

Childism, Intersectionality and the Rights of the Child

The Myth of a Happy Childhood

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Chapter 3

Childism and racism intersecting

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On a perceived natural inequality

3.1 Historical invisibility of children in the Civil Rights Movement

The critical potential of childism and intersectionality provides scholars with the ability to explicate the power structures that uphold and the prejudice that motivates how the legacy of children from marginalized groups is rendered invisible in terms of epistemic injustice and intersectional invisibility in human rights history and to explain why certain groups of children are neglected and overlooked in terms of human rights violations. Marginalized children suffer from intersectional invisibility as their experiences of multiple discrimination lie at the margins of already marginalized groups' counter-narratives to dominant historical, legal, political, cultural, and social narratives. The experiences of human rights violations of children with intersectional identities are silenced through different types of intersectional invisibility: (1) historical invisibility refers to the marginalization of children's intersectional experiences in historical narratives, (2) cultural invisibility refers to the failure of cultural representations to capture the distinctive experiences of intersectionally subordinate groups, (3) political invisibility refers to the so-called inclusive advocacy groups that neglect the issues that predominantly affect people with intersecting subordinate identities, and (4) legal invisibility refers to how the court cannot provide the same legal protections for intersectional identities as it provides for people with a single subordinate group identity (Baumtrog and Peach 2019, 277). This work is indebted to the historical agency and sacrifice of racialized, indigenous, and minority children in human rights struggles, as the black children in the Civil Rights Movement.

The Little Rock Nine

Racial segregation in the public school system of the United States was legally contested before the Supreme Court in the case of *Brown v. Board of Education* 1952–1954, of which Constance Baker Motley (1921–2005) wrote the original complaint in 1950. Three years after the decision which made racial segregation in public schools—but not private schools—a breach of the constitution, nine children in Arkansas would draw wide public attention by trying their

right to education in 1957, stirring racist sentiments of the time. Gloria Cecilia Ray from Little Rock in Arkansas was one of them.

I lost my childhood September 3rd 1957, that was the first day of school and I got very serious afterwards. You have to have something to live for and they are saying ‘no, that dream you have, you don’t qualify for that, that is only for others, you have to settle and be subservient for the rest of your life’—I couldn’t live without that kind of dream so...

(Gloria Cecilia Ray)

The Supreme Court ruling of *Brown v. Board of Education* in 1954 declared separate public schools unconstitutional, a breach of the 14th amendment that all American citizens are equal before the law. Three years after that ruling, in 1957, nine African American students decided to claim their right to education—by attending the Central High School in Little Rock. Gloria Cecilia Ray was one of the children, 14 years old at the time.

In April of 57’ a questionnaire was sent around in the junior high school that I attended and in my home room—this was the first class of the day—the teacher said: ‘There is a paper here for anyone who wants to go to Central High School. You can sign your name on that sheet if you want to go there.’ And the paper was sent around and I signed my name on the sheet.

(Gloria Cecilia Ray)

On their first day at Central High, as the children approached the school building, a mob of white parents gathered outside to prevent them from entering. The local police forces did nothing to disperse the mob, a violation of the Federal Court order based on the Supreme Court ruling. Governor Orval Faubus had commanded the National Guard troops of Little Rock to defy the federal law and to prevent the children from attending the school, which had hitherto been open for white students only.

When my parents found out I had signed the sheet that was fine. After it became a controversy, they told me that they would stand behind me whatever I decided to do: If I wanted to continue to go to Central High School, they would support me and if I didn’t want to continue to go to Central High School, they would support me. It was totally up to me.

(Gloria Cecilia Ray)

Gloria Ray says the nine children, known as ‘The Little Rock Nine,’ would not have managed to continue going to school that year without the support of their parents. The historical circumstances made Gloria Ray’s dreams political, and in deciding not to compromise her future her decision became an active stance in the Civil Rights Movement. For her, though, it was less about desegregation than about not letting anyone tell her she had to settle for less due to discrimination.

I went to Central High School not to integrate the school but to get the education that was being offered there. Why would anybody choose to get less than the best education available to them?

(Gloria Cecelia Ray)

For the whole of the first week, the nine children were prevented from entering Central High until President Eisenhower deployed his 101st Airborne Division to protect them. This was the first time in American history that a president had sent his Airborne Division to protect the rights of African American citizens. He did so while referring to the necessity of the rule of law rather than mob rule.

One thing people did say to us in Little Rock was that we didn't know our place and they criticized us and didn't even want their kids to play with us because we didn't know our place, our place being not to bring about change.

(Gloria Cecelia Ray)

The children were protected by Eisenhower's troops only while walking into the school building. During the school day, however, white students continued the harassment. The endurance of the nine children who went back every day to affirm their right to education became an inspiration for other children around the world. Children experiencing similar injustices sent letters of support, for example, from South Africa.

That year we received lots of mail from all over the world and especially from South Africa. So apparently, it was some sort of inspiration to kids to hang on to their beliefs. My primary belief at that point was that education was the way forward and of my right to get an education and of my right to hold on to my belief. That's what kids wrote to me about.

(Gloria Cecelia Ray)

Gloria Ray says that what was initially a decision driven by her personal desire to receive the best education available to her turned into a principle of children's rights to equal education. Her personal dreams turned into a struggle for that principle. Equal rights for all children became the driving force that made her endure the whole year at Central High before her graduation.

I can only speak for myself, but I can tell you what kept me going back every day to school was imagining a future in which I didn't have the right to go there every day. So maybe as kids we are less willing to wait to have a life as an equal human being. I didn't want to be forced to have a grown-up life where I was forced to be ignorant all my life and be subservient. If that was what they were offering me then no thanks, I would rather protest and struggle to get it changed.

(Gloria Cecelia Ray)

The support from other children around the world of the Little Rock Nine's determination not to settle mirrored a widespread recognition among children of how the adult world tells them to settle for less or to 'know your place,' just like the white adult community of Little Rock had asked of the nine students. The children's resistance to the discrimination had consequences for their parents as well.

The nine of us, we always said: It was our parents who were the champions. To allow your kid to leave home in the morning knowing you might not see him again alive. They would call my mother and tell her I was dead, that she had to come up to school and get my body. Not just to my mother, it happened to all the parents of the nine. But they were the real champions, that they were willing at their various ages, to endure that. You put yourself on the line before you let your child do so. They were the real champions for the nine of us, and that is what we said too when we received those congressional gold medals.

(Gloria Cecelia Ray)

The Little Rock Nine received golden congressional medals from President Clinton in 1999—half a decade after their graduation from Central High. Of course, there were other children who had wanted to go to the school but their parents were unable to jeopardize their day-to-day jobs as a consequence of backing their children in economically disadvantaged neighborhoods. By pursuing her dreams and not settling for less than the best education, Gloria Ray defied several power structures that expected children, blacks, and women to know their place.

I have said many times that the first day of school was when my childhood ended. Because that was when they said: 'No you can't get that education because you are not white, you don't look this way, or that way.' That was my dream broken. All that was left was my right to fight for my dream.

(Gloria Cecelia Ray)

The Children's Crusade

Five years after the Little Rock Nine defied school segregation in Arkansas, children in Alabama put their lives at stake to protest in what was one of the most racially segregated states at that time in the United States. In Alabama, on May 2, 1963, the Birmingham Children's Crusade started as a protest walk in which thousands of children walked from the Baptist Church to the Mayor of Birmingham, to talk with him about segregation.

On the first day of the protest, hundreds of children were arrested. By the second day, Commissioner of Public Safety Bull O'Connor ordered police to spray the children with powerful water hoses, hit them with

batons and threaten them with police dogs. Footage and photographs of the violent crackdown in Birmingham circulated throughout the nation and the world, causing an outcry.

(Gilmore 2015)

Martin Luther King Jr. recalls in *Why We Can't Wait* how white Americans reacted to images in the media of children enduring physical hardships when claiming their rights. The child protests would become a turning point in the Civil Rights Movement. Without the participation of children, he argues, the Civil Rights Movement may not have reached the momentum it did when prisons were filled to overcapacity with child protesters. White Americans criticized the Civil Rights Movement for 'using' children, Martin Luther King Jr. recounts in his memoirs, but where had all these well-intending concerns been in the racial oppression of African American children, he wondered (2000, 115).

Altogether on 'D' Day, May 2 [1963], more than a thousand young people demonstrated and went to jail. At one school, the principal gave orders to lock the gates to keep the students in. The youngsters climbed over the gates and ran toward freedom.

(Luther King Jr. 2000, 117)

Children involved in the Civil Rights Movement organized themselves by joining youth branches in the National Association for the Advancement of Colored People (NAACP). Clara Luper was eight years old when she joined a meeting with the NAACP Youth Council in Oklahoma City. She recalls, 'I suggested, made a motion, that we would go down to Katz Drug Store and just sit, just sit and sit until they served us' (Library of Congress 2019). This protest, initiated by the motion laid down by an eight-year-old, led to the desegregation of the drug store's lunch counter in Oklahoma City.

The Little Rock Nine are commemorated in a group statue called *Testament* on the grounds of the Arkansas State Capitol in Little Rock, which was the first civil rights monument located on any state capitol ground in a southern state of the United States. Gloria Ray chose to have the words 'Dare to object to prejudice and injustice' inscribed on her brass plaque.

3.2 Addressing the heterogeneity of 'children'

In talks of the rights of the child and violations thereof, special attention has been given to 'children in vulnerable situations,' which can be seen as another way of saying that there are situations in which children become more vulnerable and that children suffer from multiple structures of oppression. As 'children' constitute an age-discriminated group in itself, their position in terms of power relations is more complex than merely deeming certain children as being in 'vulnerable situations.' Age-based violence against children are acts that children are primarily or exclusively victims of and violence against individuals

connected to normative understandings of their age (primarily children and youths). Such age-based violence knows no class boundaries. An economically privileged child is nevertheless conditioned by age and may suffer age-based violence which can be additionally moderated by gender, sexuality, disability, and ethnicity. The violence that millions of children endure during childhood calls for political demand to recognize how oppressive systems intersect or, in the words of Kimberlé Crenshaw, to view ‘as social and systemic what was formerly perceived as isolated and individual’ (1991, 1241–42).

Elisabeth Young-Bruehl calls upon scholars to investigate how other forms of prejudice, inter alia sexism, racism, and anti-Semitism, function in ways that tie into and strengthen prejudice against children. She argues that prejudices operate by making a distinction between features a group actually shares and those that are attributed to it (Young-Bruehl 2012). Individuals in the group of ‘children’ may not have much in common due to vast in-group diversity—ranging from infants to youths with different cultural, religious, socioeconomic, and language backgrounds—but children experience different forms of age discrimination and face benevolent and hostile childism in different forms. This chapter seeks to answer the question of how intersectionality may be helpful, as has been suggested by Hanson and Peleg (2020), in analyzing the ways in which children are affected by oppressive interlocking prejudiced systems and power structures.

To address multiple oppression of children

Children comprise individuals from all religions, all cultures, all ethnic, gendered, and linguistic minorities. By recognizing all marginalized groups today labeled as ‘minorities,’ that is, women, children, ethnic and religious minority groups, LGBTQ, indigenous, and the disability movement, these make up a majority, not a minority. By continuing to describe a majority as ‘minorities,’ social inequality risks being diminished into a ‘minority problem.’ Intersectionality enables studies into the complexity of social inequality and social injustice toward children by recognizing how social context, relationality, and power intersect in multiple ways (Hill Collins and Bilge 2016, 64). With intersectional lenses on the rights of the child, we can thus study the complexity of social injustice and the role that power, relationality, and social context play in denying children basic rights and in sustaining social inequality for children. Children globally are representative of all other marginalized groups and childism interlocks with other forms of oppressive structures, such as colonialism, racism, sexism, and ableism.

Children can experience multiple dimensions of marginalization, like being a child and a girl, a child and of ‘color,’ a child and belonging to a religious minority group, a child and poor, a child and homosexual, a child and immigrant, a child and Roma, or a child with a disability. Intersectional analysis focuses on the intersection of several power structures. When problematizing the lack of implementation and enforcement of the rights of the child, several identity categories may influence a child’s experiences of oppression in

different but simultaneous ways. Additional dimensions and assigned social categories include references to ethnicity, nationality, citizenship, sexuality, language, social and economic status, and more.

Children experience discrimination and exclusion through oppressive systems interlocking and creating double, triple, or multiple hindrances for a child to enjoy and exercise their human rights and freedoms. An intersectional framework to explore the enforcement of the rights of ‘the child’ is vital, as there is no ‘universal child’ representing the experiences of being ‘a child.’ All children have their own unique and evolving life stories that speak to multiple and relational facets of belonging. Any one of these may be disrupted or altered for a child through migration or other life transitions such as adoption, as well as through social mobility through education. Intersectional analysis can be visualized as drawing up and exploring the movement and interruptions in a traffic intersection in which certain lanes only (assigned identity) have a green light, while others have to wait indefinitely at the red light. Which are the laws, rules, and regulations in that intersection that deny some children the opportunity to move forward in their lives—while for more privileged children, several roads seem to lay open—depending on social categories? Power structures, historically and continuously, provide the fundamental basis for decision-making in a wide range of areas: How to allocate resources in the world, when determining whose interests to privilege in political agendas. The discourse on human rights and social justice runs counter to how societies internally and externally between each other have been, and continue to be, structured along hierarchical patterns that privilege a few at the expense of a majority.

Intersectionality is a critical lens on propositions of identity and of binary and seemingly static power relations. As such, intersectional analysis can also be visualized as the practice of identifying and drawing several vertical lines that represent seemingly static power relations between ‘adult’ and ‘child,’ ‘black’ and ‘white,’ ‘rich’ and ‘poor,’ ‘male’ and ‘female,’ and ‘abled’ and ‘disabled’—lines that when placed over each other intersect. These binaries need to be problematized as well since they limit children’s identities and self-expressions. They function in relationally oppressive ways and display how power relations intersect in societal interactions and how children will experience the lived reality of several of these power dynamics and contest them. Children as a group (0–18-year-olds) comprise around a third of the world’s total population, although their presence in the public and political sphere—both historically and in the present day—is diminished by their lack of rights, freedoms, and resources. A final metaphor for intersectional analysis can be through the formation of circles that overlap like a Venn diagram—each circle constituting an oppressive system, such as colonialism, racism, or sexism—demonstrating the interlocking of these categories. Some children will experience the force of one or two of these oppressive systems in their lives, while others will face several overlapping structures of oppression. Story-telling and narratives are crucial tools in gaining knowledge from the perspectives of children who suffer from overlapping structures of oppression.

Children, as a heterogeneous group, will be conferred human rights when oppression on the basis of race, class, gender, age, ability, and immigration status is adequately addressed. One step forward in respecting the rights of the child is to acknowledge children's narratives of segregation, marginalization, and exclusion as *political narratives* (Adami 2015) that can influence policy and praxis. As Collins and Bilge suggest in their work on intersectionality,

Because they are young and experience social inequalities that are associated with age as a system of power first-hand, children, teenagers and young adults have a special vantage point on intersecting social inequalities of ethnicity, religion, gender, sexuality and race. They know that their neighborhoods receive inferior services and special policing. They see how their schools have less experienced teachers, old and dilapidated buildings and outdated textbooks. They know that jobs for teenagers are minimal and that the legitimate jobs that do exist pay little and have few benefits.

(Hill Collins and Bilge 2016, 117)

Children possess first-hand experiences of disadvantage, but unfortunately their voices risk being left unheard in policy-making. Can a child's low status in society be explained in terms of multiple disadvantages when childism intersects with other forms of oppression such as racism, sexism, or ableism? The participation of children in decision-making on local, national, and international levels needs then to move from childist tokenism—letting a few child-representatives with privileged backgrounds represent the voices of the majority—to equal representation of children in decision-making concerning children's rights. This aspect has also been stressed by the UN Committee on the Rights of the Child (UN CRC) in their general comment on measures to implement the CRC.

Involvement of and consultation with children must also avoid being tokenistic and aim to ascertain representative views. (...) It is important that Governments develop a direct relationship with children, not simply one mediated through non-governmental organizations (NGOs) or human rights institutions.¹

The first step could be to acknowledge children as a heterogeneous and diverse group of individuals from different social, economic, cultural, religious, and other minority backgrounds. The second step is to ensure adequate representation, and of allowing influence in decision-making in institutions that work to implement and enforce the rights of the child. Collins and Bilge argue similarly that

Race, class, gender and citizenship categories disadvantage many groups under neo-colonial policies, yet, because age straddles all of these categories, young people's experiences of social problems are more intensified.

(Hill Collins and Bilge 2016 117)

Children may have limited access to venues through which their voices could be channeled and by which they could influence the advancement of their rights and freedoms. Demands for social and economic change may be met by disciplinary rather than respectful responses from institutions of power embodied by adults. Owing to a lack of access to political platforms, teenagers may employ alternative ways to raise their concerns through, for example, social media, music, poetry, and spoken word. To find venues for their multiple voices to be heard, argue Hill Collins and Bilge, is difficult for children and youth who are restrained by intersecting structures of power,

Youth had to craft their own self-defined identities, an important task for disenfranchised people who consistently have to create meaningful identities in response to stereotypes that are imposed from above.

(Hill Collins and Bilge 2016, 120)

Negative stereotypes of teenagers influence the discourse about children aged 13–18. In childist discourse, adolescence is characterized in negative terms by which problems are cast as created by teenagers themselves. This conveniently shifts the focus in responsibility for positive change from adults and the current system that disadvantages older children in multiple ways, toward demands on teenagers to create the needed change. As stressed further by the UN CRC,

[The Committee] regrets the widespread negative characterization of adolescence leading to narrow problem-focused interventions and services, rather than a commitment to building optimum environments to guarantee the rights of adolescents and support the development of their physical, psychological, spiritual, social, emotional, cognitive, cultural and economic capacities.²

Spoken word events, for example, can be seen as a way for teenagers who lack political influence over issues affecting them to express and share in a public space their feelings of frustration, abandonment, and distrust triggered by age-related oppression, neglect, and social injustice. Intersectional analysis can be used to explore how teenagers shape their identity and individual sense of self through available identity categories and how they may contest racialized, sexualized, and gendered identities.

Adolescence itself can be a source of discrimination. During this period, adolescents may be treated as dangerous or hostile, incarcerated, exploited or exposed to violence as a direct consequence of their status. Paradoxically, they are also often treated as incompetent and incapable of making decisions about their lives.³

Childist beliefs intersect with discourses on racism, sexism (see Chapter 4), and ableism (see Chapter 5). Therefore, to analyze systemic and structural

hindrances present in any given society against the implementation and enforcement of children's rights, there is value in engaging with intersectional analysis. Exploring the intersections between different systems of oppression, between racism, sexism, ableism, and childism, brings to the fore how prejudice manifests against children as a heterogeneous group.

3.3 Social inequality of 'children of color' cast as a 'natural' inequality

Social myths, prejudice, and negative stereotypes associated with beliefs about the inferiority of children, and especially children from marginalized groups, are entangled through its oppressive discourses of how talks, action, and treatment exhibit negative attitudes against marginalized children. Exploring prejudice reveals the purpose it serves for those who hold these beliefs. This section seeks to answer what insights are to be gained about power, discrimination, and domination relevant to racist and childist oppression of children by exploring the concepts of systemic racism, racial profiling, tokenism, and white ignorance?

The experiences of the Holocaust transformed, according to Kenan Malik (1996), the discourse of race in science after the Second World War. Even though scientists through UNESCO declared after the Second World War the idea of 'race' a myth, the discourse of racism still feeds off this myth (Malik 1996, 15). The social myth of different 'human races' continues to provide arguments for white privilege and the maintenance of social inequality between groups of people. Malik (1996) argues that racism is a conflation of social and natural inequalities: 'One way to understand the narrative of race is as the story of how the second type of inequality became reduced to the first—in other words, how social inequalities became regarded as natural ones' (1996, 71). The discourse on 'race' serves to explain social inequality by turning it into a natural inequality. Racist discourse 'explains inequality' and flourishes with increased gaps between the belief in universal Enlightenment ideals of equality and the actual economic disparities around the world that have widened through capitalism.

Capitalist ideology, as embodied in the Enlightenment, expressed hostility to the parochial, irrational nature of feudalism and proclaimed a belief in human equality and a universal society. In practice, however, the particular forms of capitalist society placed limits on the expression of equality.

(Malik 1996, 6)

When a large group of people work to maintain the wealth of a few, this creates a divide between an ideal and liberal idea and a social and economic reality. Theories of race, argues Malik, are those that have sought explanation-schemes for social and economic injustices on individual and biological levels by connecting people's abilities and qualities to ideas of biological differences. He includes here phrenological theories that claim to derive knowledge about different groups and their abilities from examining their brains; eugenics, which

aims at improving the genetic quality of human populations; and Darwinism, which traces the need for social stratification to biological positivism. Social Darwinism are theories employing Darwinism on evolution and the survival of the fittest to social studies that originally explored the stratification of the British society, in which ‘race’ did not refer to ‘ethnic races’ but to perceived biological differences inherent in social and economic classes (Malik 1996). Eugenics is based on the theory that the genetic quality of humans can be improved by selective breeding of populations. Phrenology is scientifically discredited pseudoscience that claim to derive knowledge about different groups and their abilities from the examination of brains, arguing that mental personality traits cannot be altered through education or the social environment.

A hypothesis of the argument in this chapter is that the idealistic idea of the rights of the child in contrast to its poor implementation and enforcement reinforces racist and childist beliefs about the ‘natural’ inequality between adults and children, and especially between racialized (as ‘colored’) children and the majority. Given that this hypothesis holds, childist discourse would be a way to rationalize the social construction of discrimination against children. Physical, psychological, and mental differences between an adult and a child serve then to motivate additional protective child rights but could also be used in childist discourse to maintain ideas of a child’s inferiority to an adult. Social inequality of racially marginalized children is naturalized through the intersections of childism and racism. Prejudiced discursive efforts function to justify the discrepancy between a universal notion of human rights and the lack of social justice for racialized children. The intersectional overlapping of racism and childism is visible in discursive efforts to motivate why children from minority groups should not be heard in terms of children’s rights and on violations thereof. This explains how the social inequality experienced by, for example, refugee children, indigenous children, or children from low cast risks being turned into questions of a natural inequality between the majority and these children whereby they lose their child status in child rights talks and are instead talked about as young adults who can be pushed away from society, punished for their presence, or simply ignored. Racialized children who suffer from social injustice are endangered to a higher degree than the majority to face punishment or being placed away in youth facilities for any breach of laws. These children can testify of the structural failure of the adult community to ensure basic needs and rights of all children. Critical child rights theory aims to first reveal how power operates in the social construction of inequality and then to challenge how such power functions through its discriminatory effects on marginalized children with the goal of creating social change and to eliminate injustice.

Property-infused language

A racist-infused childist discursive way of eliminating talks about children’s rights is to neglect the idea that children are individuals with their own agency, rights, and interests. A child’s agency can then be placed in the background of

any argument by referring to a child in discourse as parental property. ‘The legacy of the children-as-property view is still with us’ argues Anca Gheaus (2018, 1) with reference to Brennan and Noggle (1997), Archard and Macleod (2002), and Brighouse and Swift (2014) who claim this view is still salient. This conveniently foregrounds the integrity and autonomy of the parent to do what they please within the home, of non-interference with handling ‘private matters,’ and of lending guardians the right to use whatever means they deem appropriate in order to safeguard their child from perceived outside threat. In racist-infused childist discourse, adults are primarily seen as the individuals or subjects with rights and interests, whereas children are deemed as inseparable from their parents, and without their own will. Any infringement upon parental rights in terms of child rights claims for an individual child would in property-infused language about children be deemed as undue limitations to parental freedom in child rearing.

In racist-infused childist views, children are seen as belonging to adults without the right to hold their own views, ideas, or beliefs about their lives and futures. The idea of childhood as an asset for adults to invest in and used for their own purposes and the belief that children in poverty can be sold or handed away if they are seen as depleting family resources are examples of racist-infused childist reasoning. If one attempts to interfere when a child’s physical integrity and emotional integrity are being violated by a parent in public, one is generally met with property-infused language and indignation by parents and guardians: ‘This is *my* child.’ The general notion is this: ‘Don’t tell me what to do with *my* child.’ How to explain the ways in which adults seem reluctant to interfere when a child is being disciplined as to not question the rationality or the ‘professional autonomy’ of the disciplining adult? The adult community seems in general eager to accept that there are sound reasons to hit a child.

The articulation of rights in the American Declaration of Independence pertained initially only to white property-owning men—and not to those seen as belonging to his property. The discrepancy between the notion of ‘all men’ having rights and the social limits of who was included as rights-holder was explained as rooted in a natural order. The abolition of slavery in the United States was gradually enforced, applying lastly to children born into slavery, who gained their freedom only when reaching adulthood (Kearns Goodwin 2009, 31). The racist-infused childist belief that children are a form of property to be handed over, bought, and sold is illustrated by the trafficking of children, in the use of child prostitutes, in child labor in slave-like conditions, and in the recruitment of child soldiers. Trafficking, sex tourism, and child pornography increase with economic expansion, whether we call it expansionary capitalism or globalization, and commonly intersect with racism and neo-colonialism as well as sexism (Young-Bruehl 2012, 164). Another present-day example of when racism, neo-colonialism, capitalism, and childism intersect and adults’ profit from denying children the right to liberty could be found through the privatization of youth prisons in the United States. The United States is the

leading country in the west for locking up children in jail and does so in a system where prisons are a profitable business. Defending children as rights-holders runs counter to neo-colonial or capitalist interests of adults who sentence children to a life of imprisonment and unpaid labor.

Police violence toward black children and youth is motivated by racist beliefs prevailing as well among adults to justify corporal punishment in disciplining children in general: That they will only understand violent disciplinary actions, not reasoned communication. The expression ‘spare the rod and spoil the child’ is a childist expression that constructs children as wild animals who should be physically controlled; they must be broken or they will not, in the words of Young-Bruehl, be obedient, useful possessions.

The ideal of social equality demands changes in beliefs and behaviors to question discriminatory systems but the unwillingness to dispute white and adult privileges scapegoats children already suffering from racial inequality and conveniently shifts the focus away from the systemic changes needed to address racism and childism.

Racial profiling and age profiling

Racial profiling refers to the practice of using the idea of ‘race’ or ethnicity as grounds for suspecting someone of having committed an offense (Brooks 2017, 144). Age profiling, in addition, refers to the existing practice of using minority age as grounds for suspecting children of having committed an offense. When those two types of profiling intersect, discourses in society will frame teenage boys from minority groups as prone to violence, as influenced by their subculture, and as in need of the majority’s disciplining through a prison logic (Maggie O’Neill, forthcoming).

When children are disciplined within families and at school, such violence will be motivated through childist reasoning which states that children, ‘by nature,’ are inclined to misbehave. If and when children question adults’ childist accusations of misconduct, claiming they have been wrongfully accused (as might be the case at times when adults lack insight into what has happened but defer from bothering to ask or listen to the children’s recollection of what had happened), children jeopardize facing additional punishment for questioning childism rather than being taken seriously. In a childist society, children would be treated as potential wrongdoers who lie about their innocence and who should be disciplined and controlled in order to display a more proper or desired behavior.

The majority’s view of a shared ‘reality’ fed by media portraying racialized children as more prone to committing crimes and as threats to the moral and legal order places children and teenagers from marginalized racialized groups at an extreme disadvantage in legal reasoning (see Lainpelto 2023 for a discussion on prejudice against children with foreign background in Sweden in conflict with the law). Children from minority groups are, through racial and age

profiling, more likely to face rulings influenced by dominant narratives that deem them as a threat in society and even to national security. Children from minority groups targeted by racial and age profiling will consequently be over-represented in prisons and youth detention facilities. Acknowledging the detrimental effects that structural injustice of racial profiling has for children from minority groups, *racism and childism* constitute, through the use of anti-childist and anti-racist lenses, what ought to be seen as threats to a moral and just society.

Sociologist Wendy Moore has shown, as read by Aida Harvey Wingfield, how legal training in the US reflects ‘white racial framing.’ Students are taught that ‘in the eyes of the law, individual intention trumps the outcome of an action’ (Harvey Wingfield 2017, 189). If a white person did not have the intent to cause harm or discriminate, according to ‘white racial framing,’ this trumps the consequences that the action might have had for a person from a minority group.

This has the outcome of erasing the harm racist behavior visits upon people of color. Conveniently, however, it allows perpetrators to escape any ownership of or responsibility for the outcome of their actions.

(Harvey Wingfield 2017, 189)

As white racial framing privileges a white perspective in criminal cases, adult age framing additionally privileges an adult perspective in courts. Comparative international studies are thus desirable to map the pattern of courts’ presumable childist behavior toward children and the outermost disadvantage of children in this respect from racialized groups. In an annual report by the Penal Reform International on global prison trends in 2022, around ‘261 200 children are estimated to be in detention globally, and the report stresses the problem of “criminalization” and “adultification” of Black and Indigenous children that are often prosecuted like adults’ (Penal Reform International 2022).⁴ In contrast to this mentioned presumed commonality in how youths from marginalized communities become profiled, the prevalence of racist- and childist-motivated violence against children may, however, not be deemed criminal offenses in most countries. When adult intention trumps the outcome of an action, as with using corporal punishment to discipline children, it serves to diminish the harm that childist behavior inflicts upon children. Childist behavior is paternalistic adult interventions that cause children psychological and physical harm. To paraphrasing Harvey Wingfield’s quote above on white racial framing, adult age framing conveniently allows adult perpetrators to escape any ownership of or responsibility for the outcome of their actions.

Age framing and an adult perspective could be contributing factors in legal reasoning concerning children’s rights when the rights of the child give way to the rights of guardians. Examples that illustrate this include parental rights to discipline children, to have visiting rights despite being convicted of crimes

against the child, and to have shared custody even in cases of child abuse. A question that needs to be asked is whether a prevailing inclination to avoid infringing on other adults' rights has been greater than the space given to children to voice their suffering due to adult perspectives in court. Unreflected age framing in legal training—and in the interpretation and application of the CRC—risks weighing in favor of adults' good intentions against children's safety. Through childist language, harmful actions perpetrated by adults will be justified from an adult lens, accepting disciplinary measures that 'serve the development of children' while defeating legal measures to end violence against children.

Harm resulting from structural childism and racism include police brutality and the use of corporal punishment against minority children, the rate of suicides among young people caused by internalized epistemic and physical violence, and the number of infanticides that have either not been investigated by the police or where guardians have not been held responsible.

Child status of protection to white children only?

In a study on the right to non-discrimination for youth with migrant backgrounds in Sweden, Katrin Lainpelto (2023) 'explores the legal example where children with immigration backgrounds appear to receive unequal treatment before the courts when compared to how judges reason in similar cases' where the child does not belong to a racial minority group (Adami, 2023). International and comparative studies show that minority children are disproportionately sentenced to prison and tried as adults and that this unfortunately constitutes a global phenomenon.⁵ The legal cases from the Swedish context studied by Lainpelto seem to reflect racial bias in how youth with immigrant backgrounds are condemned with less burden of evidence (2023). In a response to Lainpelto's work, I conclude that 'A child accused of a crime may lack proper legal representation and could be judged by a court that exhibits unreflected forms of bias, including both racial and adult bias' (Adami, 2023). From an intersectional lens on the court rulings in these cases concerning allegations of sexual harassment, the discriminatory structures facing children from racial minority groups become visible, I argue, in how 'Harmful stereotypes and negative attitudes about youth and about children with migrant backgrounds—that they are untrustworthy, prone to mischief, and can be overly sexual—risk derogating a process of due neutrality and influencing the outcome of the court proceedings' (Adami, 2023).

Children who are already intersectionally disadvantaged, and in most need of the protection granted through the notion of children's rights, children living in poverty, children living on the streets, children in migration, children subjected to child labor, and minority children are to a higher degree referred to in discourse on crime prevention as 'young adults.' 'Child status' in terms of child protection systems seems, additionally, to be granted to white children to a larger extent than children of color. As noted by Johanna Schiratzki (2023)

on the legal and political difficulties to ensure statutory rights for children whose citizenship status is being questioned due to their parents' affiliations,

The children who have most to gain from the CRC becoming statutory rights of children are those who are at risk or suffering from discrimination, or whose lives are in jeopardy. Who are these children? They are the ones whose presence and agency are questioned—or, in the words of Article 2 CRC, they are children who differ from the majority owing to their own or their parents', guardians', or families' race, color, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, or other status.

(Schiratzki 2023, 21)

Even well-founded postcolonial critiques in child rights studies against 'western' childhoods, that of western scholars not recognizing the difference in childhoods experienced, and rights claimed, depending on context, may be used as arguments whereby 'child status' is not granted to children other than 'western' and whereby children's rights as set forth in the CRC are seen as attainable to children with majority group belonging and living in western societies only. Postcolonial arguments intended to critique western bias of children's rights risk derogating already marginalized children from rights claims that more privileged children are supposed to enjoy.

3.4 Systemic racism and childism

A refusal to be complacent in treating the social inequality of racialized children as a natural inequality is to turn our attention to more systematic explorations of equality data in countries and to ask questions about systemic injustices. Systemic racism refers to the continued process of maintaining, along racialized lines, the structure of socioeconomic inequality studied mainly in the United States that has its roots in slavery. In his studies on systemic racism in the United States, Joe R. Feagin analyzes 'the socioeconomic race problem, the combination of social and economic conditions that define racial inequality in post-civil rights America' (Harvey Wingfield 2017, 189). What research into systemic racism discloses is the unequal, socially structured systems that preserve white privilege. Using critical race theory, educational researcher Gloria Ladson-Billings shows how *Brown v. Board of Education* was used after 1957 in opposition to its intent by white parents to maintain white privilege (Ladson-Billings 1998).

To focus merely on how racism permeates relations at an individual level obscures the causes of injustice. When poverty among people from marginalized groups is explained at the individual level by perceived character traits, this only serves the system in place. Demanding people at an individual level to 'work harder,' 'think positive,' and 'find solutions' conveniently disregards how positions connected to power, money, and other privileges may only be open to

certain candidates. Placing blame on people in disadvantaged communities for their poverty conveniently disregards systemic injustices related to housing, infrastructure, access to quality education, and decent work opportunities that need to be identified for required systemic changes.

Socioeconomic advantage whites obtained through racial oppression during slavery and Jim Crow has been transformed into current socioeconomic advantage through the normal operating processes of mainstream institutions and the voices that shape our national narrative. These processes and narratives, in short, are racialized.

(Brooks 2017, 144)

Capital deficiencies consist, according to Roy Brooks of social, human, and financial ones in marginalized groups along racialized lines (Brooks 2017, 143). Using studies of systemic racism and how it operates, systemic childism could likewise alter ways to describe and critically analyze the socioeconomic conditions that sustain inequality for children and how child poverty affects minority children the most. Assuming that children will not alter or advance their positions until they become adults informs policies and laws that regulate how power, money, and other privileges are made available to adults only.

Adult privilege consists, paraphrasing Roy Brooks, of the social, economic, and political advantages that are available to adults solely on the basis of being adult (18 and older). An adult's access to these benefits varies depending on how closely an individual matches the adult norm (of perceived autonomy, rationality, and demonstrating adult authoritative behavior). The capital that disadvantaged children lack in comparison to privileged adults includes social capital (measured by the ability to secure or advance their position), human capital (measured by formal education and skills), and financial capital (measured by income and wealth).

The consequences of capital deficiency of marginalized children, however, are explained through racism and childism on an individual level as due to character flaws. If a child comes hungry and tired to school, is the consequential lack of attention in class regarded as a failure on the part of the child? Is a short attention span of a child in turn explained by reference to individual character traits? A child described as 'lazy' may experience social and economic inequality at home, conditions that would explain the child's behavior. Children's 'unruly' behaviors in schools where colonial and adultist power structures influence adult-child relations would, through childist discourse, be explained negatively at an individual level with reference to a child's character traits which serve to suggest a 'natural' inequality while neglecting any structural and social dimensions of racial and age inequality a child may be reacting to. Intersectional studies of childism and racism in education focus, for example, on social dimensions of how monolingualistic norms are overlooked in policy as possible hindrance for learning in schools that discriminate against children who speak other languages than the majority (see further Adami and Adams Lyngbäck 2024 on racism and childism intersecting in

preschool policy on monolingual norms and raciolinguistic discrimination). Yet another example of the intersection of childism and racism in schools is found in how narratives and illustrations in educational material generally reflect colonial power and its dominant knowledge claims. The absence of indigenous or minority narratives and knowledges compromises the meaningfulness and cultural identification for marginalized children in educational settings.

Statistics from different countries will show how children from marginalized groups and children in migration are subjected to a higher degree to school exclusions and overrepresented in youth facilities and child prisons. Megan Whitehouse (2022), for example, has employed Quantitative Critical Race Theory⁶ in the analysis of UK government policy on child exclusions, demonstrating how data in the Timpson Review of school exclusion from May 2019⁷ had been presented in a way that concealed the presence of systemic racism in school exclusions in the United Kingdom (Whitehouse 2022).

Calls for 'stronger action' against youth criminality place blame on children and teenagers for a social and racial inequality in society that has not been addressed properly by adults. Such calls conceal the socioeconomic disparity of children from marginalized groups who are withheld opportunities and choices that are at the disposal of privileged groups. 'Stepping up the fight against youth criminality' in a society ridden by racism thus feeds neo-colonial and capitalist structures that punish children along racialized lines for poverty sustained by the system in place.

Representation and tokenism

Martin Luther King Jr. criticizes in *Why We Can't Wait* (1964) the use of tokenism in US politics by the white majority. Tokenism is merely a symbolic effort to include marginalized groups in public offices, a minimal acceptance of the group in mainstream society. The right for all citizens to be represented in public decision-making may be reduced to tokenism in racist, sexist, ableist, or homophobic societies. Recruiting only a small number of individuals from an underrepresented group creates the impression of change, even if social exclusion and discrimination persist. Through tokenism, people that are often discriminated against are expected to fly the flag for companies and government departments, aiding them to promote an image of diversity rather than meaningfully working within institutions to eradicate hidden discriminatory practices.

A step toward social justice for all children would be equal representation of children from marginalized groups to have influence over decision-making on equal rights issues. However, in efforts to demonstrate child participation in adult organizations working with children's rights, there is a tokenist tendency to signal children's presence through their appearance only. NGOs working with the rights of the child may need to investigate their level of child influence. Are children merely asked to draw illustrations for the covers of reports or share their anonymized stories of experiences of human rights violations, or are they included in the actual decision-making and policy-shaping of an organization?

When children ‘participate’ in conferences simply through art exhibits or essay contests forms another illustration of tokenism in human rights works. Are children’s participation reduced to tokenism through displayed crafts and arts instead of ensuring critical advocacy skills for children to implement their rights through relevant national legislation, social services, and access to police forces? Can child representation be claimed at international conferences when children occasionally sing and dance in front of the participating delegates and organization representatives? Challenging the very power structure of organizations and institutions would upset adults’ prerogative as the sole experts on the rights of the child.

As was discussed in Chapter 1, only after the Convention on the Rights of the Child (CRC) was adopted were children invited to take the seats of UN delegates. Their ‘participation’ was limited to being informed about decisions already passed by adults about their rights.

To upset the status quo

To address the need for equal representation and influence in decision-making and to condemn racial, gendered, and age-related discrimination and oppression upset the *status quo*. It may be difficult for privileged people to understand the epistemic violence caused by discriminatory practices they have not themselves experienced. White ignorance consists of the many ways in which white people express unawareness of historical and contemporary oppression that subordinates racialized groups of people.

On the day Martin Luther King Jr. was shot in the United States, educator Jane Elliot used an exercise to make her white pupils experience emotionally what racism and anti-Semitism can mean. She decided to use an anti-racist exercise with her pupils, an exercise she later used with adult groups as well. In this exercise, all participants were divided into two smaller groups, one blue-eyed and one brown-eyed. The brown-eyed group was instructed to ‘talk down’ to the blue-eyed group in a way that would demonstrate dominance and shake their confidence. The instruction was to set it up so that the blue-eyed group would fail. Any resistance from the participants in the blue-eyed group against the unfair treatment was brusquely silenced as ‘inappropriate behavior.’ The anti-racist exercise has later been criticized for being unethical, which it was, especially due to the subordination already felt by children in relation to an adult teacher but the critique about its unethicallity could likewise be raised in the face of the daily practices of racism and childism that children from marginalized groups are expected to simply ‘overcome.’

‘What do you call a man to keep him down?’ Jane Elliot rhetorically asks in one of the exercises. The answer she said is: ‘Boy.’⁸ Addressing an adult as ‘boy’ is an act of condescension which diminishes the power of the adult (which can also be seen as an illustration of childist expression based on perceiving children as inferior to adults).

In one of the exercises with adults, a Christian white man in the blue-eyed group became so irritated by the intervention and the experience of being talked down to that he exclaimed that since God created different skin colors, racism was bound to exist. Jane Elliot retorted that God created people and people created racism. When played out with adults, Elliot's exercise caused individuals accustomed to being privileged emotional stress and the exercise has been criticized for being cruel and emotionally damaging. Black adult participants tried to explain that this was what they had to experience daily. White ignorant behavior ultimately ignores the emotions of people from minority groups and turns a blind eye to how racist behavior affects people's sense of dignity.

Racism is infused in childism as these discriminatory structures intersect and the discourses reinforce each other. Adult ignorant behavior degrades the emotions of children and disregards their dignity. Racist, sexist, or childist ignorant behavior consists of subtle yet harmful interactions in the everyday. Adult ignorant behavior can, for example, take the form of addressing only other adults in a room and ignoring the presence of any children, having eye contact with other adults only, never reaching out to shake hands with children, not relating to a child's experience of being overlooked or silenced, not noticing when children speak, and finally claiming to not understand a word children say. Adult ignorant behavior can also be exhibited in how adults may smirk in response to a child who cries from unfair treatment.

Children experience on a daily basis being talked down to, being belittled, ridiculed, silenced, not listened to, screamed at, and reprimanded in front of peers by adults. Meanwhile, adults who witness disrespectful behavior against children may not interfere or recognize the harm done. Adult ignorance captures the ways in which adults are blind to, or ignorant of, the historical and contemporary oppressive ways that children are kept in subordination as well as to the epistemic harm caused by childist discourse, consisting of violating and degrading language and actions against children.

An anti-childist lens can likewise be used to change childist behavior by uncovering ideas that support and justify practices which treat children as inferior and less deserving, with the aim of transforming instances of injustice through gained knowledge of how power can be used affirmatively at the individual, community, and institutional levels for change.

Summary: Racism and childism intersecting

Exploring racism in relation to colonialism and neo-colonialism informs the understanding that childism comparably intersects with these oppressive systems and gives expression to similar property-infused discourses and prejudiced attitudes toward children. Childism feeds off the myth that due to biological differences, children are naturally inferior to adults and should, to paraphrase Young-Bruehl's definition of such prejudice against children, be tamed, enslaved, and used in trafficking and forced labor. Childism serves to

rationalize the discrepancy between a human belief in equality and the lack of rights of the child. Racist-infused childist language describes children as the possessions of adults and through interlocking systems of colonial and neo-colonial oppression, the maintenance of economic exploitation of children becomes rationalized. With modern-day child slavery, the location and products from child exploitation change as economic demands shift, while the defense of adults' economic interests over children's right to liberty persists. Systemic childism is the socioeconomic conditions that have privileged adulthood throughout history in how such conditions are re-created through laws, policies, and social structures by which investments in children's rights are treated as merely charity and not as a necessity. The logic of systemic childism is found in budget priorities that systematically ignore, for example, securing well-paid teachers and other resources required for school if quality education is to be provided for all children regardless of family background, while adult priorities such as military defense are secured through public taxes.

Children's experienced capital deficiencies, when studied systematically, would generate knowledge needed on the socioeconomic age disadvantage of children with intersectional identities. Do children lack opportunities to advance their positions in society due to the social and economic status of their parents?

The existence of age profiling and age framing in court needs to be addressed as such and studied to generate statistics on discrimination against children, especially from racialized backgrounds, in order to understand how children may be treated unfairly in the legal justice system. Age-, and racial profiling are visible in the ways in which prejudices against children are projected to legitimize imprisonment of children. Age framing reflects how adults' intents are privileged while the harm caused by adults' abusive actions against children is subsequently neglected. How occurrent are adults freed from responsibility for their abusive actions against children while pledging good intent?

Childist tokenism discerns the usage of children for superficial promotion purposes of an organization from other instances of actual child influence in decision-making and reflects the minimal acceptance of children and youth and of their participation in mainstream society. Which are the instances when adult-run initiatives for children's rights merely apply childist tokenism instead of aspiring for equal representation of children?

Adult privileges are social, economic, and political advantages and rights available to adults solely on the basis of being adult when those privileges lead to discrimination and social injustice for children. Adult ignorance reflects the ways in which adults are blind to or ignorant of the historical and contemporary oppression of children. Adult researchers and professionals invested in children's human rights need to reflect on what might be the effects of epistemic harm children face on a daily basis through the above-mentioned childist discourses.

Notes

- 1 UN CRC, *General comment No.5 (2003): General measures of implementation of the Convention on the Rights of the Child (arts.4, 42 and 44, para.6)*, 27 November 2003, CRC/GC/2003/5, p.5.
- 2 UN CRC, *General comment No.20 (2016) on the implementation of the rights of the child during adolescence*, 6 December 2016, CRC/C/GC/20, p.5–6.
- 3 UN CRC, *General comment No.20 (2016) on the implementation of the rights of the child during adolescence*, 6 December 2016, CRC/C/GC/20, p.7.
- 4 Relative to the available numbers of children incarcerated in the United States, this seems like an underestimation.
- 5 See the annual reports on global prison trends by Penal Reform International published with the Thailand Institute of Justice. Retrieved from <https://www.penalreform.org/global-prison-trends/>.
- 6 QuantCrit (Quantitative Critical Race Theory) ‘is a rapidly developing approach that seeks to challenge and improve the use of statistical data in social research by applying the insights of Critical Race Theory’ which rests on five principles: ‘1) the centrality of racism; 2) numbers are not neutral; 3) categories are not natural; 4) voice and insight (data cannot “speak for itself”); and 5) a social justice/equity orientation’ (Castillo and Gillborn 2023, 1).
- 7 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807862/Timpson_review.pdf.
- 8 Jane Elliot’s initial social experiment in a school classroom was made into a documentary film in 1996, *Blue Eyed* directed by Bertram Verhaag.

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