

Children's Well-Being: Indicators and Research 15

Antonella Invernizzi
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Brian Milne
Rebecca Budde *Editors*

'Children Out of Place' and Human Rights

In Memory of Judith Ennew

 Springer

Children's Well-Being: Indicators and Research

Volume 15

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In Memory of Judith Ennew

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Foreword: Judith Ennew liber amicorum

This liber amicorum reflects the life and work of Judith Ennew who I will remember as an empowering academic activist.

As an anthropologist, Judith started as a solid academic researcher and her work had little to do with children. But slowly and clearly children appeared on her radar and well before the magical year 1989 when the Convention on the Rights of the Child was adopted by the General Assembly of the United Nations. Many topics in the field of children's rights she dealt with in the course of her life will be discussed in this book. I will try to identify the main areas of her work as I remember it taking into account the meetings and discussions we had.

First is her interest in children who are victims of economic and sexual exploitation and victims of violence. This interest can easily lead to elaborated research on how these children can be best protected against the violation of their rights and how they can be prevented. She did pay attention to the measures of protection and prevention adults should take. But Judith was more interested in the children themselves and in fact moved away from the 'victims approach' and towards the child as an agent of change.

Second is her deep interest in children as human beings with rights, entitled to active participation and engagement in developments and decisions relevant to their daily life. This includes the right to full information on all aspects of the issue at stake and to be treated as an equal partner whose views are taken into account and given due weight in accordance with the child's evolving capacities. The core issue here, and in line with the CRC (art. 2, 3, 5, 6 and 12), is the right of the child to respect for his dignity as a human being which means that the child should be treated as a rights holder.

Judith has written extensively about child participation especially in the area of research and discussed the many practical and ethical aspects of this participation. Her message was clear and rights based: we should do research on children only with the involvement of children as equal partners. The implementation of this view required a rather radical change in the traditional practice of academic research. Don't just talk about the questionnaires you want to use among yourselves, but talk with children about which questions would be well understood by them and may

produce relevant answers. In 2011, she noted – most likely with some satisfaction: ‘The conventional wisdom of doing research with children is changing rapidly despite initial resistance from some established researchers’ (Invernizzi/Williams, p. 173).

Third is her interest in monitoring the implementation of the rights of the child and the search for indicators to measure the progress made. It is an important and challenging activity. It is important because we cannot assume that all obligations under the CRC are fulfilled by the states’ parties. A regular and systematic assessment of the actions taken and their effect is necessary to identify good practices and shortcomings. It is a process that has to take place both at the national and the international level. It is challenging in two ways: first, what should be done to get the main stakeholders of the CRC, the children, involved in the monitoring process? You want to answer the question what the impact of the CRC is. Talk with children who are supposed to be the primary beneficiaries of the CRC and who have experiences in their daily life with this impact or the lack thereof and who can tell you what the problems are; second is the development of indicators which are relevant for measuring the progress in the implementation of the rights of the child which faces quite some problems, in particular a chronic lack of reliable statistical and other data. Since 1993, when Judith became actively involved in a project on developing indicators (*International Journal Children’s Rights* Vol. 4 (1996), 213–236), progress has been made in developing them; however, in the field of juvenile justice and alternative care for children, there is still a long way to go before we have established a set of acceptable indicators for the implementation of all rights of children as enshrined in the CRC and indicators which also can guide the development of a comprehensive system of data collection.

Given her interest, I think Judith was pleased by the fact that the CRC Committee issued two general comments of direct relevance for two of her main areas of activities related to the rights of the child: general comment no. 12 on the right of the child to be heard (focusing on art. 12 of the CRC) and general comment no.13 on the right of the child to freedom from all forms of violence (focusing on art. 19 of the CRC). But at the same time I assume that she agreed with all the views of the CRC Committee. One example is in general comment no. 12 section C (para. 89–131) which is devoted to ‘The implementation of the right to be heard in different settings and situations’. Most likely to Judith’s regret, there is in that section no paragraph on the implementation of this right in the setting of research.

Old soldiers never die, they just fade away. But some soldiers die unexpectedly and too soon. Judith was one of them. It is a loss not only for the children in the region where Judith was most active but for all children in the world waiting and seeking for the full enjoyment of their rights.

What I am personally missing is the opportunity to talk with her about the Sustainable Development Goals and the role she certainly wanted to play in the implementation of these goals from a child rights perspective.

Talking to her is not possible anymore but thinking about what she may have done is. I think she would welcome the child-specific goals. Some of them fit squarely into the areas of her activities such as eliminate all forms of violence

against girls (5.1.), eliminate child early and forced marriages and female genital mutilation (5.2.) and end abuse, exploitation, trafficking and all forms of violence against and torture of children (16.2). There are others that she may fully support, e.g. in the area of education and health care. But what she may be missing, as I certainly do, is the complete absence of children in the paragraphs on implementation (par. 39–46) and under Goal 17 on *inter alia* revitalising global partnership for sustainable development. Remarkable is the lack of attention for building partnership at the national level which in my view should include children as key partners for the implementation not only of the goals of immediate relevance for them but also of many other goals, e.g. the ones addressing concerns regarding our natural environment (Goal 15).

If we want to honour Judith Ennew and her important work for the realisation of the rights of the child, I think we should take all necessary actions to ensure that children are partners, at the national and international level, in the actions to implement the Sustainable Development Goals.

This is one of the challenges in the process of implementing the SDGs for all relevant actors in the field of children's rights such as governments, NGOs and other civil society organisations, UN agencies and individuals, in particular academics. We continue to need empowering academic activists like Judith Ennew, who was a memorable ambassador for the rights of the child.

Amsterdam, The Netherlands

Jaap Doek



Judith Ennew

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and Zambia' (together with Fikre Dessalegn, 2007–2013); 'The Effects of Civil Society on Early Childhood Education and Care in Ethiopia and Zambia' (2011–); and 'Valuing the Past, Sustaining the Future: Education, Knowledge and Identity Across Three Generations in Coastal Communities' (2016–2019). She is the academic leader of the MPhil programme in childhood studies from 2007 to 2013 and PhD programme in interdisciplinary child research from 2007 to 2012.

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Manfred Liebel is sociologist and professor emeritus of the Technical University of Berlin. He is director of the M.A. programme in childhood studies and children's rights at the Freie Universität Berlin as well as director of the Institute for International Studies in Childhood and Youth (ISCY) at the International Academy Berlin for Innovative Pedagogy, Psychology and Economics (INA gGmbH). His research interests are international and intercultural childhood and youth research, children's rights, citizenship, social movements and children and youth cultures.

Jasmin Lim was the research manager at Knowing Children, Malaysia. Shortly after graduating with a bachelor of psychology (Hons) from HELP University, Kuala Lumpur, she joined Knowing Children where she was fortunate enough to have met an excellent mentor, Judith, from whom she had the pleasure of learning a whole new meaning to research with children. Her work at Knowing Children included facilitating workshops, managing research projects and coordinating 'Mousedeer' projects. She is currently pursuing a master's degree at University College London.

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Brian Milne is a consultant, researcher and trainer in several areas ranging from street and working children, young migrants, participation and children's citizenship and the human rights of children. He has worked independently as a researcher and has carried out research, reviews, evaluations and training for a number of international organisations including NGOs and UN agencies over more than 20 years and in many countries on all continents.

Nandana Reddy is a trade unionist involved with the informal, unorganised sector of labour and is a political, civil liberties and children's rights activist.

She founded the Concerned for Working Children (CWC) that pioneered working children's protagonism and their right to 'self determination' since the late 1970s and empowered working children to organise themselves and use structures for their effective participation.

As chairperson of the International Working Group on Child Labour (IWGCL), she facilitated working children's voices to be heard on international platforms for the first time and influence policy and global interventions with grass root activists, academicians and policymakers. As a member of the [Indian] National Council of Educational Research and Training (NCERT), she helped draft the National Curriculum Framework.

Henk van Beers has degrees in international law and in social work and has over 30 years of experience working on children's rights. Since 2001, he has been based in Southeast Asia for Save the Children working on children's participation rights and organisational development support to children and youth organisations. Since 2008, he has worked in senior management capacities for Save the Children in Cambodia focusing on programme development, quality assurance and strategic planning.

Roxana Waterson retired in December 2014 from a position as associate professor in the Department of Sociology, National University of Singapore, where she had been teaching since 1987. A Cambridge-trained social anthropologist, she has done extensive fieldwork in Indonesia, particularly with the Sa'dan Toraja people of Sulawesi. Her publications include *The Living House: An Anthropology of Architecture in Southeast Asia* (4th ed., Tuttle, 2009), *Southeast Asian Lives: Personal Narratives and Historical Experience* (Singapore/Athens: NUS Press/Ohio University Press, 2007) and *Paths and Rivers: Sa'dan Toraja Society in*

Transformation (Leiden: KITLV 2009). Her friendship with Judith Ennew dated back to their student days and was deepened in recent years by collaboration on several of Judith's research projects with children, including work in Indonesia and other Southeast Asian countries for UNICEF and Save The Children Sweden. In 2006, she organised, together with Judith, an international conference on 'Asia-Pacific Childhoods', hosted by the National University of Singapore. She also guest-edited, with Deepak Behera, a special issue of TAPJA (*The Asia Pacific Journal of Anthropology*) on 'Research with Children in Asia-Pacific Societies' (Vol 12/5, Nov 2011).

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Chapter 1

Introduction

Manfred Liebel and Antonella Invernizzi

1.1 Children Out of Place: Their Written and Unwritten Rights

In this collection we are remembering Judith Ennew who passed away too early and unexpectedly in October 2013. Judith was a wonderful person, who combined in an impressive manner, the practical engagement for children and their rights with a rigorous ethos as a researcher of children's lives. As an activist and researcher, she worked in various parts of the world, first in Jamaica, then in Latin America, in Africa and in South East Asia as well as in several European countries. She particularly had in mind those children who suffer from social inequality, poverty, war, violence, exploitation, discrimination and political persecution. She identified these children as victims of an unjust world, but never saw them as victims only. Children, Judith once noted in a guide to the work with street and working children, '...are not 'objects of concern', but people. They are vulnerable but not incapable. They need respect, not pity. [...] Although they already have much knowledge and many skills, they still need more information and further social skills...' (1994:40).

That view of children is very similar to that held by the great Polish educator and pioneer of children's rights Janusz Korczak. Like Korczak, Judith was a pioneer of children's rights. Likewise, she was a pioneer of socially sensitive research which might open up views and awareness of the perspectives and voices of children who are 'without a voice'. In this context, Judith was also very conscious and critical of

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all kinds of pseudo-participation of children at so-called children's summits, adult-led workshops with children at the margin of big conferences or even folklore presentations by children at the inauguration or closing ceremonies of such conferences. 'Seen but not heard' was one of her often expressed comments on those 'side events' (see, for instance, Ennew et al. 2007).

One of Judith's key contributions was to draw attention to what she called the 'unwritten rights' of children. What she had in mind were extremely discriminated against and socially excluded children who do not have access to the rights 'written' in the UN Convention on the Rights of the Child (CRC) who consequently do not feel they belong to them or help them to improve their lives. Furthermore, Judith noted that there are common practices that claim to help these children but in fact deepen discrimination against them, too often unwanted and against the best intentions. In that sense, Judith claimed, for example, the 'right not to be labelled', 'right to be correctly described, researched and counted', 'right to have their own support system respected' or, as a final example, the 'right to be protected from secondary exploitation' as 'unwritten rights'. As secondary exploitation, Judith particularly understood fundraising campaigns that consist of what she called the 'pornography of misery' (see Ennew 2002). Judith's 'unwritten rights' remind us that the rights enshrined in the CRC need to be interpreted and translated for policy-making and planning purposes, those unwritten rights being a tool to guide interpretation. It is unlikely that policy and programming can be successful without sound knowledge of the problems and rights violations children suffer. When programmes and policies are devised without children themselves, significant aspects of their problems are ignored and dismissed. Such policies might look at one right and forget all others that are equally important and likewise violated. Badly thought out policies and programmes might even be detrimental to children when they undermine their survival strategies and scarce resources they are confronted with in a difficult environment or when they specifically violate other rights. In worst cases, programmes come to represent a form of exploitation and deprive children of their dignity, respect and support they deserve.

Judith addressed the question of moral rights or, in other words, she insisted on respecting children as moral persons with a moral status. She advocated the notion that we have to see them as human beings with the right to human dignity, not only as human beings 'in the making' or persons who need to develop first in order to be recognised as a real human being some time later. In this respect, Judith's proposition is again very similar to Korczak.

Judith was extremely sensitive about the negative labelling effects of some even well-intentioned interventions with the intention of providing help for children in need. At a time when it was common to use the term 'street children', she opposed that labelling. Later, she did the same with regard to so-called orphans (see Ennew 2005) or to the extensively used and undifferentiated term 'child labour' (Ennew et al. 2005). In preparation for a research conference on so-called street children in Norway in 1994, she introduced the term 'children out of place' as an alternative. In an article written with Mark Connolly, Judith explained this term with the following words: 'Thus referring to these children's apparent dislocation from the places that

are commonly regarded as normal for western, modern, middle-class children – family homes, schools and clubs organised by adults. To be a child outside adult supervision, visible on city centre streets, is to be out of place’ (Connolly and Ennew 1996: 133).

Certainly, there is also ambivalence included in this term. As with other expressions, it may be understood as from ‘above’ or ‘below’, only reproducing what is happening with the children and therefore either labelling or using it critically against what is happening to them. Evidently Judith used it to demonstrate that we should be aware that there is not just *one* but *many* childhoods in the world. Furthermore those childhoods that do not fit in the frame of western or bourgeois ideologies of childhood must be recognised and supported. The legislation in South Africa on so-called child-headed households may serve as an example of how this can be done. Through this law, child-headed households are legally recognised as a special form of family which has the right to be supported by social services. In other words, the place children should occupy may be better defined in context rather than assumed to be identical with that of most children in western countries or wealthy communities in the Global South.

The term ‘children out of place’ and its implications seemed so important that we adopted it as the main title for the international symposium we organised in October 2014 at the Freie Universität Berlin. We believe it conveys a spirit that is unconvinced by dominant ideologies on childhood that tend to devalue children who are often simply seen as ‘children without childhood’.

When putting the symposium together, we felt that it required the broadest spectrum of contributors who had worked with Judith, been influenced by her or with whom there is one kind of link or another. Therefore, when compiling this book, we set out to achieve what we felt was representative of the widest range of her work.

Judith was a scholar of the highest calibre and an extraordinary activist for children’s rights. Her work moves across topics, disciplines and perspectives. She was never satisfied with a single perspective, but very often identified a number so that furthermore when she focused on or adopted one or another of them, she would carry out extremely high standard work. With Judith, there would not be a ‘good enough’ job and she would generally say that ‘she had her own standards’. Virginia Morrow’s tribute (2014) shows how seminal her work was.

She was also an extraordinary person. Harriot Beazley et al. (2014) homage certainly captures her outstanding personality that made the progress she brought to the field possible. She was an incredibly creative human being with a rare intellectual sharpness and also a very much caring person. Taken together and combined with her strong ethic of responsibility, those aspects of her values have brought some of us to consider Judith Ennew in many ways a Janusz Korczak of research with children.

Judith worked in leading universities teaching and supervising students as well as carrying out first class research. Her work was dispersed across continents and geographical regions. She also worked with key players in international policy-making as well as with children and young people and professionals in the field. She extended her scope as far as it could possibly be stretched to create the very

much needed dialogue that ensured that actions are positive for children as well as sustainable.

When organising the 2014 symposium, subsequently this edited book, the task was not easy. A tribute to her tremendous contribution to children's rights is widely spread over geographical areas, topics and perspectives. When drafting the programme of the symposium, we therefore attempted to cover some of her wide-ranging contributions but finally had to conclude that 2 days would not be enough. Similarly, when preparing this collection, we found that one volume was not enough. The list of colleagues and friends who should have been asked to present various advances and contributions Judith made was as long, if not longer, than the list of contributors included in this collection. For some of us, it thus represents a starting point.

One of Judith's agendas was the dissemination of relevant knowledge and information to reinforce work to protect children's rights and promote sound research. It was important to ensure professionals would get the information required. The publishing company Black on White, created as part of the NGO *Knowing Children*, was the most recent example. She worked on documentation of other people's contributions to research but never really considered the importance of having her own work made available to others. Martin Richards, who directed the centre in Cambridge where she was based for over two decades, pointed out some of this. Judith's outstanding contribution is spread over more than 30 years in scientific publications, some of them no longer available and much of it is grey literature or NGO publications that are often not accessible. Consequently we attempted to include some of the 'grey literature' in the bibliography at the end of this book, a task certainly made difficult by Judith not keeping track of her work herself. Whilst the aim of this collection is to pay homage and honour to Judith's extraordinary work, there is also an agenda that is important both for social sciences and children's rights. It consists of assembling some of her thoughts, views on current agendas, methods, methodologies and other things and then making sure they will be available for future generations of activists, professionals and researchers.

This collection opens with Brian Milne's tribute in which he presents Judith the person. He calls it the 3Ps of Judith Ennew, person, philosophy and pragmatism, and shows how much 'her work was who she was and who she was made her work'.

It then moves on to Per Miljeteig to introduce one of Judith's seminal pieces of work on monitoring children's rights. This chapter, originally published by Ashgate (Invernizzi and Williams 2011) now reprinted in this collection, identifies some of the weaknesses in research to improve the human rights of children.

In Chap. 4, Michael Bourdillon focuses on 'orphans and street children' in Africa, showing the many facets of their lives, experiences and problems often ignored and dismissed, yet decisive for policies and programmes.

The three following chapters all have different points of entry into the question of children's work and the inappropriateness of international and national policy that draws on an idealised image of childhood alien to the lives of working children. They all uphold, as Judith did (2002), the right of the child to work but to do so in dignified and fair conditions.

Chapter 5 thus moves on to Nandana Reddy's description of the very difficult experiences of working children in India. Those children find themselves under increasing pressure to cope not only with the economic and social disadvantage created by new models of economic development and political governance but also with policies of elimination of child labour which, rather than supporting them, increase their vulnerability to exploitation and exclusion.

The next chapter is Manfred Liebel's presentation of an overview of the most significant postcolonial streams of thought and argues how those perspectives can be made fruitful for childhood studies. Critiques of the 'colonisation' of childhood, which were already expressed in the 1970s and 1980s, are followed by discourse on present-day politics of childhood apparent in the frame of so-called development policies. Special attention is paid to the treatment of indigenous and working children.

Following on from that, Alejandro Cussiánovich contemplates the notion of children out of place from a Latin American perspective, showing how much western and middle-class understanding of childhood ends up invalidating other valuable experiences and ways of thinking. It draws attention to ways the rights enshrined in the CRC are interpreted in particular ways by governments, international organisations and NGOs whereby those interpretations are not necessarily capable of taking other realities and cultures into account.

In Chap. 8, Manfred Liebel and Rebecca Budde also tackle the issue of Eurocentric interpretations and approaches to children's experiences, principally referring to literature in German-speaking countries. Throughout that part of her career, Judith Ennew defended the CRC against criticism of it being an ethnocentric tool and simultaneously showed the path to ensuring research and policies is not ethno-, socio- or Eurocentric. Translation of legal instruments for policy-making, advocacy and programming is at the heart of the issue here.

The next chapter moves on to Antonella Invernizzi unpacking some of the questions Judith asked in relation to children's sexual exploitation, showing how fundamental questions are no different from any other issue concerning children's human rights. As with any rights violation, there is a need for robust scientific knowledge and consideration of cultural, economic and social contexts, and more importantly, children as subjects need to be seen as partners who are at the very centre of our concerns. A robust ethic of responsibility towards children rather than policies that aim to 'eliminate the problem' needs to be promoted in the field.

In Chap. 10, Anne Trine Kjørholt focuses on child-led advocacy and participation, an agenda Judith promoted since her early work. As she writes 'child-led advocacy implies recognising children as the primary and best actors to speak up for their own interests, both as individuals and as a collective group'.

The following chapter by Henk van Beers, Jasmin Lim and Roxana Waterson presents Judith's last important venture, *Knowing Children*. Their contribution outlines a number of valuable ideas and project food for thought for those who advance an agenda that promotes better knowledge and skills for professionals and researchers in the Global South.

Then Glenn Miles and Paul Stephenson introduce one of the last, if not the last, papers written by Judith. When asked to contribute to a book on sexual exploitation, Judith presented a chapter focusing on spirituality, rights and abuse. She chose to address the question of what happens to children who have been rescued from sexual exploitation (or other problems) as an issue insufficiently addressed in research and policy-making. The way spirituality, rights and abuse are deconstructed in this paper is exemplary of the way she worked on many other issues. Scrutiny of dominant, often either exaggerated or minimised, views of the problem, accounting for children's views and experiences and nurturing their knowledge and wisdom go hand in hand with identifying abuse and negative consequences for children forced to convert to a religion not their own.

In the final contribution, Sharon Bessel, Harriot Beazley and Roxana Waterson describe the ethics, methods and methodology Judith developed in order to uphold children's 'right to be properly researched'. In so doing, they present some of the pillars of the approach she pioneered over her entire career.

At the time of the symposium in 2014, we were left with an open question: how can Judith's tremendous efforts and essential agenda be taken forward? We therefore added a final chapter in which the editors outline some of the key topics and questions addressed by speakers also areas in which Judith's contribution made a tremendous difference.

It was a privilege to be able to share the symposium in 2014 with some of Judith's friends and colleagues in order to reflect on her outstanding work, and it was also an honour to draw together the contributions of which this book is comprised. None of this would have been possible without the support of Ernst-Reuter-Gesellschaft der Freunde und Förderer und Ehemaligen der Freien Universität Berlin e.V., Deutsche Gesellschaft für Internationale Zusammenarbeit (giz), Oak Foundation, World Vision Deutschland e.V., Andreas R. Budde and, last but not least, the M.A. Childhood Studies and Children's Rights students of the year 2013–2015 at the Freie Universität Berlin.

We hope the book will be as inspiring to the readers as it has been for us.

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