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## BOOK AND MEDIA REVIEWS

# **‘Human beings’ or ‘human becomings’: exploring the child’s right to development**

Peleg, N. (2019). *The child’s right to development*. Cambridge: Cambridge University Press. 262pp, US\$106.69 (hardcover) ISBN: 9781107094529.

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After years of thorough research and scholarship on children's rights, the right to development, and analyses of the United Nations (UN) Convention on the Rights of the Child (CRC), Dr Noam Peleg has produced *The child's right to development*. In his own words, this book offers a 'detailed new framework for analysis of the child's right to development' (21). This work, which is useful for those practitioners working to uphold the rights of children either in government or in the non-governmental and civil society sectors, makes three contributions. Firstly, it gives a detailed overview of current frameworks on children's rights, discussing the tension embedded in the dichotomy of children viewed as 'human beings' versus 'human becomings', and the value and shortcomings of these frameworks. Secondly, through a careful analysis of children's rights scholarship and a historical overview of the UN Committee on the Rights of the Child's own interpretation of children's rights (25), Peleg discusses the shortcomings of not having a clear definition of the child's 'right to development', and how this has impacted the drafting of significant human rights documents, including the CRC. Lastly, Peleg suggests a solution to the aforementioned challenges: this is essentially a hybrid of the 'human beings' and 'becomings' frameworks.

Peleg firstly outlines his methods and motives for analysing the right to development, as it intersects with children's rights. He does this through his exploration of the CRC and the procedural journey of the Committee and its drafters. The intent of the CRC, as of much scholarship and child's right's law, is to protect child development (15). However, while there have been recent shifts, this right to development has not ultimately translated into the concept of a child as an 'active agent in her own development' (203). This concept contains the potential of a 'free child' eventually becoming a 'free adult' (203), and truly allows a full upholding of children's rights.

In Chapter 1, Peleg discusses the 'socio-legal background that led to the creation of children's unique right to development' (211). There is a discussion of the human *becomings* approach, which places an overall value on what children will become in the future and puts an emphasis on what is perceived as their 'incompleteness'. Scholars like Korczak, Peleg states, argue against this concept of a

child being seen ‘through the lens of the future’ and as a ‘future citizen’ (28), as opposed to their potential value and contributions to the present. Here, Peleg also discusses the failings of the Universal Declaration of Human Rights (UDHR), alongside criticisms of early iterations of the CRC, which examined children through the lens of welfare (41), and saw them ‘only in the context of traditional domains of childhood’ (42), and mere ‘recipients of treatment’ (32). Children were not seen as human *beings* with actual rights, including the right to self-determination which allows them to make their own decisions and have control over their own futures (52).

Chapter 2, as Peleg mentions, ‘explores the drafting history of the Convention of the Rights of the Child’ (15), in an effort to understand how the child’s right to development was interpreted and included within it (212). Overall, Peleg argues while the drafters of the CRC clearly discussed the need to protect children’s development and what this meant as a human right (91), the actual ‘question of what *child* development means was rarely raised’ (15, emphasis added). Moreover, the concept of human becoming was referred to throughout the drafting process; through a focus on child survival versus agency (88), the notion of children as weak and needing protection (82), and the recognition that growth is inextricably linked to the successful ‘transformation of the child into an adult’ (83). Across all of this exploration of the process of the CRC, Peleg argues that while the drafters focused heavily on protecting the child’s future, they neglected to respect child agency (90). One key reason for this, a major point reemphasized through the book, is that while the right to development and child development were frequently mentioned, there was very little discussion of the actual definitions of these concepts (91). This ambiguity is highly problematic, as the field of children’s rights involves a variety of different, sometimes interconnected, disciplines and practitioners.

Peleg moves forward in Chapter 3 to argue that this lack of a ‘workable definition of this right’ (16) is what allows Parties to the CRC to develop local understandings of it (140), and this enables them to ‘ignore their commitment to protecting and promoting this right’ (94). Here, Peleg discusses how violations to other rights within the CRC, specifically the right to non-discrimination, impede upon the child’s right to development (102). Furthermore, the Committee’s effort to uphold the child’s right to development is severely minimized, as there is still ambiguity around the actual term ‘child development’ (140). Furthermore, across the CRC there is no connection to children and the right to freedom of expression (141), disabling them from genuine participation, and thus inhibiting their right to overall development (142).

In Chapter 4, Peleg introduces the capability approach. In his previous works he has noted that this has not traditionally been utilized in the children’s rights discourse (Peleg, 524) and has been seen as irrelevant. He responds to the view that children lack the ‘capacity to choose’ (163), arguing that this undermines the entire approach (163). According to Peleg, it is the capability approach, which allows for children’s agency in developing their capabilities (144), that transcends the concept of ‘beings’ versus ‘becomings’ by enabling ‘children to fulfill their potential and pursue lives worth living in the future’ (168). It is through the capability approach, and through participation and choice that children can truly have agency throughout the development process and its outcomes (167).

Lastly, in Chapter 5, noting this problematic lack of a clear definition, alongside the argument that children’s rights scholars and decision-makers

frequently do not acknowledge children's agency, Peleg proposes a hybrid framework that recognizes both 'human beings' and 'human becomings'. Throughout these key arguments, Peleg acknowledges that children and childhood are not monolithic and that children deserve the opportunity to have agency and participate in the various decision-making processes that will affect their present and future lives. He acknowledges that a child is both a human being and a human becoming (195) and that the right to development is not merely centred on growth into an adult, but on becoming an 'active agent' in one's own development (203). It is, in fact, this hybrid which will move the rights field one step closer to a clearer interpretation (213) of the right to development. It can encompass and connect the myriad of different disciplines, while acknowledging the intersectional nature of one's experiences (203), and reimagining children as active participants with true agency.

In my own practice as a human rights educator, Peleg's work left an indelible mark on me and my work as the founder of a youth-centred non-governmental organization. Soon after having read *The Child's Right to Development*, I received an interview request from a group of young people (children under the age of 18) for a school project they were working on. When asked why I chose to work with young people, I immediately considered some lessons from Peleg's book. *The Child's Right to Development* was a reminder that I choose to work with young people because they are at the intersection of being and becoming. No adults can carry this distinction; it is something that uniquely belongs to children. Peleg's work is a reminder that as human rights practitioners and educators we must continue to build a child-centred pedagogy, one which intentionally strives to amplify the voices of the young rather than regarding what they say as an afterthought. Undoubtedly, this requires work, but it is how we truly reimagine spaces that uphold child rights and child agency.

## References

- Peleg, N. (2013). Reconceptualising the child's right to development: children and the capability approach. *International Journal of Children's Rights* (12). Retrieved from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3033458](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3033458)