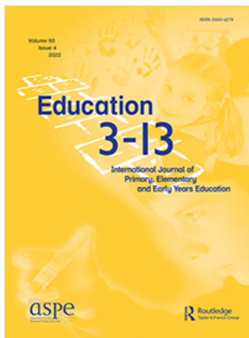

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Developing children's agency within a children's rights education framework: 10 propositions

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ABSTRACT
This article considers children's agency within the framework of children's rights education. It starts by considering the ways in which agency is conceptualised within the UN Convention on the Rights of the Child (CRC) and the implications for education. The main part of the article offers 10 propositions that offer teachers a variety of tools for thinking about what children's agency means and what they can consciously do to develop it. The article suggests that teachers can plan to develop agency through their curriculum, through the relationships they establish, and through the wider life of the school.

KEYWORDS
Active citizenship; children's agency; children's rights education; Dewey; Freinet; Freire; human rights education

Introduction

Children's rights education (CRE) is a pedagogical movement inspired by the UN Convention on the Rights of the Child (Jerome and Starkey 2021). It draws on theoretical perspectives of significant and well-known twentieth-century educationalists such as Dewey ([1916] 2002), Freinet ([1945] 1975), and Freire ([1970] 2005) as well as key contributions from the twenty-first century by, amongst others, Lundy (2007), Alderson (2008), Osler (2016) and Bajaj (2018). CRE encourages teachers to reflect on the nature of children's agency, as citizens, as rights holders, and as rights defenders. In this article, we start with some opening remarks to contextualise our discussion and then offer 10 propositions that have helped us to think about what children's agency means in the context of children's rights education and what teachers can consciously do to develop it.

Defining children's agency

We understand agency as a capacity to do things, to act on the world, and to make a difference (Oswell 2013). Traditional views of children and childhood focus on a lack of capacity to act rationally and so position adults as guardians who, in many contexts, act on behalf of children who are considered as not-yet-adults or becoming adults. From the late 1980s, the time the UNCRC was being written and ratified, sociologists of childhood were shifting their analysis of children from 'becomings' to 'beings'. This moved the perspective from children as people who had things done to them and who were studied as objects, to people who acted within their social contexts as subjects with agency (James, Jenks, and Prout 1998). One way of conceptualising the impact of the UNCRC as a framework for imagining childhood and children is that children should be taken on their own terms as human beings with the same universal rights as all other members of the human family.

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Human rights are founded on recognising that vulnerability is common to all human beings, not just children. Since the UNCRC defined children as having participation rights, childhood can be conceptualised as shifting the focus from a process of becoming to a state of being. Childhood and schooling provide two formidable social structures within which children have to negotiate their agency. Consequently, agency is a practical achievement rather than an a priori assumption.

In this article, our starting point is the observation that interactions between adults (be they teachers, parents, or those in other professional roles) and children have a power dimension where the adults hold most of the power. Realising the power of adults to enforce certain forms of behaviour, children often meekly conform to these expectations in order to avoid conflict, stress, and even punishment. However, children are also adept at using a variety of tactics to resist. These may include crying, hiding, running away, sulking, wheedling, refusing, going slow, lying, cheating, dissimulating, or mocking. Such tactics are used in attempts to exert agency, that is to be able to affect what they consider to be an unfair or intolerable situation. As Buckingham observes:

> Children may resist, or refuse to recognise themselves, in adults' definitions – and in this respect, adult power is very far from absolute or uncontested. Nevertheless, their space for resistance is largely that of interpersonal relationships, amid the 'micro-politics' of the family or the classroom. (2000, 13)

Whilst teachers might be tempted to see many of these behaviours as simply 'naughtiness' we also need to recognise such acts of omission, withdrawal, or disobedience have their parallels in adults' citizenship actions. Bending the rules, reinterpreting them, or simply ignoring them strategically are time-honoured expressions of political action and, in authoritarian contexts, acts of 'constructive noncompliance' may be the only forms of active citizenship available to people (Tsai 2015). The question for educators is whether their schools and classrooms only encourage these negative forms of noncompliance or whether they will also nurture more productive and purposeful positive acts of citizenship. This article makes the case that children's rights education offers a useful framework.

A children's rights framework

Children's rights education (CRE) is based on the premise that children have human rights and that these are relevant to, and exercised in, their daily lives, whatever the context (Verhellen 1993). Since the enthusiastic endorsement of the Convention on the Rights of the Child (CRC) by almost all member states of the United Nations since 1989, children's rights are a universal entitlement in international law. In other words, adults and especially teachers are duty bearers who are required to protect, respect, and fulfil the rights that are set out in 54 articles in the Convention. Applying to all children up to the age of 18, the Convention provides a comprehensive framework of standards that covers an agenda that is often summarised as focusing on protection, provision, and participation (Hammarberg 1990). Protection means that children must be shielded from harm through laws and infrastructure. Provision means that they need to be provided with shelter, health care, education, and other requisites for a healthy life. The great innovation of the CRC was the introduction of the principle of participation. This is set out in Article 12, which urges governments and authorities to attend to the views of children. Once children have the right to express themselves and influence decisions that concern them, they may be said to have agency, that is a sense that they may be able to engage with the structures around them and have some control over their own lives.

Whilst no article can be taken in isolation, the implications of Article 12 have encouraged many institutions that work with children to overhaul their traditional ways of operating. This applies particularly to courts, hospitals, care homes, and schools. There are two paragraphs to this article and the full text of paragraph one of Article 12 reads as follows:

> 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.

This recognises that adults' authority over children is not absolute and that children have agency. Even very young children are capable of forming views on whether they are being treated

appropriately. Even where children may be largely dependent on the support of adults, they have the right to be treated with dignity and for their views to be listened to with respect. The paragraph suggests that once the view has been expressed, it must be considered. That said, the phrase is 'given due weight' and this may be variable dependent on 'age and maturity'. It implies that older children are more likely to be persuasive but younger children also have the right to an intergenerational dialogue with those adults who have considerable power over them. Such conversations, if genuinely reciprocal, can be understood as a democratic process. This follows a tradition of educators such as Dewey (writing on democracy and education), Freinet (on cooperation), Freire (on transformative education), Lundy and Alderson (on student's voice) and Osler (on narratives).

Children's rights education is derived from the CRC in two ways. First, there are specific articles that define children's educational entitlement to some form of CRE. Articles 28 and 29 define the right to education and the purposes of education, which include developing respect for human rights. Article 42 commits signatory states to actively ensure that the principles and provisions of the CRC are widely known. Second, there are broader principles that should inform education provision, such as non-discrimination, the best interests of the child, and the right of the child to have their views given due weight in decisions that affect them (Lundy 2007). This is reflected succinctly in Article 2 of the UN Declaration on Human Rights Education and Training (UNDHRET) (UN 2011), which states that education should be about children's rights; that it should be conducted through a process which respects children's rights; and that it should aim to secure children's commitment and capacity to act for children's rights. CRE, therefore, provides a lens for thinking about: the *content* of education, the *process* of education, and the *purposes* of education.

In addition, education can be seen as both a substantive right in itself and also an enabling right, which 'functions as a multiplier, enhancing all rights and freedoms when it is guaranteed while jeopardising them all when it is violated' (Tomaševski 2006, 7). As duty bearers, adults need to ensure that CRE addresses the fact that children simultaneously have rights in education and a right to capacity building to enable them to progressively realise their rights (Lundy and McEvoy 2012). The UN Committee on the Rights of the Child, which is responsible for implementing policy on children's rights, has clarified this in its General Comment No.1:

> Article 29 insists upon the need for education to be child-centred, child-friendly and empowering, and it highlights the need for educational processes to be based upon the very principles it enunciates … The goal is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence. (UN Committee on the Rights of the Child 2001)

In UN documents, the word 'empowerment' is generally used, but we understand the reference to implicitly include acknowledgement of and commitment to children's agency. Indeed, in UNICEF's toolkit for CRE (UNICEF 2014), they also begin to use the language of agency to refer to the need for adults to respect the agency of children (106), to adopt processes to build children's sense of their own agency (115) and their actual ability to exercise agency (147).

Children as citizens

The CRC and associated UN documents recognise children as both the holders of rights and as potential rights defenders and as such support a case that children should be treated as citizens in the here and now rather than merely citizens in waiting (UN Committee on the Rights of the Child 2018). If we acknowledge children's citizenship, their age, their capacities, and their backgrounds take second place to their entitlement to be considered as rights holders on equal terms with all other members of the community, including the adults. Citizenship has been defined as a feeling, a status, and a practice (Osler and Starkey 2005). It is a feeling of belonging to a community, whether neighbourhood, school, city or region, nation, humanity. Citizenship is also a status as a member of the community and as a bearer of rights. Members of the community recognise the right of others to belong and to participate on equal terms in the political and cultural life of the

community. Citizenship is also a practice of participating in procedures for the construction and maintenance of order (Bernstein 2000). Citizens have agency. In other words, they feel that they have some level of influence and control over their lives and can exercise that agency within the structures in which they operate.

Children's rights education is not just about preparing for future citizenship rather it can be achieved through citizenship experiences in the here and now, both within the curriculum and as part of school culture and life in the community. For example, young people are increasingly aware of the environmental challenges we face and many play an active role as consumers, recyclers, polluters, and also as activists. Some of the young people participating and leading in current movements such as Black Lives Matter and the Climate Change movement are of school age and already experiencing significant agency and responsibility. There is an inevitable clash of power structures and world views when active young citizens engage with adults who are steeped in traditional expectations of teacher authority and control. Young citizens, therefore, represent a challenge to teachers to find ways to create constructive relationships for learning that do not have to rely on coercion. They also represent rich resources of different types of knowledge and experience available to their peers and teachers.

The development of universal children's rights (and related legislation and policies) has transformed perceptions of agency, democracy, and pedagogy. Drawing on both conceptual and empirical literature and also our own experience and research, we have sought to make explicit some of the benefits of reconceptualising and transforming relationships in schools. We do this in the form of 10 propositions that are starting points for dialogue in initial and continuing teacher education.

Proposition 1: agency can be nurtured through adult–child relationships

Children's rights education practices have the potential to transform the classroom and the school, especially in terms of sharing responsibility and agency more widely. Initiatives such as student councils, student voice, students interviewing and observing staff, and students being consulted on curriculum reform are examples of ways in which school practices can be transformed. Such a commitment has led to the creation of some radically innovative institutions, such as A.S. Neill's Summerhill School, where staff and students work together as (almost) equal members of a community and where there is an emphasis on 'liberating' children from adult authority. But many more mainstream schools have also embraced a range of student voice-related practices that model different forms of adult–child relationships.

Paulo Freire argued that it is legitimate to acknowledge teachers' authority in relation to the knowledge to be acquired, but this is distinct from other forms of authority, which may function to oppress students ([1970] 2005). In the context of educating adults in the community (which was Freire's initial concern), it may be possible to imagine a more complete mutuality between the teacher and the student in the process of education, but in schools, there is always an imbalance in power between actors, which cannot be simply wished away (Noddings 2013). If we ignore the power dimension, we risk alienating our students, who may consider it hypocritical to talk about equality from a privileged position of authority. In response, we may take as a principle that teachers should always reflect on the assumptions they make when they assert their authority in the classroom, and the extent to which this exercise of authority is justifiable and necessary. Children's capacity to exercise agency develops over time and differs between contexts and so the teacher must be sensitive to the changing balance over time and tasks. This means teachers should also commit to their own role in developing children's capacity for greater agency, and this, in turn, rests on us rejecting the false binary that children either do or do not have the capacity to exercise agency.

We embrace the more subtle notion that, depending on the context, teachers can make judgements and interventions which serve to gradually increase children's agency. At the very least Freire's promotion of mutuality should lead us to be open and honest with children about the nature of our authority, the limits on that authority, and the conditions in which such parameters can be challenged or reviewed. This may sound onerous, but in reality, it is about ensuring that

the teacher is working within explicit and shared professional rules, in much the same way we expect children to work within a class or school rules. For example, whilst it may be appropriate for a teacher to intervene when a child is speaking in order to clarify a misunderstanding, that is very different from routinely challenging opinions in a class debate.

Proposition 2: agency can also be nurtured through cultures of child–child relationships

To this adult–child dimension, the French educator Célestin Freinet adds a deeper argument about transforming peer relationships through adopting collective or cooperative approaches to classroom organisation. The Freinet class co-operative is a social group with rules and expectations that are specific to this pedagogy. These are based on cooperation as a social and economic model rooted in a concern for democracy. This cooperative framework comes with an expectation that children have agency and can influence their environment. Freinet teachers recognise the essential relatedness of children's interactions with the world beyond the classroom and the relationships within the classroom. Leaving the classroom and encountering real-life issues stimulates curiosity and questioning and children formulate hypotheses that they try to test out. They start to develop more abstract generalisations. This process helps them to realise that they can influence and modify the organisation of their class. By extension, they come to realise that the structures of the different communities they inhabit can also be modified and that nothing is inevitable or permanent (ICEM – Pédagogie Freinet 1984).

Most Freinet classes are in primary schools. The child in Freinet pedagogy is not only an individual learner but part of a group, the class. Children's freedom of action and expression are exercised within the limits necessary to protect the freedoms of others. To quote Freinet himself:

> It is through work and life itself that the child should come to feel and achieve freedom. Freedom is not the starting point. Freedom is the result of the new co-operative organisation of the work of the class. (quoted in ICEM – Pédagogie Freinet 1984, 71 our translation)

Historically, the organisation of a class co-operative was a response to the poverty-stricken rural milieu in which Freinet taught in the 1920s. A small contribution from each child's family, used collectively for the good of the class, could enable each child to have the basic learning materials. Participation in visits and outings could be extended to even the poorest children if the class collectively raised funds.

Freinet makes links directly to the international Co-operative Movement and argues:

> The school co-operative should be considered as an enterprise. Not in the sense that it makes a contribution to the national economy, but as an organisation which, having as its object the creation of joint projects, sets up a programme of work, a contract, produces accounts and is dependent on the sound management of its material and financial resources. (OCCE 1986)

In keeping with the spirit of co-operation and democracy, the decision to form a class co-operative is a collective one, though usually at the suggestion of the class teacher. Once agreed, the co-operative requires officers and funds. The teacher helps, suggests, and observes but rarely controls. Typically, a co-operative class agrees to undertake something beyond the usual curriculum, but in which all are involved. The major project is an integrated learning experience involving all parts of the curriculum. It is a democratic form of learning in that the participants themselves make all major decisions and thus exercise real choices about what they do, where they go, how they organise the event and how they present their achievements. This might be contrasted with the illusory choices teachers routinely offer, where essentially children choose between one teacher-defined activity and another (Freire [1970] 2005).

Proposition 3: we need to promote forms of coalitional agency

Some schools promote active citizenship through charitable fund-raising. Such an approach risks reinforcing stereotypes of victims who cannot help themselves and marginalising political

interpretations of rights. Where the focus is on rights rather than charity, young people's strong sense of anger at injustices around the world can be mobilised. This can work with the grain since such cause-oriented political action has been identified as a defining feature of youth politics (Norris 2004).

In one sense, solidarity provides a sound foundation for young people to undertake action in defence of others' rights (Canlas, Argenal, and Bajaj 2015). Understanding the principles of universality and reciprocity of human rights reinforces the idea that an appeal to human rights agreements for oneself can only be sustained if others also have a vested interest in defending human rights for all. Very often, those whose rights are most threatened are least able to undertake political action and, therefore, finding allies who are themselves less vulnerable, can be the only way to achieve progress. A lower caste child in India facing discrimination, or a girl being coerced for a bigger dowry are not well-positioned to challenge authority and doing so may pose real threats their safety. However, others can challenge the behaviour of their family and peers. For example, children in higher caste families can become effective advocates against caste prejudice within their privileged families; boys can refuse to go along with harmful forms of gender inequality (Bajaj and Pathmarajah 2011). One of the organisers of an HRE project argued as follows:

> Human rights education cannot be imparted [only] within the four walls of the classroom. It has to be learnt, out in the world, in the midst of people, particularly among victims of injustice and rights violations. It cannot stop with acquiring information, but should lead to courageous and collective action in solidarity with victims. (Devi 2010, 46)

In order to understand the situation, it is essential to learn about the lives of victims of injustices, and from this knowledge, determine how one might act to intervene. The people undertaking the action work with the people they want to help, and through investigation, communication and alliance building, they develop a deeper relationship with them. This has been described as a form of 'coalitional agency' in which children come to appreciate that they are, in the words of Martin Luther King Jr., 'caught in an inescapable network of mutuality' (Bajaj 2018, 13).

Perhaps the best-known example of such a project is the Amnesty International Urgent Actions, where members of school clubs take part in coordinated actions to lobby on behalf of named prisoners around the world. Their primary school resource 'The Power of the Pen' encourages 9- to 11-year-olds to write in support of Amnesty campaigns for individuals (www.amnesty.org.uk/resources/power-pen-primary-schools). Another school-based project for 12- to 13-year-olds 'Speak Truth to Power' focuses on the lives of human rights defenders (Jerome 2017). Students learn about the life history of human rights defenders, the country they live in, the people they work with, and the human rights issue with which they are involved. Rather than being directed about the kind of action that might follow, some students have been inspired by the materials to campaign on similar issues in their own schools; some tried to raise awareness among fellow students; some sent messages of solidarity to campaigners; and others got involved in direct campaigning, for example by writing to politicians who could help. Several students who participated in the focus groups to evaluate the project commented on Kennedy's metaphor of individual actions creating small ripples of change. They were building a sense of political efficacy not because they thought they could change the situation single-handedly, but because they could see how they were contributing to a network of activities that kept the issues alive and contributed a small part to a bigger struggle.

In these examples, there is an important distinction to be made between sympathy and charity on one hand, and empathy and coalitional political agency on the other hand.

Proposition 4: while agency is concerned with actions in the world we also have to attend to feelings of efficacy

A key aim of rights education is to ensure young people develop a sense of agency or political efficacy. This involves consideration of the political life of our communities and identifying the

kinds of activities that can be most beneficial. The ability to engage and the belief that one can and should are essential aspects of political efficacy. By way of example, Bajaj's study in the Dominican Republic concluded that an HRE project, linked to local issues, led to an increased sense of agency among the students and a belief that they could intervene to help resolve conflicts (2004).

Kahne and Westheimer (2006) draw attention to the consistent evidence base that suggests high levels of political efficacy lead to higher levels of voting and other forms of participation. However, they also urge caution in educational projects, where internal and external efficacy may be in tension. Internal efficacy refers to the internal belief that one can and should act to make a difference. External efficacy refers to the belief that government or others in authority would respond to such citizen action, especially from someone like oneself. It is perfectly possible for an education project to enhance one at the expense of the other. For example, a student who has a high level of internal efficacy might undertake an individual action, but if they have not considered the likelihood of adults taking notice, this may have little impact, and in the longer term might start to erode their political efficacy overall. In answer to this problem, one strategy may lie in preparing young people explicitly to engage with opposition and to plan ahead about when they will encounter obstacles. Another educational solution involves arranging placements or collaborations with organisations and campaigners who have already established relationships with those in authority, such as can be seen in the work of community organising networks that often include primary schools (Jerome and Starkey 2021).

Proposition 5: agency can generate a virtuous cycle

Young people's political engagement can generate a virtuous cycle. Research into Amnesty youth groups records how involvement may start for a whole variety of reasons, but once young people are participating, they often develop a stronger sense of efficacy and come to identify themselves as the kind of person who gets involved and tries to make a difference (Montague and Eiroa-Orosa 2018). The more they participate, the more they develop strong social bonds with fellow activists, and therefore start to feel connected to others through their commitment to human rights. Such social bonding or relatedness is an important element of psychological well-being. Participation does not simply help to achieve the political goal, nor should it only be valued because it generates valuable political learning, but it should also be appreciated for contributing to well-being.

This connection between agency and well-being resonates with UNICEF UK's (2020) evaluation of their Rights Respecting Schools Award, where children in primary schools gaining higher level accreditation are more likely to report they like the way they are, enjoy schoolwork and feel safe at school. Research repeatedly indicates a positive correlation between children's self-reported participation and well-being, for example, Lloyd and Emerson (2017) found a strong connection for both boys and girls at the top end of primary school in Northern Ireland, especially in relation to social relations.

Proposition 6: rights should be prioritised over responsibilities

The relationship between rights and responsibilities is important but far from a simple principle to understand and teach. Focusing on teaching about responsibilities rather than rights, in order to regulate children's behaviour, has been described as 'miseducation' (Howe and Covell 2010). One education programme in England was called 'Rights, Respect and Responsibilities' (RRR), partly to defuse teachers' concerns about teaching children's rights, but also potentially de-politicising the focus on rights. In some schools, the teachers emphasised responsibilities, in some cases even starting their teaching with the concept of responsibilities and deferring rights to some later stage. This was also linked to ideas about charity where children in the relatively affluent South East of England were encouraged to reflect on the responsibilities they had towards less fortunate children in Africa.

Responsibilities were also frequently derived from rights, for example, one class charter included the following:

> You have the right to nutritious and healthy food. It's your responsibility to make sure you eat enough fruits, vegetables, yoghurts, and that you drink enough water. (Howe and Covell 2010, 98)

Unsurprisingly, the children in these schools did not develop any understanding of rights and often thought their rights were entirely contingent on their own good behaviour. At its most extreme, children told the researchers that naughty children do not get their rights.

By contrast, the researchers argued that:

> Children who are taught about their contemporaneous rights and responsibilities in classrooms and in schools that respect those rights by allowing meaningful participation are children who display moral and socially responsible behaviours and feel empowered to act. (Covell, Howe, and McNeil 2008, 323)

They argue that children who learn about their own rights also come to understand that the power of their claim to enjoy a right is partly that the right is universal, and therefore they have to recognise that others have the same rights at the same time. Acknowledging the rights of others is, therefore, an extension of making a rights claim for oneself, and so children come to appreciate the way in which rights have to be balanced and the ways in which one can act individually to maximise the chances of having rights respected. Importantly though, this kind of intuitive understanding of the relationship between rights and responsibilities does not preclude also learning about the role of more powerful actors as duty bearers. As one teacher put it, some children are 'weighed down with goodness' and need to be taught how to assert their rights (Howe and Covell 2010, 99).

Proposition 7: agency can be thickened or thinned

It is useful to imagine children's agency on a continuum, and as being 'thickened' or 'thinned' in particular contexts. Teachers can reflect on their practice and remove unnecessary constraints in order to build children's capacity to assume greater agency in their education (Tisdall and Punch 2012). Teachers recognise that children's agency will change over the course of their development. In other words, children's rights need to be transformed into real rights or capabilities by means of an interplay between an individual child's personal skills and the available social opportunities. Teachers consequently need to address both the development of children's personal skills and the opportunities for participation. A child-centred approach recognising children as citizens and rights holders involves developing opportunities to participate and encouraging critical reflection on structures and processes (Hart, Biggeri, and Babic 2014).

Thinking about children's agency in terms of how particular situations thicken or thin their agency (Robson, Bell, and Klocker 2007) helps us to consider the educational dimension. The following example is taken from a secondary school context but has some characteristics that can be relevant to younger age groups. The topic was protest in the local community and the teacher became aware that a missing element of their students' education concerned the consequences of breaking the law (Jerome and Elwick 2016). Anti-migrant protestors were met by anti-fascist counter-protestors and some of the students felt they wanted to voice their opinion. In this context, some people were arguing for protestors to break the law, vandalise property, or even use violence. As is often the case when two groups confront each other and feelings run high, violent clashes may occur, demanding split-second decisions about whether to flee or stand and fight your ground. The teacher determined that a responsible approach was to ensure the students were fully informed about the legal situation. They needed to know what might follow for individuals who opt to break the law for a cause so they could be aware of and weigh up the risks. By working through scenarios and by examining the legal situation, the teacher was able to help her students think about the decisions they might have to make. They had time to think things through and start to make informed judgements. Through such pre-emptive teaching the teacher effectively helped her students to make better-informed decisions about their own agency in that situation of conflict.

Proposition 8: institutions and processes can foster ecological agency

This proposition is not referring to the environmental movement, rather it reflects the analysis of Priestley, Biesta, and Robinson (2015) on the processes by which agency arises within specific social and institutional contexts. This approach moves beyond the tendency to see agency as the innate capacity of individuals to act (Erss 2018) and instead conceptualises agency as a complex, temporally situated, interplay of forces and elements (Emirbayer and Mische 1998). It reflects ways in which individual efforts, available resources and contextual and structural factors interact (Biesta and Tedder 2007). An ecological model of agency is shaped by context and environment. Agency is partly about individuals' own intention and ability to act but has to be framed within the contextual factors that have direct and indirect effects (Priestley, Biesta, and Robinson 2015).

This ecological approach to agency leads us to be wary of thinking of children as a monolithic cultural group. Children are influenced by the various groups with which they are associated and within which they live and act. These include, of course, the school and class group with the accompanying rules and expectations. But they will also be moving in other circles, including the family and the various cultural networks associated with parents and relatives. Involvement in sport or music brings other frameworks to bear as does religious observance. Youth movements, secular and religious, provide yet further rule-bound cultures. It is highly probable that at some stage, there will be tensions and power struggles in which children will participate. This gives them an experience of different discourses and cultural negotiation and contestation (Oswell 2013).

An ecological approach encourages us to review how schools as institutions work to enable or close down children's agency. In her account of how organisations might promote Article 12, Lundy addresses this ecological dimension. She argues that rather than focus on the individual act of speech, serious planning should incorporate four dimensions:

> Space: Children must be given the opportunity to express a view.
> Voice: Children must be facilitated to express their views.
> Audience: The view must be listened to.
> Influence: The view must be acted upon, as appropriate (Lundy 2007, 933).

Her model draws attention to the context in which children's views are sought. Two children with similar levels of understanding and rhetorical skills might have very different experiences depending on how well their school supports them and engages with their views.

Proposition 9: agency is also negotiated

For CRE educators, one challenge in relation to movements such as School Strikes for Climate lies in the frequently expressed sentiment that children are choosing to temporarily sacrifice their education for the sake of their futures (McKnight 2020). For teachers who are clearly committed to young people's educational success, this implies, at the very least, that they may feel some conflict about how to work with their students. Clearly, there are tensions between children's rights to participate, adults' duty to protect them from harm, and judgements about what is in their best interests. Such negotiations and judgements must also be weighed up in specific contexts, where legal requirements and consequences may be rather different. In 2003 there was a spate of student walk-outs in the UK as a result of the invasion of Iraq. Whilst some schools simply banned students from participating in rallies and punished them for not attending school, others engaged with the students to negotiate the way ahead. Some schools found that there were compromises that could be worked out and these have led to lasting changes that acknowledge that students' agency may require changes in school organisation and staff activity (Mead 2010). In fact, the phenomenon of school strikes has a long history, for example in 1889 in Britain, participants in the 'children's rebellion' marched out of their classroom demanding 'shorter hours, lighter work

… and better teachers' (Cunningham and Lavalette 2016, 58) and in the aftermath of 1968 school students went on strike on numerous occasions to demand school reform and democratic governance. More recent strikes have tended, as with the Iraq invasion and climate change, to focus on issues outside of the school, and one might perceive that these leave more room for negotiation than the kind of strike action that directly opposes teachers' authority.

Such negotiations are bound to be sensitive and controversial, and this may be exacerbated by the fact that the teachers and young people are not entirely free to agree a solution between themselves. Parents, politicians, local administrators, the media and members of the public will all have conflicting opinions about what should happen. Nevertheless, the withdrawal of labour, or of ready compliance with adult authority, is a perfectly rational response for a group of people who have no right to vote, and who feel silenced or marginalised in other democratic processes. As we mentioned in the introduction, acts of what might be termed 'everyday resistance' or 'constructive noncompliance' may be legitimated as providing a form of feedback to the authorities on badly framed laws (Tsai 2015). More broadly still, even in societies where democratic routes are more open, citizens express themselves through conspicuous acts of omission, for example, conscientious objectors refuse conscription; consumers, performers, and sports people boycott companies or countries; others simply refuse to comply with unjust laws by bending the rules or ignoring them. Much significant reform is triggered by people taking unsanctioned action that has been called transformative citizenship (Banks 2008). Some teachers set out to encourage engagement with and formulation of narratives of change achieved by citizen action. Often this involves challenging received wisdom and narratives promoted by those in power by developing counternarratives as a form of transformative citizenship education (Starkey 2021).

Proposition 10: the three Ps of children's rights co-exist, they are not sequential or optional

Children's rights are often referred to by the shorthand of the three Ps – referring to provision rights, protection rights, and participation rights. A legitimate focus on the protection of children can lead to paternalistic approaches which are overprotective and conflict with the view we promote here of children as competent agents whatever their age (Stoeckelin and Bonvin 2014). The COVID-19 lockdowns and school closures in England in 2020 demonstrated how a concern for protection could inhibit or prevent participation.

The Children's Commissioner for England provided several reasons from a children's rights perspective to be wary of too great an emphasis on protection (Lennon 2020). At a very basic level, she argued that the shutting of schools reflected a failure to prioritise children's right to an education (Article 28). She further argued that where there are inadequate arrangements for home study this fails to realise children's rights to develop their potential to the full (Article 29). In addition, because the shortcomings are more likely to accrue to children in disadvantaged groups, then these failures fundamentally contravene the principle of non-discrimination (Article 2). We would add that the failure of many schools to consult with young people about how to manage the transition back to school reverts to a model in which protection and provision are prioritised but where participation is completely ignored. The focus on provision and protection leads to a focus on the agency of adults to provide for and protect children, once again side-lining young people's agency and making decisions about them, rather than with them. UNESCO and the Council of Europe (2021) have documented the decline in student voice activities around the world resulting from the COVID-19 pandemic.

Conclusions

Article 12 of the CRC states that the views of the child should be given 'due weight in accordance with the age and maturity of the child', and we have noted that for some adults, this can be read

as kind of loophole, enabling them not to give much weight to the opinions of younger children, or young people who are deemed not to respond in a sufficiently mature way. But an ecological approach chimes with the CRE approach to build children's capacity to exercise agency. Children's capacity to act does not derive from their age or level of development, it is produced through interactions with those around them. Adults can boost children's agency by providing them with opportunities to engage, building routines that become habits, ensuring they have access to appropriate information, supporting them to develop informed opinions, and genuinely demonstrating how they can have an impact. The CRE approach does not assume children have all the information and capabilities required to exercise agency effectively in all matters rather it works with children to nurture and develop their agency. It follows that, in schools where children cannot exercise their agency, responsibility for the remedy lies with the adults as duty bearers.

Agency is not binary. It is not something that is achieved or not. Practitioners need to consider whether children have been/could be involved in the decision-making process and to what extent and with what result. We can encourage greater agency and confidence to effect change by evaluating the extent of children's engagement and teacher responses. We think of children's agency as a sliding scale from minimal to maximal, but where an individual child sits on that scale depends as much on the adults and the institutional context as it does on their own innate maturity or level of development.

In this article, we have considered children's agency as exercised within peer cultures where they help others to build agency through their relationships. We also recognised their capacity to play along with our expectations or refusing and resisting. They may also seize the moments when adult control slips and build their own capacity to act (Oswell 2013). But these are the forms of agency that children will exercise anyway. Teachers are generally capable of scaffolding experiences in order to help students make progress towards levels of achievement that are beyond their current attainment. CRE teaching has children's agency as an explicit objective and a powerful pedagogy. To achieve this, teachers have to incorporate participation in their planning and practice.

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