical pedagogy praxis in higher education. *The International Education Journal: Comparative Perspectives*, v. 17, n. 1, p. 24–36, 2018.

WYNESS, M. Children's participation and intergenerational dialogue: Bringing adults back into the analysis. *Childhood*, v. 20, n. 4, p. 429–442, 2012.

YOMANTAS, E. L. Decolonizing knowledge and fostering critical allyship. In: PARSON, L.; OZAKI, C. C. (Eds.). *Teaching and Learning for Social Justice and Equity in Higher Education: Foundations*. Cham: Springer, 2020. p. 303–328.

ZEMBYLAS, M.; KEET, A. Decolonial strategies and pedagogical/curricular possibilities. In: ZEMBYLAS, M.; KEET, A. (Eds.). *Critical Human Rights Education. Advancing Social-Justice-Oriented Educational Praxes*. Cham: Springer, 2019. p. 131–147.

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