

Going Farther #12
Children's Liberation?

Recent times have seen the repeated emergence of liberation movements whose central arguments are for the equality of some presently disempowered or devalued group in society. And a key argument for equality, as we have seen in Chapter 10, is often a “like cases” argument: that while there may be all manner of clear differences between the in-group and the out-group in question, there are no *morally relevant* differences between them (and probably less difference than we imagine in general, besides), and thus that those in the out-group are unjustly excluded from the rights and privileges that the in-group enjoys.

Such arguments are well established against racism, sexism, and ethnic prejudice – though of course all of these injustices still remain in our society to various degrees. “Marriage equality” – the right of same-sex couples to enjoy the same benefits of marriage as different-sex couples – was only affirmed by the U. S. Supreme Court in

2015. Meanwhile, as we have been seeing, one continuing moral question is whether and to what extent such arguments also apply beyond the human species – to our relations to all or some other animals.

Ironically, in light of this, the question is less often raised about children. Yet as a group, children certainly are systematically disempowered in our society. Parents or guardians are empowered to make almost all choices, large and small, for their children – where and how they shall live, dress, eat, go to school, who they associate with, what they do day to day – until the children reach the age of 18, at which point the former children are now recognized, literally overnight, as full-scale adults, and the choices are all theirs.

Even on purely factual grounds, though, this is surely not an accurate view. Obviously the capacity for reflective choice does not emerge full-blown overnight – it develops gradually. Quite young children may be highly capable of it, and motivated for it besides, and, alas, sometimes much older people may not develop it half as well. Isn't it arguably unjust to deny self-determination to anyone capable of it? And moreover to set up our society such that that capacity itself is often distorted and stunted, especially but not only in children? A more just society for children, then, might not just offer them more rights but also make a project of removing some of the dangers and challenges that today seem to necessitate such strict adult control in the first place.

The idea may seem easy to deride. Children's rights? – what, babies voting? But of course rights are still relative to basic needs and legitimate expectations. Let young people wait until their late teens to vote, maybe, but arguably everyone has a legitimate expectation of basic freedom of movement.

Liberation movements are often profoundly unsettling to those used to – and favored by – the status quo they challenge, and indeed often are not even comprehensible to the privileged, so routinely they are derided. Infamously, for example, Mary Wollstonecraft's arguments for the rights of women in 1792, for example, were parodied by British conservatives who proposed to extend the same rights, by the same arguments, to "brutes" (other animals). But today we are close to doing both: committed, at least in theory, to equality of women, and seriously thinking about other animals. What seemed unimaginable was entirely possible. So could not the idea of children's rights, however unimaginable it may seem to some of us today, be another wave of the future nonetheless?

Reading #29

Amy Glaser

“Beyond Adulthood”

Amy Glaser (b. 1980) is completing a PhD in philosophy at University of North Carolina-Chapel Hill focused on young people’s rights and liberation, and is Co-founder and Director of Insideout180, a youth-run organization for queer and allied youth in North Carolina as well as a caretaker and performance artist. She has taught philosophy at UNC-Chapel Hill and at Elon University.

In her larger work, Glaser develops a positive moral framework built upon, as she puts it, “a consistent standard for determining the value of agency in people of all ages” – a large project indeed. In the selection that follows, she is concerned simply to address some familiar arguments that stand in the way of taking some children seriously as moral agents. She is not arguing, remember, that all children should have exactly the same rights as adults, but that *many* children should have at least *some* such rights, on grounds of consistency and justice, and moreover that we can and should do much more to build a world in which children’s autonomy can be more readily exercised.

Opponents of youth liberation maintain that whereas adults have a right to do what they please (for the most part), since they are rationally autonomous – that is, capable of making sensible choices and effectively pursuing their own interests – children lack this right because they are incompetent to make choices. Children’s developing capacities leave them unable to properly assess the outcomes of their decisions. They lack important areas of knowledge and expertise that adults have gained through experience, and they are subject to flitting desires, lacking the emotional stability that long-term, sensible decision-making requires. It is on these grounds that opponents of youth liberation seek to secure young people’s inferior status and their subjection to adult control. *Anti-liberationists* disvalue children’s choices and agency relative to adults across the board by linking rational autonomy and a right to self-determination.

For one to have a right to self-determination means that one has the strongest kind of claim there is to make one’s own choices, to move oneself about, unimpeded, in the world, or to act in accord with one’s decisions. One’s having a right to self-determination implies that one has a legitimate claim to have one’s choices (all of one’s choices) be effective, to be “left alone to do their own thing,” or to “live their lives as they see fit.” Self-determination is taken to be the appropriate default for adults; that is, it is

supposed to be wrong (for the law or another person) to interfere with an adult's free choice except and to the extent that the choice may harm others.

Youth are not granted the same default. Since youth are taken to lack a right to freedom and self-determination, interfering with a young person's choice never constitutes a violation of their right to choose. On this picture, while a child may have some moral claim to choose, the claim is much less strong, less serious, less demanding, and less deserving of respect than a right.

I want to raise five problems for the anti-liberationist claim that because adults alone are rationally autonomous, adults have, and children lack, a right to self-determination.

The first problem is that the notion of a right to self-determination posits a twofold moral distinction, a type of moral watershed. Those who have passed over the watershed are seen as having a much stronger claim to do what they want to than those below it.

But rational autonomy develops gradually. We get gradually better at understanding the outcomes of our choices and more knowledgeable about our surroundings and one another. To attribute a right to self-determination only to individuals above a particular age is to posit some binary moral feature, one that we come to possess at a particular age or narrow age range. To pass from not having a right

to having one is an abrupt and extremely significant moral transformation. But the changes that taken to underlie this moral transformation are gradual, non-binary, sometimes even non-linear, subtle and insignificant. The non-moral changes do not conform to distinct, easily identifiable, binary categories. The extent to which the relevant capacities are exercised in a particular case may vary greatly from decision to decision, even for one person at a particular age. It is unjust to mark some moral distinction (the distinction between having a right to self-determination and not having one) when there is no underlying non-moral basis for that sharp distinction.

Second, and more importantly, rational autonomy, conceived in the traditional ways, is not always relevant to the moral status of one's choices. Consider a toddler resisting an unwanted hug. The anti-liberationist who links rational autonomy with a right to self-determination must insist that an adult has a stronger claim to resist an unwanted hug than a toddler in the same circumstances. The anti-liberationist goes further to insist that the toddler and the adult's circumstances are never relevantly similar, since the adult is rationally autonomous and the toddler isn't, granting only the former a right to self-determine.

But rational autonomy is irrelevant to the legitimacy and force of an agent's claim to resist an unwanted hug. The notion of a claim is important here, since it allows us to recognize that one's freedom may be morally compelling, even when it lacks the full and prestigious moral status of a right. To have a claim to x means that there are some moral considerations that speak in favor of one's getting to x. Youth liberationists hold that

youth and adults might have an equal claim to be able to x, despite that they may not be equally rationally autonomous. On this view, youth and adults are equal in the sense that the value of their agency ought to be determined by a single, consistent standard. When children and adults are in relevantly similar circumstances, their agency is equally valuable.

A third problem for opponents of youth liberation is a critique of rational autonomy issued by feminists, who argue that traditional conceptions of rational autonomy are male-biased and mistakenly view humans as essentially disconnected, self-sufficient, rational individuals who aim primarily at maximizing the satisfaction of their self-interests, even when it is admitted these aims can be tempered by acknowledgement of others' interests and of moral requirements of impartiality.

Central to the feminist critique are accusations that the traditional conceptions do not make room for communal values and for fulfillment that comes from caring for others. By setting traditional notions of independence, self-sufficiency, and autonomy as normative ideals, anti-liberationists ignore and devalue human interdependence and attempt to abstract persons from the particular relationship webs and social circumstances in which we develop. Feminists have held that such abstraction is not only empirically misguided, but logically impossible. Where opponents of youth liberation appoint individuals as the authorities on what constitutes the fulfillment of their own interests, feminists have considered ways in which one's desires and stated preferences may be *deformed* by oppression. For feminists, our common dependence on

and relationships to particular others are not viewed as a liability, but as valuable features of our lives to be cultivated and promoted. At other times, our place in the social groups we comprise threatens our autonomy by misshaping our values and desires or limiting our options.

In all of these accounts, the ideal agent is not disconnected and deliberative, but one whose freedom arises from being deeply embedded in a community and in loving, supportive, interdependent relationships, and from being attuned to the ways that one is influenced by one's social surroundings. Adults, as much as children, depend on these relationships for their wellbeing. The anti-liberationist's insistence that adult agency is more sacred than young people's because adults, unlike children, have reached a state of rational maturity falters partly because it is based on misconceptions of human fulfillment and societal ideals misshapen by an oppressive society.

A fourth problem for the anti-liberationist is recent empirical work that suggests that adults are less rational, and babies more rational, than previously thought. The illogicality of adult humans was demonstrated in the 1960s with Peter Wason's selection task, where he demonstrated normal adults' incapacity to fully grasp the basic logical rule of modus ponens. Hundreds of experiments since have picked up on the same themes. Social scientist Dan Ariely points to statistics that suggest that whether a country has a high rate of organ donors is determined by how its residents are presented with the option to become organ donors (whether they have to check a box on a form, or abstain from checking a box). That many of our "free choices" are fully

determined by factors we don't actually care about shows that adults are not the hyper-rational, principled beings that we take ourselves to be. They question the presumption that there is a gulf between youth and adult rationality, in effect by "talking us down," from our perceived sovereign status. Research on human irrationality has consistently demonstrated that we are just not as rational as we take ourselves to be. The anti-liberationist view of ourselves as essentially rational creatures who are good at determining what's in our interest and then acting on it in principled ways is a form of self-deception.

At the same time as adult rationality is called into question by empirical studies, an emerging and rich body of research accuses us of understating the rational and moral capacities of babies and very young children. Babies have been shown to understand cause and effect, to empathize, to discern other people's cognitive states, and to grasp basic moral notions of justice and fairness, even before they are able to speak. They are better, faster learners. Children are natural experimenters; they have been shown to be more aware and more conscious of their surroundings, in the sense that they can take in more information at once, though they are poorer than adults at focusing in on one particular stimulus. In one experiment, Alison Gopnik showed that 4-year-old children are actually better than adults at discovering an unlikely hypothesis to be true. She concludes on the basis of extensive research that to the extent that adults strive for open-mindedness, creativity, innovation, open learning, and imagination, we should learn to think *more* like children.

Very young children are better at authenticity, at expressing their true selves; they have been deemed better at abstract art and creativity; their imaginations are more vivid and exploratory. They have more energy, stamina, and resilience. These are genuine human skills, not just relegated to the realm of “child’s play,” but vital for human flourishing and for creating a world we all want to live in. Young people are constantly helping adults lighten up and see what’s important. The most tightly wound adults come out of their shells in the presence of children. Children hold fewer grudges. They encourage their parents to stop smoking, to be more active and to get outside, and they are great at *loving* unconditionally. They are more willing to be vulnerable, to forgive, to say what they really think. In many ways, adults might be *better*, more fulfilled choice makers if we let ourselves be inspired by children more often, if we were all a bit more childlike. These are all reasons for thinking that children have a stronger claim to agency than they are traditionally granted.

That children might even be better than adults at agency in some contexts is not the only reason to think that sometimes children have an equal or stronger claim to self-determination than adults. A fifth and final problem for the anti-liberationist is that sometimes lacking a capacity, a form of incompetence, enhances the value of freedom, strengthening one’s moral claim to self-determine.

For a toddler learning to walk, every freely taken step is significant. If it is important for adults to have spaces that they can safely and successfully navigate, it is even more important for toddlers. And the best way to get better at making decisions is

to practice making them. Children whose agency is respected and equally valued get more practice exercising the executive functions of their brains. Recognizing a child's legitimate claim to, say, walk across the room and pick up a toy, and giving them the space to do so, strengthens the muscles required for choice making, generally. Freedom to make smaller-scale choices has important consequences as the child's attention gradually shifts to larger-scale, more significant choices. To deny someone the right to try to make a choice on the grounds that they cannot make that choice stunts their growth by depriving them the opportunity to develop the relevant capacities through practice.

... The anti-liberationist, by drawing a single line intended to relegate the choices of people below a certain age to an inferior moral tier, contributes to a broader system that results in harm to young people and presents barriers to their personal wellbeing and fulfillment. Children's participation in their lives and the world is not only seen as morally inferior to adult participation, it is regularly discounted and actively excluded. Children are overlooked in conversation, they are spoken *at* instead of *to*, and their interests are routinely ignored. Undoing this oppressive system requires recognizing the equality of young people, demanding a consistent standard for determining the value of agency in people of all ages. Once we do, we'll see that at times, young people's unique assets magnify the value of their agency and strengthen their corresponding claim to be active participants in their lives and our collective lives.