

**Towards a more participatory fulfilment of young children's rights in early learning settings: Unpacking universalist ideals in India, Scotland and the EU**

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**Abstract**

While investment in early learning may seem to offer a pathway to the fulfilment of children's rights, in this chapter we argue that the *how* of that fulfilment is often deeply problematic, particularly in terms of participation rights. Drawing on empirical projects conducted in Scotland, India, and the EU, we offer examples of children's lived experience within pedagogies informed by universalist ideals. Regimes of standardisation and universalism, though claiming to improve the quality of early experiences, do not address the lived, culturally sensitive reality of rights for children, families and caregivers. In fact, children's participation rights may particularly suffer when standardised solutions are imposed.

Throughout the chapter, we argue that children's right to education is not a neutral endeavour. Instead, participation rights are lived by children in relational contexts of power, bodily and moral discipline, resistance, and reflexivity. We hope that by making these tensions and successes visible, others will find inspiration on a journey toward a more participatory fulfilment of children's rights in early learning spaces, that perceives children to

be leaders of their own learning and creative beings who can provide solutions to their own everyday life issues.

### **Introduction: A universal path to the fulfilment of rights in early childhood?**

The Jomtien Declaration by the World Conference on Education for All (EFA), held at Jomtien, Thailand in 1990, stated that ‘learning begins at birth’. This declaration provided an impetus to advocacy for Early Childhood Care and Education (ECCE) programmes around the globe that emphasised both care and education (UNESCO 1990). Advocates argued that the early years are crucial in human life and that investment in early years reaps benefits both at the individual level and the societal level (Arnold 2004; Evans 1996). In a normative sense, early years provision is construed as ‘the greatest of equalizers’ (Bokova 2010): a powerful mechanism to address various complex and persistent issues such as poverty, malnutrition, morbidity, mortality, and inequality.

This view appears to dovetail nicely with a children’s rights approach. The UN Convention on the Rights of the Child (1989) enshrines the right to education (Article 28); with the direction of education (Article 29) accentuating the development of the child to their fullest potential (para 1a). Running through the Convention are its four general principles, which include the right to life, survival and development (Article 6) and protection from discrimination (Article 2). If early learning is framed as a social intervention, from which disadvantaged children benefit the most (e.g. Elango et al. 2015), investment into ECCE contributes significantly to the fulfilment of educational rights. However, as decades of research on children’s rights has demonstrated, the translation of international legal standards into lived reality is a complex endeavour (Hanson and Nieuwenhuys 2012). Claiming that the

rights to education, development and non-discrimination have been fulfilled does not tell us much about *how* they have (supposedly) been fulfilled.

This chapter focuses in particular on how global tensions around standardisation, testing, universalism and children's rights are experienced by young children in India and Scotland. Rather than create a false dichotomy between pedagogy in India and Scotland, we analyse the ways that both systems experience the impact of universalist ideas and ask how such ideas impinge on professional thinking concerning pedagogy and practice.

### **Literature Review: Universalist ideals in India and Scotland**

Moss (2015) argues that because the early years discourse is mainly constructed around economic terms such as 'social investment' and 'human capital' (e.g. Heckman 2017), there is therefore a need to use technological jargon such as 'evidence based' and 'high returns' and explain things in a predefined and predetermined manner. The early childhood field seems particularly vulnerable to technical discourses (Dahlberg, Moss and Pence 2013; MacNaughton 2003) in which standardisation is thought to ensure 'universal' best practice. In theory, identifying best practice would lead to better implementation of young children's rights. However, Urban and Swadener (2016, 5) argue that:

comparative studies across complex international and cultural contexts inevitably lose sight of the messy, complex, unique – and therefore crucially important – aspects of educational practices.

While public discussions and beliefs about early childhood are multi-stranded and complex (Dahlberg et al. 2013), there is one strand which has come to dominate public discussion: the idea of early childhood experiences as the 'path to the whole person' (Alderson 2008, 114). The complexity of human development is often muted in early childhood policy, in favour of

a more simplistic understanding that is easier to digest, as it promises ‘simple roadmaps to certain destinations’ (MacNaughton 2004, 100). In global policy discourses on early childhood education, attention to young children’s rights—particularly, their participation rights—has perhaps taken a back seat to the promotion of their development.

Turning to the cases of India and Scotland specifically, both countries have complex, developing systems of ECCE in which international trends interact with local practices and histories. Early years provision in India has been strongly influenced by universalist developmental ideals. For example, early years normative discourses in India have become dominated by terms such as: ‘Developmentally Appropriate Practices’ (DAP), ‘Age Appropriate Practices’, ‘Culturally Appropriate Practices’, ‘Child-Centred Education’ (Aruldoss 2011; 2013).

One of the most striking criticisms of approaches to early learning in India came from ethnographic research that argued that dominant minority world childhood discourses were parachuted into Indian early years provision in a manner that specifically set out to reject indigenous knowledge (Viruru 2001; 2005). In India, the political and ideological influence of British colonial rule strongly convinced the population, particularly the middle class, that science-based education is essential for human progress and prosperity (Nandy 1988; see Balagopalan 2014 for a similar critique on civilizational narrative). Thus, there is little surprise that the indigenous educational philosophies found little mention in early years educational discourses. Moreover, the pedagogy of cultural relativism and multiple-perspectives was not favoured at all due to fear that a complex pedagogy might sit uncomfortably in a country where there are many languages and sub-cultures (see Raina 2011).

In Scotland there are similar trends around complexity reduction and cultural multiplicity. For example, the influential Siraj and Kingston (2015) review of early years in Scotland urged a greater focus on quality, going on to define ‘quality’ based on the usual standardised rating scales. Similarly, in seeking to create universal solutions, reviews of early learning provision in Scotland (Siraj and Kingston 2015; Commission for Childcare Reform 2015) have tended to treat families as if they are one type. They make little mention of the experiences of ethnic minority or LGBT parents who, for example, may experience discrimination in early learning centres by rarely being invited to take part in social events, seldom being asked to carry out leadership tasks (e.g. during outings), or never being requested to take management roles on parent committees (Davis and Hancock 2007, Davis 2011).

What we see, looking at these two contexts, is a complex interweaving of global, regional and local trends, with both acceptance and resistance to universality as ‘best practice’ in early childhood. In the following sections, we draw on a variety of studies carried out by the authors, in order to analyse how universalist ideals affect children’s lived experience of their participation rights.

### **Children’s participation rights in early learning settings: Are these the rights we are looking for?**

#### ***Baseline testing in Scotland: classification, alienation, institutionalisation***

Children in Scotland go to school between 4.5 and 5.5 years old—one of the earliest starts to compulsory schooling globally. Early in the transition to primary school, McNair (2016) found that children were required to undergo ‘baseline testing’ in literacy and numeracy. The

results were used to classify children into ability groupings—reinforcing stereotypes, power differences and negatively impacting on how children regarded themselves (Donaldson 1978; Entwistle 1998). Both children and parents were also found to rank children, whether consciously or sub-consciously, into social hierarchical groupings.

Some parents viewed the classification of their child as a sign of success:

A nice wee positive sign is that he has gone into the top reading group... but aye it is nice to hear... not that we are competitive or anything... but he is slightly better at reading than other children... (Parent interview, August 2013 – Westfield School).

Yet, others noted the perverse nature of this approach when connected to the idea that children who did not do homework would not gain reward, and the ultimate punishment would be a placement in a lower group.

It is funny, because the teacher actually commented to me the other day about reading groups and who would be in the groups because they [the children] would practise at home and if they don't practise at home they are not doing so great...and I said 'Really?' And that is probably true. (Parent interview, August 2013 – Westfield School).

Hence, classification occurred multiple levels. First, children were classified by perceived academic ability and differentiated as pupils who have 'done well' if they achieve the desired results in their tests. Secondly, parents who support the homework procedure are classified as good parents and as supportive or unsupportive depending on whether they participated or not in homework tasks. Parents who resist these assumptions about homework, ability and testing can find themselves alienated members of the school community in settings where 'blame cultures' prevail over contemporary concepts of creative, enabling and participatory pedagogy (McNair 2016).

The baseline tests utilised by schools in McNair's study were only one in a sequence of standardised tests that children experienced in their first year of primary school, as explained by one head teacher:

'YARC (York Assessment in Reading and Comprehension) is mandatory. All pupils are presented for this in May of Primary One. PIM (Progress in Maths 5) is mandatory. All pupils are presented for this in May of Primary One. All Primary One and Primary Two pupils in [Name of] council follow the 'Literacy Rich Programme' – each unit concludes with a check-up assessment. I would think that all schools use these – although these are not mandatory. Some schools may buy in additional assessments – GL tests (formerly NFER/Nelson) are popular. However, I would consider that most head teachers feel that the above is enough assessment. (Head teacher interview, January 2013 – Westfield School).

McNair concluded, in keeping with other studies, that: baseline testing in the early weeks of primary school meets the needs of the educative system and not necessarily the children (Jeffrey and Woods 2003). The testing regime served as part of a wider school culture where children's voice, agency and contributions (e.g. Moosa-Mitha 2005) were not widely valued, and at times were actively denied.

Despite this lack of value placed on children's participation rights, the children in this study also had a remarkable capacity to respond to the authoritative discourse, even when they may not appear to have a voice (White 2016)—as the following example illustrates. Here, the researcher was asked by the teacher to assist with an art project, in which children were instructed to assemble a spider with exactly eight legs.

*I began my task. The children came over one by one and put their spider together according to the instructions they were given. Hazel arrived, began her task, looked up at me and smiled and said 'I am going to add ten legs.' And she meticulously did. In me Hazel knew she had found a benevolent ally, one*

*who would honour her gestures and not disclose her open defiance. I thought her brave (Field notes, October 2012 – Westfield School).*

Here one glimpses the subordinated Hazel going up against the perceived power holder (in the teacher), refusing to abide by the rules. This, according to Moore (2013), counts as resistance. The stakes were high; Hazel asserted herself, despite the potential for ridicule, used at various times by the teacher when a child displayed any purposeful subordination.

In contrast with Hazel's example, many children in McNair's study did not appear to question the status of the teacher, nor why rules were being imposed. There appeared to be little room in the school system for adults to appreciate that children learn in different ways, or for approaches to pedagogy that value diversity between children (see for example Dockett and Perry 2005; Sanagavarapu and Perry 2005). McNair (2016) found that participation rights, which at their core are supposed to demonstrate respect for the child's diverse perspectives, were paid lip service to but not meaningfully enacted (see also Brown et. al. 2017 for explanation of issues with participation in Scottish educational settings). It is important to note, however, that while these practices of classification and regulation are linked to global ideals of standardised testing, they are not completely an outside imposition. They also involve historical links to Scottish Calvinist notions of acceptable behaviour, values unsympathetic to individual 'failure' and productive of a non-child-centred education system (Elsley 2017).

### ***A clash of ideals? Montessori, moral values and disciplining bodies in Tamil Nadu, India***

Aruldoss (2013) carried out his research in three early learning settings: a corporation nursery, a private nursery and an ICDS (Integrated Child Development Services) Anganwadi

centre in Chennai in Tamil Nadu (India). In the corporation nursery, which had collaboration with a NGO, teachers followed a combination of formal and Montessori approaches.

Although the Montessori curriculum was child-centred, and it valued individuals as unique human beings, at times these ideals seemed to be incompatible with practice, especially when it came to disciplining bodies. Teachers used a variety of techniques to regulate the bodies of children: how to sit, how to walk, how to eat, and how to talk, were taught and reiterated during the activities.

As the children in this preschool mainly came from under-privileged communities, the Montessori teacher connected discipline with cultural and ethical responsibility, 'it is our moral responsibility to teach children good behaviours'. Thus, extra emphasis was given to teaching children how to present their bodies in a culturally appropriate manner. Aruldoss (2013) found that the curriculum and pedagogy was very structured and individualised and there was a high degree of personalised teaching of values on cleanliness, personal hygiene incorporated with the official curriculum. For example:

The teacher talked about the importance of cleanliness and personal hygiene after Morning Prayer. She advised children to brush their teeth and take a bath every day in the morning before they come to school (field notes, 3rd visit)

Here, the clash between the ideals of Montessori philosophy and discipline in everyday classroom practice was overt. Although the Montessori curriculum does put an emphasis on 'care of the person' and 'control of the movement' within the classroom (Montessori 1912; Isaacs 2010), advising children about cleanliness and personal hygiene was something beyond the scope of the curriculum. Significantly, the moral values and body conditioning that were imparted in the nursery were not only through group instruction; sometimes they were enforced at an individual level:

The teacher saw a girl squeezing her food with her hand. Considering that an uncultured way of eating, the teacher said to the girl, ‘this is not the way you are supposed to eat. Don’t squeeze the food too much. Take the food gently with your fingers and eat’ (field notes, 7th visit)

The teacher noted that *Ajith* has got long hair and it repeatedly fell down on his face while he was doing the activity. *Ajith* just kept on adjusting his hair. Seeing this the teacher said, ‘*Ajith* go and tell your father to cut your hair. The hair is falling on your face’ (field notes, 10th visit)

This indicates that the control and regulation of individual bodies in the classroom were imposed on matters beyond the prescribed curriculum. Similarly to McNair’s findings (2016), control was extended to the child’s parents in an insidious way—in these examples, through the implication that parents were not upholding correct manners and grooming. In the examples above, one can see the resemblance of the monitorial school system where the purpose of schooling was to change the habits of children who were affected by crime or pauperism, by placing them under constant moral regulation through regular supervision and engaging them continuously in activity (Walkerdine 1998). This type of body civilisation happens in the institution perhaps based on the belief that these young poor children should learn to attune their behaviour in concurrence with the dominant values and culture (Vinovskis 1996). Thus, the physical body of the child was put under pressure to function according to the expectations of the teacher’s imagination of an ideal social body. Much like the Scottish example, children’s participation rights—the valuing of their diverse perspectives, richness and capabilities—were pushed to the sidelines, if recognised at all.

When questioned about these practices, the teacher asserted: ‘that seems one of the major criticisms in this approach, but I think a certain amount of physical discipline is required for mental discipline.’ In the teacher’s explanation there are parallels with Hindu philosophy, which says that mind and body are intrinsically connected to each other and ‘discipline is not

simply manifest as an objectification of the body but equally as a subjectification of the self' (Alter 1992, 92-93). It is assumed that the restriction of bodily movements, bodily desires and senses of the body will automatically result in disciplining the functioning of the mental system.

Contrary to teachers' beliefs that child-centred education matches children's choices and interests (and therefore, implicitly, their participation rights), children were sometimes overtly or covertly forced to do activities against their wishes. As a result, children used different forms of resistance to overcome the control exercised in the classroom. For example, one common tactic was to just pretend that they were doing the activity:

*“Thyagu was assembling the broken eagle pieces (puzzle). After 5 minutes, he looked disinterested and just looking around what other children were doing. When I asked why he didn't do the activity, he replied it was boring. But whenever the teacher looked at his side he acted as if he was doing something (field notes, 7<sup>th</sup> visit)”*

On other occasions, children simply kept materials in front of them but did not do anything until they received a warning from the teacher; sometimes children used the materials with a completely different purpose. Repetition was also used as a form of resistance in the classroom. Children tended to do the same activity or repeat the same behaviour/action in a way to show their resistance to the power structure. As these examples illustrate, despite child-centred rhetoric, children's right to have their views taken seriously was pushed to the margins, manifesting in the form of creative resistance.

### *Participatory alternatives: reflexive practice, resistance, flexibility*

In the final findings section of this chapter, we look at participatory alternatives, highlighting resistance, reflexivity about power politics, and flexibility as a path toward more participatory fulfilment of young children's rights. For example, Blaisdell (2016) conducted ethnographic fieldwork at Castle Nursery in Scotland, a setting with a strong rights-based and participatory ethos. She found that reflexive practice by practitioners was an essential element of creating a culture of children's participation. Practitioners openly questioned their 'attitudes, thought processes, values, assumptions, prejudices and habitual actions' about their work with young children (e.g. Bolton 2014, 3). Dialogue was the mainstay of daily life at the nursery.

Practitioners were also willing to take risks in order to maintain the participatory ethos of the nursery. For example, during the research, the local authority area where Castle Nursery was located introduced new standardised assessments of children's development, to be carried out in nurseries during the school year and then used as transition reports when children went to primary school. The suggested change provoked disgust from practitioners, who described them as 'reductionist', saying that they diminished children's complex identities down to a simplistic list of judgments about their academic abilities, or perceived lack thereof. It would be difficult to incorporate either parents' or children's voices in meaningful ways.

After deliberation, the head of centre and the nursery teacher informed the local authority that they would not be using the new forms. Instead, the nursery used more open-ended, flexible documents that included the children's own views on their learning and going to school. In this example, fostering space for children's participation rights took precedence over practitioners having an 'easy life' in terms of their relationship with the local authority.

There were similar findings about reflexivity from the FIESTA project (Facilitating Inclusive Education and Supporting the Transition Agenda), which employed mixed-methods-- including qualitative interviews with disabled children themselves—to better understand disabled children’s transitions related to early learning, schooling, integrated working and inclusion in eight EU countries (Davis et al 2012; Davis et al 2014a; Ravenscroft et al 2017; Ravenscroft et al 2018). Much like Blaisdell’s (2016) research at Castle Nursery, the FIESTA team learned that reflexive practice, resistance and flexibility were key for facilitating children’s meaningful participation during times of transition. For example, previous research has suggested that the views of disabled pupils are often overlooked in processes of transition (O’Donnell 2003). Disabled children confirmed this during the FIESTA project—in one case, calling on staff to take children’s views seriously regarding access issues:

“...Well, I also quite often went to my care coordinator about that door, so many times that I am fed up with it, because that door is driving me insane. He keeps saying that he did something about it, but nothing changes so then at some point I was just like; forget it.”

(Pupil, The Netherlands)

This example demonstrates the complex nature of participation and resistance. Here resistance is both an act of confronting the disablist design features of the door, outwardly bringing it to the attention of professionals but also, subsequently when there is no change, inward, embodied frustration e.g. when the door issue is not addressed.

As the above example illustrates, the FIESTA project found that parents, professionals and pupils often held different views of inclusion, participation and integrated working.

Professional separation between child development, medical and social model thinking could lead ‘professional experts’ to disregard children’s participation rights, excluding children from the decision making and planning process:

‘A 12 year old is not fully capable of making a well-considered decision...But I do think that the parents are more capable of making the decision of what is better for the child. A 12 year old does not yet have the overall picture of what is better in the long term’

(Health Professional)

The FIESTA project strongly indicated that parent and child-led participatory/collaborative approaches to planning, evaluation and change made a substantive and qualitative difference to the way that pupils experienced schooling—yet it also found that only 38.4% of professionals said that children were involved in defining the aims and outcomes of the transition process.

The FIESTA project also found that the most inclusive settings enabled children to lead the process of transition, define outcomes, and provide solutions to their everyday life issues. Inclusion flourished where professionals were able to engage with non-linear, politically nuanced and intersectional approaches to children’s services that included practices of minimum intervention, participation, anti-discriminatory working, resource redistribution and self-empowerment (Dolan et al 2006; Ball and Sones 2004; Moore et al. 2005; Broadhead et. al 2008; Davis 2011; Hill 2012). The project also found that in order for inclusive practice to flourish, professionals need to be clear about the concepts, structures and relationships of their work places (reflexive practice). The project recommended that professionals engage in training with children and parents that is scenario based, so that they learn to operationalise and work through the complexities of transition and inclusion--including how to locally enable practices of participation, dialogue, and flexible pedagogy that are tailored to each family’s aspirations.

## **Conclusion: Rights and early learning as a contested space: the messiness of participatory practice**

In this chapter, we have argued that children's right to early education is not a neutral endeavour. Instead, participation rights are lived by children in relational contexts of power, bodily and moral discipline, resistance, and reflexivity. Regimes of standardisation and universalism, though claiming to improve the quality of early experiences, do not address the lived, culturally sensitive reality of rights for children, families and caregivers. In fact, children's participation rights may particularly suffer when standardised solutions are imposed.

Children often give well-reasoned, rational and logical explanations for why they wish to challenge adult orthodoxies and children are able to proactively make decisions about their transition preferences (Davis et. al. 2014a). However, as our research illustrates, in Scotland (McNair 2016), India (Aruldoss 2013) and in several EU countries (Davis et. al. 2014a; 2014b), policy-makers and apparent 'experts' in positions of power/authority made life-changing decisions to suit their system, not the child's diverse requirements. Far from leading to high quality outcomes, universalist approaches to learning can contribute to processes of discrimination, act as a barrier to participatory rights fulfilment and negatively impact on children's sense of self.

As recent work in the field of childhood and children's rights studies suggests, rights are fulfilled (or not) in the context of complex relational entanglements; there can be no children's rights in isolation (e.g. Reynaert et al. 2015; Esser et al. 2016). As this chapter has demonstrated, it is not useful to put local practices on a pedestal, as if they were at one time pure and rights-based for children, and now have been corrupted by global trends. Instead,

the chapter has analysed the complex ways that standardisation, testing, and universalist ideals interact with existing histories and cultural beliefs. We hope that by making these tensions and successes visible, others will find inspiration on a journey toward a more participatory fulfilment of children's rights in early learning spaces, that perceives children to be leaders of their own learning and creative beings who can provide the solutions to their own everyday life issues.

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