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The Moral and Political Status of Children

edited by
David Archard
and Colin M. Macleod

Moral And Political Status Of Children

Rachel E. Taylor



Moral And Political Status Of Children:

The Moral and Political Status of Children David Archard, Colin M. Macleod, 2002-06-20 The book contains contributions from thirteen distinguished moral and political philosophers on the subject of children These are new essays and are devoted to a subject that until recently has not been extensively discussed by philosophers Too often philosophers restrict themselves to the consideration only of the relations between adults Yet the topic of children is an important one for moral and political philosophy Recent years have seen an increased concern with the needs and interests of young people The United Nations Convention on the Rights of the Child which accords a wide range of fundamental rights to children was adopted in 1989 and many states have subsequently ratified the Convention In this context it is timely and appropriate to ask various questions If children do not have rights what exactly is their moral status If they do have rights do they have all the rights that adults have What rights if any do parents have over children and what is their justification What duties do parents have towards their own children and towards others in society How should we educate those who will be the future citizens and workers of our society What values and what dispositions of character is it appropriate to instil in children Is the family an obstacle to the realisation of full social justice Can we in pursuit of justice contemplate the abolition of the family The book covers the themes of children s rights parental rights and duties the family and justice and civic education **Moral Equality,**

Bioethics, and the Child Claudia Wiesemann, 2016-08-18 Presenting real life cases from clinical practice this book claims that children can be conceived of as moral equals without ignoring the fact that they still are children and in need of strong family relationships Drawing upon recent advances in childhood studies and its key feature the agentic child it uncovers the ideology of adultism which has seeped into much what has been written about childhood ethics However this book also critically examines those positions that do accord moral equality to children but on grounds not strong enough to support their claim It lays the groundwork for a theory of moral equality by assessing the concepts of parenthood family best interest paternalism and above all autonomy and trust which are so important in envisioning what we owe the child It does not only show how children like adults should be considered moral agents from infancy but also how ethical theories addressing adults can significantly profit from recognizing this The analysis takes into account contributions from European as well as American scholars and makes use of a wide range of ethical psychological cultural and social scientific research Children, Family and the State David William Archard, 2018-02-06 This title was first published in 2003 This book critically examines the moral and political status of the child by a consideration of three interrelated questions What rights if any does the child have What rights over and duties in respect of a child do parents have What rights over and duties in respect of a child does the state have David Archard adopts three areas for particular discussion on the practical implications of the general theoretical issues education child protection policy and the medical treatment of children Providing a clear legal context and a sharper contemporary discussion of the question of rights this book presents a clear introduction to the key issues in the

moral and political status of children *The Nature of Children's Well-Being* Alexander Bagattini, Colin Macleod, 2014-09-30 This book presents new findings that deal with different facets of the well being of children and their relevance to the proper treatment of children The well being of children is considered against the background of a wide variety of legal political medical educational and familial perspectives The book addresses diverse issues from a range of disciplinary perspectives using a variety of methods It has three major sections with the essays in each section loosely organized about a common general theme The first section focuses on issues concerning the relation between children's well being and autonomy or agency The second section deals with child well being insofar as the limits of parental authority are concerned The third section has a more applied orientation and addresses a variety of public policy controversies involving the interpretation of children's well being *The Routledge Handbook of the Philosophy of Childhood and Children* Anca Gheaus, Gideon Calder, Jurgen De Wispelaere, 2018-07-20 Childhood looms large in our understanding of human life as a phase through which all adults have passed Childhood is foundational to the development of selfhood the formation of interests values and skills and to the lifespan as a whole Understanding what it is like to be a child and what differences childhood makes are thus essential for any broader understanding of the human condition The Routledge Handbook of the Philosophy of Childhood and Children is an outstanding reference source for the key topics problems and debates in this crucial and exciting field and is the first collection of its kind Comprising over thirty chapters by a team of international contributors the Handbook is divided into five parts Being a child Childhood and moral status Parents and children Children in society Children and the state Questions covered include What is a child Is childhood a uniquely valuable state and if so why Can we generalize about the goods of childhood What rights do children have and are they different from adults' rights What if anything gives people a right to parent What role if any ought biology to play in determining who has the right to parent a particular child What kind of rights can parents legitimately exercise over their children What roles do relationships with siblings and friends play in the shaping of childhoods How should we think about sexuality and disability in childhood and about racialised children How should society manage the education of children How are children's lives affected by being taken into social care The Routledge Handbook of the Philosophy of Childhood and Children is essential reading for students and researchers in philosophy of childhood political philosophy and ethics as well as those in related disciplines such as education psychology sociology social policy law social work youth work neuroscience and anthropology **Children's Rights** Mhairi Cowden, 2016-04-29 Despite the existence of the UN Convention on the Rights of the Child there still exists a debate on whether children can really hold rights This book presents a clear theory of children's rights by examining controversial case studies The author presents a pathway to translating rights into practical social and political instruments for change **The Future of Children's Rights** Michael Freeman, 2015-01-08 This volume is in part intended to celebrate the 25th anniversary of the United Nations Convention on the Rights of the Child We are now a generation on from its formulation and as this

varied collection of articles by leading thinkers in the field reflects children's rights have come a long way. Yet the aim of this volume is not to look back but to take stock and look forward. It explores subjects as diverse as socio-economic rights, corporal punishment, language and scientific progress as they relate to children and their rights and offers new insights and new ideas. Edited by one of the most respected and leading scholars in the field, *The Future of Children's Rights* constitutes a stimulating and useful resource for academics and practitioners alike. *Children's Rights: Progress and Perspectives*

Michael D. A. Freeman, Michael Freeman, 2011-10-28. The International Journal of Children's Rights has been a major player in all this. Its impact is worldwide. It has established itself as the leading journal in the field. The journal is now in its 19th year and is flourishing. This volume has been compiled not only to commemorate the journal's work but also the 20th anniversary of the Convention coming into operation and of the first World Summit on Children. An anthology of the best articles published in these formative years, this volume offers a representative sample of what the journal has achieved. Some of the articles are ones which are frequently cited whilst others are less well known; some deal with theory, others with practice. The case for children's rights is to be found throughout this collection as is the history of children's rights. **The Relationship**

Rights of Children James G. Dwyer, 2006-04-17. This book presents a sustained theoretical analysis of what rights children should possess in connection with state decision making about their personal relationships which the state does in numerous aspects of family law including paternity, adoption, custody and visitation, termination of parental rights and grandparent visitation. It examines the nature and normative foundation of adults' rights in connection with relationships among themselves and then assesses the extent to which the moral principles underlying adults' rights apply also to children. It concludes that the law should ascribe to children rights equivalent though not identical to those which adults enjoy and this would require substantial changes in the way the legal system treats children including a reformation of the rules for establishing legal parent-child relationships at birth and of the rules for deciding whether to end a parent-child relationship.

Fortin's Children's Rights and the Developing Law Rachel E. Taylor, 2024-02-29. The notion that children constitute an important group of rights holders has gained increasing acceptance both domestically and internationally. Nevertheless, this rhetorical commitment to children's rights is not necessarily realised in practice. Now in its fourth edition, Fortin's *Children's Rights and the Developing Law* explores the extent to which law and policy in England promotes or undermines the rights of children. Fully revised and updated, this textbook uses current research on child development and welfare to reflect on the extent to which the law fulfils children's rights in a wide range of areas including medical law, education and child poverty. These developments are measured against the domestic law and the UK's international obligations under, for example, the United Nations Convention on the Rights of the Child. *Children's Bioethics* Maya Sabatello, 2009. Only scant attention has been given to the issue of children's bioethics. Even when such a discourse took place, it hardly touched upon children as social agents. In this novel work, Maya Sabatello looks at the anatomy, politics and ethics of religious and cultural medical practices.

from a harmless traditional practice to genetic engineering Building on literature from medical anthropology cultural studies disability studies social sciences and law she explores the international discourse on children's bioethics from a previously uncharted child centered approach In light of the existing multiculturalism she contends that in the discourse on children's bioethics not only must the medical social and anthropological nexus of the child be taken into account but that incorporating identity claims into the legal discourse is also essential for the child's voice to be heard

Children at the Borders Jonathan Josefsson, 2016-12-15 In the wake of a steady flow of child migrants attempting to cross borders and states efforts to restrict immigration various public controversies have arisen about the rights of asylum seeking children The moral gap between the outcome of democratically enacted laws and the aim of controlling immigration on the one hand and public calls to protect the universal rights of asylum seeking children on the other have created a political challenge for Western democracies This thesis sets out to examine two particular settings in which norms about the rights of asylum seeking children and immigration control have been established and contested over the years the Swedish Migration Court of Appeal and Sweden's largest morning paper Dagens Nyheter It combines empirically oriented analysis with theoretical enquiry and it brings the issue of the rights of asylum seeking children into dialogue with the contemporary political philosophical debate about membership rights and borders

I kvittat av en stadig ström av barn som migrerar verstatser har medial rapportering protester och offentliga diskussioner aktualiserat frågan om asylsökande barns rättigheter Det moraliska glappet mellan tillämpningen av demokratiskt stiftade lagar i syfte att reglera invandringen ena sidan och offentliga krav på att skydda universella rättigheter för asylsökande barn andra sidan har vuxit fram som en samtidig utmaning för demokratiska stater att hantera I denna avhandling undersöks två specifika arenor där normer om asylsökande barns rättigheter och immigrationskontroll har etablerats och ifrågasatts under de senaste åren den svenska Migrationsverdomstolen och Sveriges största morgontidning Dagens Nyheter Avhandlingen kombinerar empiriska analyser med teoretiska undersökningar om asylsökande barns rättigheter i dialog med en samtidig politisk filosofisk diskussion om medlemskap rättigheter och gränser

Handbook of Human Rights Thomas Cushman, 2012-02-20 The Handbook maps out the field of human rights for the humanities and social sciences It provides a solid foundation for the reader who wants to learn the basic parameters of the field but also to promote new thinking and frameworks for the future study of human rights in the twenty first century

Children's Socio-Economic Rights, Democracy And The Courts Aoife Nolan, 2011-09-15 This book is concerned with children's economic and social rights sometimes referred to simply as children's social rights Despite increased academic interest in both children's rights and socio economic rights over the last two decades children's social and economic rights remain a comparatively neglected area This is particularly true with regard to the role of the courts in the enforcement of such social rights Aoife Nolan's book remedies this omission focussing on the circumstances in which the courts can and should give effect to the social and economic rights of children The arguments put forward are located within the context of

and develop long standing debates in constitutional law democratic theory and human rights The claims made by the author are supported and illustrated by concrete examples of judicial enforcement of children s social and economic rights from a variety of jurisdictions The work is thus rooted in both theory and practice The author brings together and addresses a wide range of issues that have never previously been considered together in book form These include children s socio economic rights children as citizens and their position in relation to democratic decision making processes the implications of children and their rights for democratic and constitutional theory the role of the courts in ensuring the enforcement of children s rights and the debates surrounding the litigation and adjudication of social and economic rights This book thus represents a major original contribution to the existing scholarship in a range of areas including human and specifically social rights legal and political theory and constitutional law Children s rights were often thought to be synonymous with economic and social welfare prior to the adoption of the Convention on the Rights of the Child in 1989 Ironically since that time remarkably little scholarship has been devoted to the vitally important economic and social rights dimensions of children s rights Nolan s book singlehandedly remedies that neglect and does so in a sophisticated nuanced and balanced way It provides a superb account of the pros and cons of judicial activism in promoting these rights Philip Alston John Norton Pomeroy Professor NYU Law School Thus far the burgeoning literature on the judicial enforcement of socio economic rights has failed to engage in a sustained systemic manner with this topic from the perspective of children and the complexity of their status as citizens within contemporary democracies This book fills this gap and makes a major contribution to the literature in the three interrelated areas of the judicial review of socio economic rights claims children s rights and democratic theory Nolan navigates skilfully through the dense but rich literature in these areas as well as relevant international and comparative law In so doing she illuminates both the pitfalls and potential of resorting to courts in a partial response to the multifaceted and deeply entrenched global phenomenon of child poverty Professor Sandra Liebenberg HF Oppenheimer Professor of Human Rights Law University of Stellenbosch Law Faculty Winner of the Kevin Boyle Book Prize 2012 awarded by the Irish Association of Law Teachers to a book that is deemed to have made an outstanding contribution to the understanding of law

Philosophical Foundations of Children's and Family Law Elizabeth Brake, Lucinda Ferguson, 2018-03-02 This volume brings together new essays in law and philosophy on a broad range of topics in children s and family law It is the first volume to bring together essays by legal scholars and philosophers for an integrated critical analysis of key issues in this area marking the coming of age of a comparatively new field of family law Debates in children s and family law are at once theoretical and empirical in nature Not only does children s and family law have significant consequences for individuals intimate lives the field s impact on lived experience highlights the socially constructed nature of law Approaching this area of law often involves exploring a legal concept familiar from daily life such as the very notion of marriage or family and examining it within its social economic and historical context The normative basis for law regulating intimate personal and

family life extends beyond any narrow legal philosophy or social context to its broader foundations in theories of morality or justice. The chapters included bring together a representative and broad range of pieces that engage with long standing and contemporary debates. A wide range of perspectives is represented on topics such as same sex marriage polygamy and polyamory alimony unmarried cohabitation gestational surrogacy and assisted reproductive technologies child support parental rights and responsibilities children's rights family immigration religious freedom and the rights of paid caregivers. There is also philosophical discussion of concepts such as care intimacy and the nature of family and family law itself.

Justice, Education and the Politics of Childhood Johannes Drerup, Gunter Graf, Christoph Schickhardt, Gottfried Schweiger, 2016-03-23. This volume contributes to the ongoing interdisciplinary controversies about the moral legal and political status of children and childhood. It comprises essays by scholars from different disciplinary backgrounds on diverse theoretical problems and public policy controversies that bear upon different facets of the life of children in contemporary liberal democracies. The book is divided into three major parts that are each organized around a common general theme. The first part, Children and Childhood, Autonomy, Well Being and Paternalism, focusses on key concepts of an ethics of childhood. Part two, Justice for Children, contains chapters that are concerned with the topics of justice for children and justice during childhood. The third part, The Politics of Childhood, deals with issues that concern the importance of childhood as a historically contingent political category and its relevance for the justification and practical design of political processes and institutions that affect children and families.

Family Values Harry Brighouse, Adam Swift, 2016-08-02. The family is hotly contested ideological terrain. Some defend the traditional two parent heterosexual family while others welcome its demise. Opinions vary about how much control parents should have over their children's upbringing. Family Values provides a major new theoretical account of the morality and politics of the family, telling us why the family is valuable, who has the right to parent and what rights parents should and should not have over their children. Harry Brighouse and Adam Swift argue that parent-child relationships produce the familial relationship goods that people need to flourish. Children's healthy development depends on intimate relationships with authoritative adults while the distinctive joys and challenges of parenting are part of a fulfilling life for adults. Yet the relationships that make these goods possible have little to do with biology and do not require the extensive rights that parents currently enjoy. Challenging some of our most commonly held beliefs about the family, Brighouse and Swift explain why a child's interest in autonomy severely limits parents' right to shape their children's values and why parents have no fundamental right to confer wealth or advantage on their children. Family Values reaffirms the vital importance of the family as a social institution while challenging its role in the reproduction of social inequality and carefully balancing the interests of parents and children.

Independence for Children Matthew Clayton, 2025-02-01. Independence for Children presents an alternative conception of parenting to those that have dominated our thinking about children and the family to date. It offers an elaboration and defence of anti-perfectionist parenting. The central argument of this book is

that as they develop children become entitled to adopt and pursue their own conceptions of religion and human well being As young children they are entitled to an upbringing that is informed by ideals and reasons they can later accept in the light of the religious or ethical values they go on to hold as adults In short parents and others owe children an upbringing from which they are not alienated later in life Parental anti perfectionism suggests that parents should introduce their children to the various and sometimes competing views concerning our place in the universe and human flourishing and raise them to be respectful of the diversity of lifestyles within society But Matthew Clayton argues that parents have no right to steer their children towards particular religious doctrines or conceptions of human flourishing and that religious schools ought to be phased out This book addresses several questions in the philosophy of upbringing such as how we ought to understand the interests of children the moral claims of parents and what constitutes a valuable family life Clayton finishes by briefly exploring the implications of anti perfectionist morality for how parents ought to approach issues concerning work consumption gender and food

Children's Rights and Business Gamze Erdem Türkelli,2020-02-13 A comprehensive legal inquiry into children s rights and business drawing on insights from various disciplines enriched by in depth case studies

Young Children as Active Citizens Patrick Hughes,Glenda Mac Naughton,Kylie Smith,2009-10-02 Young Children as Citizens explores how young children birth to 12 years of age can and should participate in civic life It reflects new images of young children as social actors together with the increased interest in children s rights in the public sphere The contributors are early childhood researchers pedagogues children and policy makers from Australia and Europe They present a rich diversity of research based case studies in which policy makers and educators have listened to young children s views on public issues and responded in respectful and ethical ways Young Children as Citizens is a unique resource for policy makers those working in children s services and child advocates It shows how best to consult young children and it presents a range of arguments that consulting young children about policies and decisions that affect them supports and enhances a vigorous democratic society Students undergraduate and postgraduate teachers and researchers in early childhood studies can use individual chapters of Young Children as Citizens selectively to explore issues of increasing complexity in different courses The book would be a good set text for Honours and Master s programs that address issues of children s rights

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