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EDITORIAL: Dismantling Children's Rights in the Global North

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Dismantling Children's Rights in the Global North

It is damning that 30 years after the promulgation of the United Nations Convention on the Rights of the Child, children and youth remain among the earliest and hardest hit victims of government-sponsored atrocities. Although much work has been done around the world to at least create the appearance of protecting children and youth from the politics of greed, exploitation, exclusion and violence, instances of movement in the opposite direction continue to abound. In a global political and economic climate of self-interest and primal populism, children and youth, who generally hold very little power in any context of concern for those seeking power, are discarded and dehumanized. We know that children and youth are objectified and sometimes outright commodified in the interests of cheap labour markets, environmental destruction, narcotic trade, sex work and trade, and child soldiering. But in the global North and West, these processes are most often filtered through Orientalist rhetoric that renders them the domain of fringe groups, violent insurgents, criminal gangs, or failed states – notably “over there,” somewhere else in the world. In fact, this rhetoric relies upon an espoused morality in which the flagrant and violent disregard of children's and youth's well being is illegal and immoral. Therefore, believing it unfolds only under cover of vehement denial by those responsible reinforces the “not me” rhetoric while assuaging any potential guilt for the West's complicity.

The past few months, however, offer a wakeup call for those of us who continue to believe that children and youth have inalienable rights, and that it is the responsibility of all states and their governments to protect those rights. While we are not naïve to believe that any government has done this particularly well, we may have grown a little complacent in our faith in democratic governments that they will keep trying. Perhaps not as their first priority or even among their top ten priorities, but at some level, we believed, there was a broad consensus that children and youth matter, that their rights matter, and that part of our work was to call out those who chose to disregard their rights. This, we thought, would at least activate a sense of political expediency in the circles of power so that at least the most obvious infringements on the rights of children and youth would be mitigated through policy changes.

Well, we were wrong. It turns out that while children and youth are dying in large numbers in Syria, Yemen, South Sudan, and in the refugee camps for Rohingya

Muslims in Bangladesh, amongst other places, they are also stripped of their most fundamental rights on the soil of the European Union and the United States of America in particular, although other wealthy so-called democracies are not entirely innocent either (including Canada, Switzerland, Israel, and others). Recent events in the United States have shown that it is not merely a matter of other priorities sidelining the protection of children and respect for their rights. It is, quite to the contrary, constructed as right and proper that children and youth be used as tools for the enforcement of the law.

There has not been as explicit a process of the exploitation of children and youth for political and economic gain than the one in place in the United States. Proudly and with righteousness, the Trump government has taken credit for separating children and youth from their parents and families as a way of ostensibly securing the US-Mexico border. It is the continuation of the United States' foul legacy of using children as a tool to regulate the conduct of their parents. This legacy finds its origins in the U.S. slave trade, in which slave owners routinely separated children from parents for economic gain or threatened family separation as a means of suppressing rebellion. The U.S. used similar deliberate policies of forced separation in its colonialization and genocide of Indigenous communities, removing children from their families and forcing assimilation – not to mention parental subjugation – through the Indian boarding school movement codified in 1860 by the Bureau of Indian Affairs. The Trump Administration's practices rest on a long history of children's manipulation for political, economic, and racial aims: children as deterrent; child removal as punishment; child containment, at least sometimes in cages, as legitimate and necessary messaging in the interests of a new nationalism in which especially racialized children are worthless.

The speed of the entrenchment of this 'new normal' is remarkable. Of course this not-so-new form of war against children (and war using children) is accompanied by all the requisite protests, the expected screaming and shouting, the marches and slogans, on the part of civil society. But these usual forms of protest have a macabre impact. On the one hand, they have led to a slight shift in the narrative of current policy with respect to families migrating or seeking asylum without documentation, and rhetorical moves that have softened the way in which the commodification of children and youth had been rationalized. But on the other hand, these protests have also uncovered a fundamental truth underscoring different segments of US society (and similar truths are appearing across the European Union): Very large numbers of US citizens (and Europeans) believe illegal migration, specifically of migrants constructed as lazy, unskilled, greedy, opportunistic, and dangerous through racist, xenophobic, and Orientalist tropes, to constitute the greatest threat to their well-being. Rhetorically, the threat they pose is perhaps greater than the nuclear arms race of the Cold War, and certainly greater than the accelerating climate change threatening the very existence of the planet.

Much of the social upheaval surrounding these realities is not at all about protecting the rights of children and youth. Certainly, contemporary US immigration policy

makes no pretence of this interest. Rather, policy is enacted to protect the mostly white segments of the United States from an influx of other identities, and mostly white Europeans from an influx of new cultures, new traditions, new languages and new ways of being in the world without the obvious and brutal violence committed against children and youth. Unquestioned in this rhetoric is the construction of migrants as illegals, and therefore as criminals.

That's a bit of a problem. Children and youth are dependent on their families, and in particular on the levels of risk their families are willing to take to provide them with opportunities for health, education, safety and opportunity. Overwhelmingly, those migrants characterized as illegal immigrants cannot possibly avail themselves of legal channels to escape conditions that threaten their children's lives and well being. No country provides open doors for poor, uneducated, disenfranchised and largely disempowered (and almost never white) people to immigrate legally. This means that the only way of protecting the rights of their children to live safely, to be able to play, to get an education and to have opportunity to shape their own lives is to migrate to geographies that offer these things. Not doing so is a violation of children's rights.

And so, these families are left with a paradox: violate their children's rights by remaining in conditions that hurt them, or attempt border crossings under policies that directly contradict the Convention's commitment to the best interests of the child (Article 3), family cohesion (Articles 9 and 18), and protection from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation" (Article 19) (United Nations, 1989). Perhaps it is not surprising, given this commitment to the use of children as economic and political pawns, that the United States remains the UN member nation to not ratify the Convention.

These policies, and the political, climate and economic challenges facing vulnerable children and families across the globe, make it largely impossible to uphold the rights of children and youth. But increasingly, something much more powerful than merely policy is coming in the way of these rights. This is the narrative that accompanies the policies, and seeks to open space for ever more racist, ever more violent, and ever more white supremacist postures toward those seeking a better life. Children and youth are a convenient tool for spreading this narrative. The outrage currently on display in the United States will transform into the legitimization of immigration policies that uphold a new nationalism based on xenophobia, explicit racism, and the dehumanization of those with desperate needs for safety. The wall will get built, with the support of its initial opponents, if only to stop the caging of children. And as we cheer the wall for having stopped this brutality against children, we will one day wonder who really won this ideological battle. For sure, children and youth will have lost.

Kiaras Gharabaghi & Ben Anderson-Nathe
July 2018

Reference

United Nations. (1989). *Convention on the rights of the child*. Retrieved from <https://www.ohchr.org/documents/professionalinterest/crc.pdf>