

Claiming the right to live without violence



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Overview

1. The right to live without violence: A rights-based approach to keeping children safe
2. A practical tool: "Pathways to Participation"
3. Examples from Nicaragua

Photos by CESESMA, featuring children and young people as active citizens in Nicaragua, 2007-2015, taken with the informed consent of the young people featured and reproduced here with their permission.



1. A rights-based approach to keeping children safe

At the heart of a **rights-based approach to keeping children safe** lies **Article 19** of the *United Nations Convention on the Rights of the Child*, which says:

“States Parties shall take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”



But rights do not stand alone, so we must also take account of:

- **Article 28.2:** School discipline always to be administered in a manner consistent with the child's human dignity.
- **Article 34:** Protection from all forms of sexual exploitation and sexual abuse.
- **Article 35:** Prevention of abduction, sale or traffic in children for any purpose or in any form.
- **Article 36:** Protection against all other forms of exploitation prejudicial to any aspects of the child's welfare.
- **Article 37:** Protection from torture or other cruel, inhuman or degrading treatment or punishment.

Together these constitute the child's fundamental **"Right to Live without Violence"**.

But in addition, a rights-based approach also needs to take on board the child's right to speak out and be heard, as set out in **Article 12 of the United Nations Convention on the Rights of the Child**:

The right to be heard

ARTICLE 12

"States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child".

The right to be safe

ARTICLE 19

"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child".

As adult duty-bearers, we don't get to choose between the two:

- ▶ We cannot **silence children** in order to avoid risk.
- ▶ Nor can we **put children at risk** in order to hear their voices.
- ▶ **It is our responsibility to uphold both rights.**

Children not only have the right to live without violence, but also the right to know, defend, demand, promote and protect – in other words, **to claim** – that right.



2. Pathways to Participation

Five levels of participation

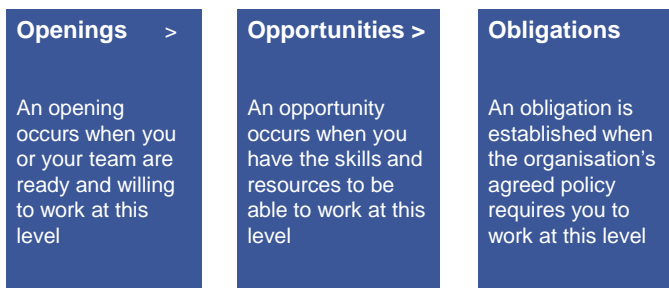


1. Children are listened to.
2. Children are supported in expressing their views.
3. Children's views are taken into account.
4. Children are involved in decision-making processes.
5. Children share power and responsibility for decision-making.

Working in the UK in the 1990s, I supported children acting as expert consultants to national arts and cultural institutions. I wanted to understand how adults interact with child citizens in these situations.

At the turn of the Millennium, my new model emerged...

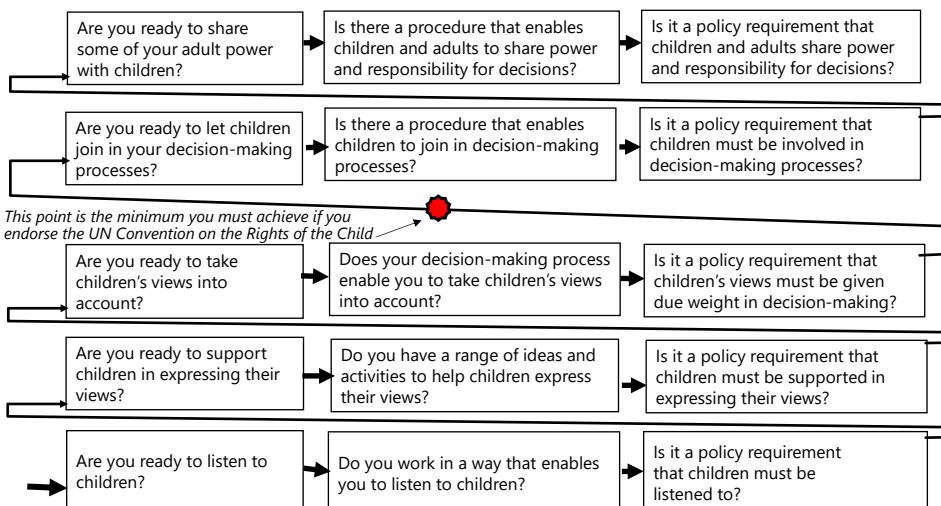
Three stages of adult commitment at each level



Openings > Opportunities > Obligations

Levels of participation

5. Children share power and responsibility for decision-making.
4. Children are involved in decision-making processes.
3. Children's views are taken into account.
2. Children are supported in expressing their views.
- START HERE**
1. Children are listened to.



(Shier 2001)

“Pathways to Participation” should not be seen as a ladder that must be climbed to reach the top.

Rather, you should use it the way a painter uses a ladder: **To make sure you can always work at the right level to complete the task at hand.**



“Pathways to Participation” was published in April 2001 – over 20 years ago. Today it is one of the most widely used tools for analysing and enhancing children’s participation, in academic study, policy and practice, throughout the world.

3. Claiming the right to live without violence in Nicaragua

For eleven years (2001-2012), I worked with the children’s rights organisation CESESMA in the coffee plantations of Nicaragua in Central America (Shier 2010).

CESESMA fully embraced a children’s rights-based approach, which included supporting children in claiming, defending and promoting **the right to live without violence.**

Here are some examples.....



1. Youth Theatre Against Violence In The Home



Children and young people developed and presented plays highlighting issues that are seldom talked about, like domestic violence or sexual abuse. This proved effective in opening up discussion of these "taboo" issues and urging communities to address them.

2. The Dragon of Violence



Children created a carnival dragon which took to the streets in marches and protests, to awaken people to the reality of violence in rural communities, and the need to face it without fear.



3. *Transformative Research by Children and Adolescents*

Using CEESMA's Transformative Research methodology, children became researchers, investigating and reporting on issues that concerned them in their own communities.



Four of their reports became the book *“Learn to live without violence”*. (CEESMA 2012)

4. *Weekly radio show “Children and Adolescents’ Voices Heard”*



Every Sunday morning CEESMA's Children's Radio Team took over the airwaves to broadcast their own show on local radio, including peer-to-peer messages about preventing, recognising and reporting violence.

Key Learnings

Based on these examples of children taking action to keep themselves and others safe, I've come up with these six key learnings:



- 1. No-one Empowers Anyone:** Empowerment requires personal transformation that cannot be delivered (though it can be enabled and supported).

2. Children must never be "held responsible" for their own protection...

... but they can be supported as responsible citizens acting against violence.



3. To prevent violence against children, cultural change may be needed. This cannot be imposed from outside, but can be helped to grow from within.



4. **The power of creativity and imagination:** Though prevention of violence is a deadly serious subject, vibrant, imaginative actions can catch people's attention and question old habits of thought.



5. **The power of children as researchers:** As researchers, children can access knowledge about other children's lives that is hidden from adults. They can put forward evidence and arguments that are hard to ignore.

6. We will not silence children who want to speak out against violence (but we will not put their lives at risk either):

When children want to speak out about an issue that is of concern to them, and there is a risk of adverse consequences, the responsible adult's duty is NOT to silence the children, but to **manage the risk**, so that children's right to speak out can be protected and their voices will not be stifled.

(Shier 2023)



THE END



References

All works by Shier/CESESMA are at www.harryshier.net

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